

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

| | | |
|------------------------------------|-------------------------|----|
| HB0587 | Second Reading | 10 |
| HB1645 | Second Reading | 10 |
| HB2956 | Second Reading | 11 |
| HB3372 | Second Reading | 12 |
| HB3881 | Postponed Consideration | 21 |
| HB4022 | Second Reading | 13 |
| HB5264 | Second Reading | 14 |
| HB5823 | Second Reading | 14 |
| SB2404 | Recalled | 25 |
| SB2404 | Third Reading | 29 |
| SB2455 | Recalled | 52 |
| SB2455 | Third Reading | 65 |
| SB2461 | Recalled | 79 |
| SB2461 | Third Reading | 80 |
| SB2461 | Vote Intention | 93 |
| SB2621 | Recalled | 18 |
| SB2621 | Third Reading | 20 |
| SB3695 | Third Reading | 93 |
| SR0785 | Resolution Offered | 2 |
| SR0786 | Resolution Offered | 2 |
| SR0787 | Resolution Offered | 2 |
| SR0788 | Resolution Offered | 3 |
| SR0789 | Resolution Offered | 2 |
| SR0790 | Resolution Offered | 2 |
| SR0791 | Resolution Offered | 10 |
| SR0792 | Resolution Offered | 17 |
| SJR0076 | Resolution Offered | 3 |
| | | |
| Senate to Order-Senator Crotty | | 1 |
| Prayer-The Reverend Michael Fender | | 1 |
| Pledge of Allegiance | | 1 |
| Journal-Postponed | | 1 |
| Senate Stands in Recess/Reconvenes | | 6 |
| Committee Reports | | 6 |
| Senate Stands in Recess/Reconvenes | | 16 |
| Senate Stands in Recess/Reconvenes | | 17 |
| Committee Reports | | 17 |
| Messages from the House | | 18 |
| Senate Stands at Ease/Reconvenes | | 21 |
| Committee Reports | | 21 |

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Senate Stands in Recess/Reconvenes
Adjournment

24
107

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR CROTTY)

The regular Session of the 97th General Assembly will please come to order. Will the Members please be at their desks? Will the guests in the galleries please rise? The invocation today will be given by the Reverend Michael Fender, Grace United Methodist Church, Jacksonville, Illinois. Reverend Fender.

THE REVEREND MICHAEL FENDER:

(Prayer by the Reverend Michael Fender)

PRESIDING OFFICER: (SENATOR CROTTY)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR CROTTY)

Mr. Secretary, Reading -- Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Tuesday, May 22nd, 2012.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Hunter.

SENATOR HUNTER:

Madam President, I move to -- 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 CROTTY)

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

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

SECRETARY ANDERSON:

Senate Resolution 785, offered by Senator Brady and all Members.

Senate Resolution 786, offered by Senator Brady and all Members.

Senate Resolution 787, offered by Senator Jacqueline Collins and all Members.

Senate Resolution 789, offered by Senator Hunter and all Members.

And Senate Resolution 790, offered by Senator Radogno and all Members.

They are all death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR SULLIVAN:

Ladies and Gentlemen, I have some guests with me here today on the Floor. I have three of my constituents from the Macomb area. Jillian Taylor is a -- going to be a junior at Western Illinois University. She's majoring in communications. She's also an intern in my Macomb district office. Gloria Barr, over to my -- to my left, is a -- she's retired from Western Illinois University. She was the Director of the Study Abroad Program, and now she's volunteering in my Macomb office, just wanted to become more involved in -- in government. And then Sheila Miller, on my right, is my Macomb office director. She has been

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

with me from day one. And this is actually her first trip here to Springfield. I'd like everybody to welcome Sheila, Gloria and Jillian to the State Senate.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to the Senate Floor. Mr. Secretary, the resolutions that were read previously, would you put those on the Resolutions Consent Calendar. Are there any other resolutions?

SECRETARY ANDERSON:

Senate Resolution 788, offered by Senator Brady.

And Senate Joint Resolution 76, offered by Senator Link. They're both substantive, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Johnson, for what purpose do you rise?

SENATOR C. JOHNSON:

I rise on a point of personal privilege, Madam Chairman {sic}.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR C. JOHNSON:

Today I'd like to welcome to the Senate Floor some special guests from home. I'd like to introduce my brother, Mike Thorsen, and my niece and nephew, Abbi and Charlie Duval. Abbi's graduated from Highland Community College and is -- wants to continue her education at Iowa State University, majoring in meteorology. She'd like to be the weather lady on -- on TV. And just most recently, she had ten inches of her hair cut off and donated to Locks of Love. So she's very community-minded in that regard. And my nephew, Charlie, is a senior at Rochelle

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Township High School. He plays tennis, and recently his team placed in their conference tournament. He wants to study geology and would like to work for the U.S. Geological Survey. So please join me in giving them a warm Senate welcome.

PRESIDING OFFICER: (SENATOR CROTTY)

We welcome you to the Senate Floor. Senator McCann, for what purpose do you rise?

SENATOR McCANN:

For a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR McCANN:

Madam President, I have with me -- I have the great pleasure of having as my Page for the Day, Mr. Jacob Ury, from Staunton, Illinois. Jacob just finished third grade. He is a Cub Scout. He plays piano - he's taking piano. And when he grows up, he wants to be a LEGO Master Builder. And I am in extreme awe of this young man this morning. And his mother, Kim, joins us here on the Republican side of the gallery. And if we could give them a warm welcome, I would appreciate it. Thank you.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to the Senate Floor. And will our guest in the gallery please rise? Welcome. Senator Koehler, for what purpose do you rise?

SENATOR KOEHLER:

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

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

SENATOR KOEHLER:

I have a young man that's with me today as my Page. He's not just a Page, he's a good friend. And he's a sophomore in high school at East Peoria High. He does a tremendous amount of -- of work in his community. He's also a good guitar player. And I want everybody to help give a good Senate welcome to Gabe Tucker.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to the Senate Floor, Gabe. Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

Purpose of announcement.

PRESIDING OFFICER: (SENATOR CROTTY)

State the announcement.

SENATOR MUÑOZ:

Madam President, the Senate Democrats are requesting a caucus in the President's Office immediately upon recess - approximately for about an hour.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Kotowski, for what purpose do you rise?

SENATOR KOTOWSKI:

Very nice to see you, Madam President. It's great to see you in the Chair. I have -- it gives me great pleasure to introduce a couple of people that we have, come to visit us in Springfield today, my Pages for the Day. We have Bjorn Olafsson and his brother, Will. They're both from Park Ridge. Bjorn goes to Maine South and his brother goes to Lincoln. He's one year older than my son Nate. Bjorn wants to be a lawyer or an editor when he grows up. He's an avid reader. His brother,

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

William, when he grows up, he wants to be an engineer. They're two wonderful young men. They've come here to see Springfield. Can you please give 'em a warm welcome and thank them for coming, to Bjorn and Will Olafsson. Thank you very much.

PRESIDING OFFICER: (SENATOR CROTTY)

Thank you and welcome to the Senate Floor, Bjorn and Will. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Purpose of announcement, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

State the announcement.

SENATOR MURPHY:

The Senate Republicans will caucus for one hour in Room 409 upon the recess.

PRESIDING OFFICER: (SENATOR CROTTY)

Senators Muñoz and Murphy move that the Senate recess for purposes of a Senate Democrat and a Republican Caucus, lasting about one hour. Seeing no objection, the motion is granted. The Senate now stands in recess to the call of the Chair. After the Senate Democrat and the Republican Caucuses, the Senate will reconvene for the purpose of Floor action. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR CROTTY)

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

SECRETARY ANDERSON:

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Senator Maloney, Chairperson of the Committee on Higher Education, reports Senate Amendment 3 to House Bill 5914 recommended Do Adopt.

Senator Hunter, Chairperson of the Committee on Human Services, reports Senate Amendment 3 to House Bill 5007 recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Judiciary, reports Senate Amendment 4 to Senate Bill 2534 and Senate Amendment 2 to House Bill 5823 recommended Do Adopt.

Senator Meeks, Chairperson of the Committee on Education, reports Senate Amendment 1 to Senate Bill 3362 recommended Do Adopt.

Senator Sandoval, Chairperson of the Committee on Transportation, reports Senate Resolution 764 Be Adopted; and Senate Amendment 2 to House Bill 3340 recommended Do Adopt.

Senator Koehler, Chairperson of the Committee on Local Government, reports Senate Amendment 3 to House Bill 2956 and Senate Amendment 1 to House Bill 3372 recommended Do Adopt.

Senator Noland, Chairperson of the Committee on Criminal Law, reports House Bills 196, 3499, 3801, 5602 Do Pass, as Amended; and Senate Amendment 2 to House Bill 3825 recommended Do Adopt.

Senator Garrett, Chairperson of the Committee on Environment, reports House Joint Resolution 34 Be Adopted.

Senator Forby, Chairperson of the Committee on Labor, reports Senate Resolution 774 Be Adopted.

Senator Raoul, Chairperson of the Committee on Pensions and Investments, reports House Bill 3969 Do Pass, as Amended; Senate Amendment 4 to House Bill 1605 and Senate Amendment 2 to House

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Bill 4996 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR BOMKE:

Joining us here today, and he's here every year, usually twice a year, Russ Brenning {sic} (Benning). And he has his eighth grade class from Trinity Lutheran. I'd ask that you help me give 'em a warm Senate welcome.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to the Senate. Senator Pankau, for what purpose do you rise?

SENATOR PANKAU:

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

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR PANKAU:

Thank you. With me today is my Page for today. Her name is Laura Dion-Jones. She has -- she has her own weekly radio talk show on WRMN 140-10 {sic} (1410) AM, and they broadcast out of Elgin. Her production assistant, Valentine Bennett, is up in the gallery. She is going to be doing her radio show from the Rotunda from 3 to 4 today, and the subject, of course, is the Illinois State Senate. So, if any of you have a chance to come by the Rotunda, say hi, drop in a little bit. And, please, let's welcome her to the Illinois Senate.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to the Senate Floor. And will the guest in our galleries {sic} please rise, and welcome. Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR McCARTER:

I've got a -- a fine young man here today with me - Greg Tanis. Greg is from Tulsa. He goes to Oral Roberts University, my alma mater. He's a junior, a political science and Spanish major. And he's -- for two years, he's been with the Oklahoma Collegiate -- what is it? Sorry. Too many -- too many words. Oklahoma Collegiate {sic} (Intercollegiate) Legislature, and he's now -- you're going to be the President this coming year. So he's -- he's -- he's keeping me in line today and correcting me on my -- my procedures and -- which is -- I obviously need somebody to keep me in line. But I'm glad to have him here. A friend -- friend of my -- my son as well. And welcome, Greg Tanis.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to the Senate Floor, Greg. Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR MUÑOZ:

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Madam President, Ladies and Gentlemen of the Senate, I have here with me today our First Deputy Wysinger from the Chicago Police Department. He's second in command of our department in the City of Chicago. He's here today, will be -- as well as - testifying - are Anita Alvarez. They're going to be testifying on the RICO bill. So, I just wanted the Senate to welcome him.

PRESIDING OFFICER: (SENATOR CROTTY)

Deputy Chief, we welcome you to the Senate Floor, and thank you so much for your service. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 791, offered by Senator McCarter.
It's substantive, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

To all Members of the Senate, please come to the Floor. We are going to 2nd Readings. Now, starting on the middle of page 13, we have House Bills 2nd Reading. House Bill 587. Senator Hutchinson, do you wish to proceed? She indicates she does. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 587.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. House Bill 1645. Senator Hutchinson. She wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 1645.

(Secretary reads title of bill)

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

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

PRESIDING OFFICER: (SENATOR CROTTY)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Hutchinson, on Amendment No 3.

SENATOR HUTCHINSON:

Thank you, Madam President. I would like to adopt Amendment No. 3 on the Floor.

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? There being 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 ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. We're still on the middle of page 13, and it is House Bill 2956. Senator Link. Senator Link wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 2956.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CROTTY)

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Link.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This amendment, it just pertains to telecommunication, for Lake County only.

PRESIDING OFFICER: (SENATOR CROTTY)

Is there 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 ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. House Bill 3372. Senator Noland. Senator Noland wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 3372.

(Secretary reads title of bill)

No committee amendment -- no committee amendments reported.

PRESIDING OFFICER: (SENATOR CROTTY)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR CROTTY)

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Senator -- Senator Noland, on that amendment. Senator -- Senator Dillard, do you want to -- wish to speak to this amendment?

SENATOR DILLARD:

Thank you, Madam President. This is an initiative of the Village of Elmhurst and the DuPage Mayors and Managers Conference. It makes some clarifications going back to recording with the county eminent domain proceedings that actually had required and led to payment. I'd move its adoption.

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? There being 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 ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. Now on House Bill 4022. Senator Hutchinson. Senator Hutchinson wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4022.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. Jamey Dunn with the Illinois Issues requests permission for still photographs. There being leave, permission

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

granted. Now we're on the top of page 14, on House Bills 2nd Reading. Senator Kotowski. Senator Kotowski. Out of the record. House Bill 4444. Senator Sandoval. Senator Sandoval. Out of the record. House Bill 4609. Senator Lightford. Out of the record. House Bill 5101. Senator Sandoval. Out of the record. House Bill 56 -- 5264. Senator Althoff. Senator Althoff wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 5264.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. Now on House Bill 5341. Senator Clayborne. Out of the record. House Bill 5528. Senator Muñoz. Out of the record. House Bill 5823. Senator Mulroe. Senator Mulroe wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 5823.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Mulroe.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Mulroe.

SENATOR MULROE:

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Thank you, Madam President, Members of the Senate. The amendment basically becomes the bill. I'd be happy to explain it on 3rd.

PRESIDING OFFICER: (SENATOR CROTTY)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. House Bill 5914. Senator Righter. Out of the record. Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR MUÑOZ:

Madam President, Ladies and Gentlemen of the Senate, I have here with me today Anita Alvarez, our State's Attorney from Cook County. She's here to testify in committee, Executive Committee, on the RICO bill. She's going to stop by and say hi to -- to all of you. Thank you. If we could welcome her, I'd appreciate it.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to the Senate Floor. Nice to have you. Ladies and Gentlemen, the following committees will be meeting: Executive at 3 p.m. in Room 212; Licensed Activities at 3 p.m. in 409; and Revenue at 3 o'clock in Room 400. I want to let the Members

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

know that these committees will be starting at 3 o'clock. Again, Executive in Room 212; Licensed Activities at 3 o'clock in Room 409; Revenue at 3 o'clock in Room 400. We will then promptly return to the Floor at 5:30 and we will be taking Floor action. So, please, remember we're coming back promptly at 5:30. The Senate will stand in recess until 5:30.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senate will come to order. James R. Carder, Bluestream.com {sic} (Blueroomstream.com), requests permission to videotape. And Jason Ronimous with WICS requests permission to shoot video. Seeing no objection, leave is granted. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Extol the virtues of Senator Link.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please proceed.

SENATOR MURPHY:

And for purposes of an announcement.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please proceed.

SENATOR MURPHY:

Republicans would request a twenty-minute caucus immediately in Room 409.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy moves that the Senate stand -- that the Senate recess for the purpose of a twenty-minute Republican

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Caucus. Seeing no objection, the motion is granted. The Senate now stands in recess to the call of the Chair. After the caucus, the Senate will reconvene for the purpose of reading and taking Floor action. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Senator Hutchinson, Chairperson of the Committee on Revenue, reports Senate Amendment 2 to House Bill 4110 recommended Do Adopt.

Senator Martinez, Chairperson of the Committee on Licensed Activities, reports Senate Amendment 2 to Senate Bill 2915 recommended Do Adopt.

Senator Harmon, Chairperson of the Committee on Executive, reports House Bill 3859 Do Pass; House Bills -- 1907, 1981, 4940 and 5201 Do Pass, as Amended; Senate Amendment 3 to House Bill 1404, Senate Amendment 3 and 4 to House Bill 3329, Senate Amendment 1 to House Bill 4521, Senate Amendment 3 to House Bill 5078, Senate Amendment 1 to House Bill 5547 and Senate Amendment 3 to House Bill 5866 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 792, offered by Senator Haine.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

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

Senate Bill 1849.

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 No. 2 to Senate Bill 1849, House Amendment No. 3 to Senate Bill 1849.

We have received like Messages on Senate Bill 2526, with House Amendment No. 1; Senate Bill 3287, with House Amendments 1 and 2; Senate Bill 3314, with House Amendment No. 1; Senate Bill 3374, with House Amendment No. 1; Senate Bill 3386, with House Amendments 1 and 2; Senate Bill 3399, with House Amendment 1; Senate Bill 3406, with House Amendment 1. Passed the House, as amended, May 23rd, 2012. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if I could have your attention, if you'll turn to page 6 of the printed Calendar, on the Order of Senate Bills 3rd Reading, middle of the page, we have Senate Bill 2621. Senator Raoul. Senator -- Mr. Secretary, Senator Raoul seeks leave of the Body to return Senate Bill 2621 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 2621. Mr.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul, to explain Floor Amendment 3.

SENATOR RAOUL:

Floor Amendment 3 deletes all and becomes the bill. I'll explain it on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul, on Floor Amendment 4.

SENATOR RAOUL:

Floor Amendment 4 inserts factors that a Director may consider in deciding whether to award credits. I'll explain it further on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Floor Amendment 4? 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 ANDERSON:

No further amendments reported.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2621. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2621.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. Senate Bill 2621, as amended, is an initiative of the Illinois Sentencing Policy Advisory Council and John Howard Association. The bill creates a program of sentencing credits that the Department of Corrections can use to incentivize good behavior. The bill also indicates that the Director can now consider any risk assessment available, history of conviction for violent offenses, circumstances of committing the offense -- of -- of the commission of the underlying offense, potential for rehabilitation, and it addresses case law that had previously prohibited consideration of criminal history in awarding good conduct credit. It also has transparency provisions that requires that DOC must report on credits awarded or revoked annually to the Governor. The bill is a compromise and removed provisions that the State's Attorney {sic} (Attorneys) Association was opposed to. I urge your support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 2621 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 1 voting Nay, 0 voting Present. Senate Bill 2621, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, the Senate will stand at ease for a few moments to allow the Committee on Assignments to meet. Will all members of the Committee on Assignments please come to the President's Anteroom immediately? All members of the Committee on Assignments to the Anteroom immediately. The Senate stands in -- at ease. (at ease) The Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Floor Amendment 2 to House Bill 3801; Be Approved for Consideration - Floor Amendment 3 to Senate Bill 2404 and Floor Amendment 3 to Senate Bill 2455.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Anthony Brino with the Illinois Statehouse News requests permission to videotape. Seeing no objection, leave is granted. Ladies and Gentlemen, if I could have your attention, we're going to go to the Order of Consideration Postponed on page 17 of your printed Calendar, middle of the page. We'll wait for it to come up on the board. There it is. House Bill 3881. As the bills on this order have already been presented and debated on the Floor, debate on each bill will be limited to one proponent

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

and one opponent, each speaking to the bill. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Excuse me. Just one minute, Senator Harmon. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3881.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I presented House Bill 3881 just yesterday and it came up a bit short. I -- I'm sure you all know this bill. We've been referring to it colloquially as the "landfill" bill. It imposes a moratorium on the establishment of new landfills or the expansion of existing landfills in Cook County, and Cook County only. Mr. President, even though the vote was -- was close, there was no one who spoke in opposition to the bill when it was first presented. So I would -- I would happily yield to anyone who would like to speak in opposition and reserve my time for a closing.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Senator Harmon, do you wish to close? Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. This is the most controversial

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

bill that has no opponents on the Floor that I've seen in my time in the Senate. I'm grateful for the support of the colleagues who voted for this before and those who have agreed to vote for it this time. This is really a question of environmental justice. There's a community on the South Side - Senator Trotter represents part of it; others of you represent other parts - and there are two hundred and fifty semitrailers of garbage rolling through it every day. And if we don't pass this bill, that will continue for many years. So I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall House Bill 3881 pass. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 36 voting Aye, 17 voting Nay, 1 voting Present. House Bill 3881, having received the required constitutional majority, is declared passed. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Purpose of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your announcement. Senator Murphy.

SENATOR MURPHY:

We just received straight from Assignments, not having gone through a committee, two amendments to the budget bills that'll spend anywhere from sixty to a hundred million dollars of taxpayer money. And we just thought it would be a reasonable thing to do, to actually figure out what in the heck these

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

things spend this money on. So we will be taking a one-hour caucus immediately to try and figure that out.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes, thank you, Mr. President. I -- I understand that the Republicans have asked for a caucus because of the amendment that was filed. They've been given our analysis, but they'd like to analyze the bills themselves. That's fine. I just believe that we could probably do it in less than a full hour. So I'd like to ask you to please reconsider and make it a quick meeting, as much time as it's necessary to go through, but you do have our analysis and -- which is accurate, so perhaps a half hour would be more appropriate.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

We just received your analysis a moment ago and we will need forty-five minutes to go through it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, Senator Murphy moves that the Senate recess for the purpose of a forty-five-minute caucus, Republican Caucus. Seeing no objection, the motion is granted. The Senate now stands -- Ladies and Gentlemen, we will return at 5 -- excuse me, 6:15. The Senate now stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senate will come to order. Will all Members within the sound of my voice please come to the Senate Floor? We're ready to take up substantive action. All Members within the sound of my voice please come to the Senate Floor immediately. Adam Theilken with WICS-TV requests permission to videotape. Seeing no objection, leave is granted. Ladies and Gentlemen, if you will turn to page 4 of your printed Calendar, on the Order of Senate Bills 3rd Reading, towards the top of the page, we have Senate Bill 2404. Senator Steans. Mr. Secretary, Senator Steans seeks leave of the Body to return Senate Bill 2404 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 2404. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, on Floor -- to explain Floor Amendment 1.

SENATOR STEANS:

Right. I -- why don't we adopt it? And I can explain it when we're back on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 1, Floor Amendment 1? 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 ANDERSON:

Floor -- Floor Amendment No. 2, offered by Senator Steans.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, on Floor Amendment No. 2.

SENATOR STEANS:

Yes. Again, let's adopt -- this and the next amendment and we'll explain them all on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 2? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, on Amendment 3.

SENATOR STEANS:

I'll look forward to explaining it on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 3? Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator McCarter.

SENATOR McCARTER:

Senator, I notice here that for the Murray Developmental Center, you've got four hundred and fifty-four thousand six hundred dollars allocated. The Governor's plans for closure doesn't happen till December of '13. Can -- can you help me understand why we would be funding it for four days?

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

That's money that's getting added in, in that amendment, to what's in Amendment No. 2.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

What -- what is the -- what was -- can you help -- tell me what the -- the amount was in Amendment 2?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

The total amount for the State-operated development centers, which Murray's included in, is 282.4 million dollars between the amendments.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

We're checking. Just a second. We needed just forty-six minutes, I guess, to figure this out.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter, let me know when you're ready. Senator McCarter.

SENATOR McCARTER:

I'm going to ask you another question while we're looking for that, if I can. I guess why I don't understand is why JDC is funded for the complete time according to the Governor's closure of 17.8 million. Why would that be - in this amendment

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

- be funded fully and then only a partial for Murray?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Murray wasn't slated by the Governor to close until 2014. We're now dealing with Fiscal Year '13. There had been some reduction because they were going to start the closure. So -- the Governor's proposal originally had some reductions to begin the closure in Fiscal Year '13. We're just adding in that partial amount to indicate that it's not going to be moving towards closure. That's -- so the rest of the whole Murray amount is already in the original bill. So we didn't need to add that much back in for it. So we're making it whole.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

So how much is Murray getting in total?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I believe the right amount is 37.8 million.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Senator Steans, would you consider that to be a full year's funding, 37.8?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Yes. That's my understanding.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2404. Senator Steans wishes to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2404.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. So we are going to be taking on three bills now. This is the first of three. This is 2404. We'll follow that with 2455 and 2461. Together, these reflect a budget that I think represents the values of the Senate. This budget is balanced. We're living within the 33.7-billion-dollar resolution that we passed jointly with the House, as well as in the Senate. It includes responsible cuts. We're presuming cuts -- leaving the Medicaid at the same level the Governor's did, which presumes a 2.7-billion-dollar solution to Medicaid. And it has an

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

additional two hundred and fifty-five million in less discretionary spending, compared to the current fiscal year. And it also protects our priorities. Education - K through 12 education is kept level with Fiscal Year '12 and is one area that we have no reductions in. Also believe these budgets present a tremendous step forward towards fiscal health for the State of Illinois. We fully fund pensions and debt, and we're paying off 1.3 billion dollars in overdue bills in the way we are presenting this budget. Senate Bill 2404 itself provides appropriations for Fiscal Year '13, the General Revenue Fund -- funding dollars for agency operations and State facilities, and that it also includes the other State funds and federal funding for all agency operations, programs and grants. The amendment includes 5.2 billion General Revenue Fund, 18.9 billion in other State funds, and 7.3 billion in federal funds. It represents a GRF decrease of 321.6 million below Fiscal Year '12 appropriations in these areas. And overall GRF discretionary spending is decreasing by two hundred and fifty-five million -- million dollars. I would be happy to get into any more details or answer any questions folks may have.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Murphy.

SENATOR MURPHY:

So, Senator, we covered this a little bit, I think, in

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

committee, and -- and hopefully we can do it somewhat concisely here. When we were in committee, if you subtracted out the GRF portion of what you were paying for old bills, I believe the spending added up to about 34.4 billion, assuming that 1.1 billion in the Medicaid solution is new revenue instead of cuts. Is that accurate?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Well, I -- you know, we are living within the 33.7 billion. We do not know what will happen on Medicaid at this point. We haven't passed the bills. I would further note that if we do pass a cigarette tax or assessment or anything that might be considered, I don't know how that's going get accounted for. That may be put into the Healthcare Provider Relief Fund and be other State funds. So, I think, at this point, it's safe to say we're living within the 33.7 billion dollars and that may well be the way we go forward. We're going to have to see how Medicaid resolves when we get to that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

That's a pretty blatant slight of hand though, Senator. I mean, when the Governor came out with his number on Medicaid spending of 6.64 billion, it was understood that we would cut Medicaid spending by 2.7 billion so that we could reach 6.64 billion in spending. I believe you have made clear, in public statements, you don't expect 2.7 billion in Medicaid cuts and that as much as 1.1 billion of the Medicaid solution will be new

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

revenue, which means you have to increase the appropriation amount by whatever you don't cut it by -- cut the -- cut the Medicaid by, which means that 6.64 billion in Medicaid approp has to become 7.74 billion, unless you take it off line and go outside to a separate fund. Isn't that right?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

When the Governor -- when we have -- doing the 2.7 billion dollar, my understanding has always been that the intent was to reduce the unfunded Medicaid liability by 2.7 billion dollars. I think we will be seeing a 2.7-billion-dollar solution, but we're not on that bill right now. What I will say is it looks like we have a reductions and cuts bill that total 1.6 billion dollars in cuts. I don't think any other State has achieved this greater reduction -- percentage reduction in their Medicaid budget ever. The State of New York did about two billion in cuts in one year, and that's on a base Medicaid spending of fifty-four billion. We're doing 1.6 billion - I think we'll be seeing it - on a base of fourteen billion. It's a significant reduction any way you look at that. I'm not sure yet how we're going to account for revenues, if they, in fact, pass. We'll have to -- we'll take that up when that happens.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

I guess I'm trying to figure out -- you seem to be a little cagey on giving us the number that you're actually going to spend. You -- you had said it's within 33.7 billion. How much

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

do you anticipate actually spending with this budget right now?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

33.7 billion dollars in General Revenue Fund.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Is that based on -- and then doesn't that have to go up by 1.1 billion, though, if you don't get 2.7 billion in Medicaid cuts? Because your appropriation then will go up. Doesn't it have to go up? If you don't cut, that means the spending is still going to be there and you have to appropriate for it, unless you're going to push bills off in the next year, right?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

First, we haven't taken up those bills yet. I don't know if we're going to be able to pass the revenue increases that may be included with that. If and when we do, we'll figure out whether we're going to -- whether -- how we're going to deal with that. If not, we're going to have to make other reductions elsewhere and be living within the 33.7 billion. That is our plan.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Given that that is such a huge component of our budget, why are we in such a rush to pass this budget right now when we're

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

going to be here through next week? Why don't we find out what we're going to do with Medicaid and then plug that into the budget, and then come back and pass a budget? What's the rush?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I don't think we want to be in the position of waiting for the House to pass a budget. We want to get the process rolling. We don't know whether they'll get to an agreement or not yet. So we are going to move a budget to the House and continue negotiations.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

So it's more important to beat the House than it is to pass a sound budget that's premised on everything that's necessary to pass a budget, like what's going to happen in Medicaid, the central issue in the entire budget? We are in such a rush to beat the House we would rather do that than -- do it fast, rather than do it right. Is that the case?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

We think we are doing this right, with due respect. And I could also suggest, if -- if you don't like this approach, we'd be happy to entertain a bill from you suggesting how we might do the budget.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

SENATOR MURPHY:

So, assuming -- assuming the -- that this budget spends somewhere in the neighborhood - once you add in the 1.1 billion, after we don't cut 2.7 billion from Medicaid - that's going to be about 34.8 billion. You all voted for the tax increase, on that side, with a promise that it would go back down in a few years. To be able to keep that promise, you have to avoid spending at such a high level that you create a huge cliff, where everybody says, oh, gosh it's such a big cliff, we couldn't -- we couldn't possibly cut -- cut the tax rate back down. And yet, last year, you spent more than we could afford. This year, you're going to spend 34.8 billion. And COGFA says, in 2016, the first year that the tax goes down completely, we're going to have 31.7 billion. So in 2013, we're at 34.8. We have got to get down to 31.7 three years later. Do you have a plan to bridge that gap, Senator?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

So, in the last two years, both last year and this year, we are doing significant cuts in discretionary spending. I believe in the next week or so, we'll also be taking significant steps to reduce spending in Medicaid and looking at the pension issues. I think all of these put us on a very good path towards where we need to be in restoring fiscal health in this State. It's also not a promise to roll back the tax increase; it's a law. The tax decrease -- the tax increase does, in fact, go away. Unless this General Assembly and a Governor decide otherwise, it's gone by law. It requires nothing else. That's

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

the fact. We'd asked for the Senate Republicans to develop a budget proposal if they think there's a different way we should be going on a track, instead of worrying just about a revenue number in Fiscal Year '16.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

But I'd point out that the failure to plan over the last decade and careening from spending crisis to spending crisis is a large part of why we are where we are today. So it's a little bit disappointing to say that you're not at all planning to keep the promise that you made when you said the tax increase would be temporary. What about the spending caps, Senator, as perhaps a way to show good faith to the people of this State that you intend to actually ramp spending down? And I would point out - you mentioned the last two years - spending went up each of the last two years, which is not terribly encouraging for those of us who are looking for it to go down three billion over the next three. But what about the spending caps? Why are our spending caps - those touted spending caps that came with the tax increase - why are they in the stratosphere of some thirty-seven billion dollars now? Why can't they come down in a corresponding way, so that we can show the people of this State that there is actually an intent to try to let that tax increase go away?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

We would welcome a bill from you to -- to -- to accomplish

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

that, if you would like.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

I know you know, the simple math of this Chamber, is that a lot of ideas we have touted for years don't pass because we don't have a -- the majority. This is an example of that. Ten years - ten years you have run the show and we are a national embarrassment. The idea that you're going to push this off on us is truly laughable. We sat in meetings; we laid out for you why we thought we needed to get far lower than this on spending and the fact that we were willing to sit down and go line by line with you, if you could commit to the number. Now I respect the fact that on a policy level your caucus doesn't want to cut as much as we do. I respect there's a policy difference there that's in good faith. But if you're going to continue to spend at the level that you are, the tax increase will be permanent and, in fact, will probably require another one. So, at this level, you kicked out two amendments to these -- to -- to these budget bills with one hour. If you're going to be honest with the people of this State, Senator, why didn't you kick another one out to make the tax increase permanent? 'Cause that's what this budget does.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy, we are addressing Senate Bill 2404. It has nothing to do with the subject you just asked. Do you have any further questions for Senator Steans?

SENATOR MURPHY:

Yeah, I want that one answered.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

We're -- we're going to keep the subject to Senate Bill 2404. Do you have any questions with regard to that bill?

SENATOR MURPHY:

It's a broad-based budget bill. That's clearly a budget question. How about we get an answer to that and then I intend to go to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Go to the bill now, if you'd like, or if you have another question, then you're welcome to ask that.

SENATOR MURPHY:

Senator Steans, why won't you answer that question?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy, do you wish to close?

SENATOR MURPHY:

A little sensitive about the issue. To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Murphy.

SENATOR MURPHY:

I have said this before and I'll say it again, there are legitimate philosophical differences between these two caucuses about what's in the best interest of the people of this State. On our side, we believe that if you lower that tax rate, if you pay down our backlog of bills, if you fundamentally reform pensions and Medicaid, you create an opportunity for job creators to view Illinois differently, where you create an environment where people in this State in all of our districts have a better chance to succeed. We recognize that's not easy

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

to do. We recognize it's painful. That's why we reached out to you to try to make these cuts together, something that's joint, not a political stunt. That's why we reached out and have been serious partners on Medicaid reform and pension reform, because the people want these problems solved. The issue we have with this budget is that it doesn't solve the problem. It's a "Groundhog Day" budget. It's just like the past ten years down here, where we have seen taxing, spending - fortunately, you took the year off on borrowing - taxing, spending, and depressed opportunity for the people of this State. You're spending at a level that makes higher taxation permanent for as far as the eye can see. And as a result, the people of our State will see less. This is the highest spending plan under the dome. Governor Quinn looks fiscally responsible compared to this plan. It spends almost seven hundred billion dollars more than Governor Quinn's own proposal. It spends almost six hundred million more than we will have spent in this fiscal year. And we all know that in the end it will be predicated on higher taxes. They say that the definition of insanity is doing the same thing over and over again and expecting a different result. After ten years of higher taxes and more spending and depressed job opportunity, why would you think more of the same will produce anything different? And one final point to put this into a little context, because the people in this Chamber, the people in this town, under this dome, they're always looking at revenue. You always hear, "we need more money", "we need more money". Well, you know what? The five years before the tax increase you guys passed last year were the five highest revenue years in Illinois history. Then you plow seven billion more out

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

of the people's pockets. We are literally -- in this town right now, State government is -- has billions more in revenue than it ever has. We are swimming in taxpayer revenue like we never have. And yet - and yet - you put a measly two percent of revenue towards paying down bills. You come up with proposal after proposal to take more out of the people's pockets. It's time to get the spending under control and face up to the fact that the people of this State can't afford as much government as you guys want to buy. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MALONEY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Maloney.

SENATOR MALONEY:

First of all...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Maloney, excuse me just one second. Taking care of a little business here. Jason Wambsgans with the Chicago Tribune requests permission to take still photographs. Seeing no objection, leave is granted. Senator Maloney, excuse me for that interruption. Please continue.

SENATOR MALONEY:

Thank you, Mr. President. First of all, this has been an open process, and I would like to thank Senator Kotowski and Steans for the open process that they have been throughout this several months on the budget. They've invited input. We have

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

given their {sic} input. They've listened to us and, most importantly, they have -- they have actually applied some of the input onto this budget. Yet, despite this hard work, there are parts of this budget I don't like. And I'm -- I'm sure, because of the nature of this Body, there are parts of the budget that nobody is happy with. After all, we are -- there's probably a forty-year age groups -- age span in this Body. We are men, women. We are different races, different backgrounds. We represent different districts. So, to borrow a -- a -- a page from my friend, Bill Haine, I'm going to use history, a little bit, as an analogy for this budget. In 1787, when the Constitutional Convention completed its work in Philadelphia and they were sending the proposed Constitution out for ratification to the states, Benjamin Franklin, who was a major participant in those talks, said this about the proposed Constitution, and I quote, "I doubt too whether any other Convention we..., may be able to make a better Constitution. For when you assemble a number of men who {sic} (to) have the advantage of their joint wisdom, you inevitably assemble with those men, all of {sic} their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be made {sic} (expected)? It therefore astonishes me...to find that {sic} this system is so {sic} approaching so near to perfection as it does..." This budget would not be styled perfect by anybody; however, because of this -- this document is a document that provides services, it pays our bills, it -- it keeps spending in check, and it, in my view, is a responsible budget that which we should all come together. I would urge an Aye vote.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LINK:

Thank you, Mr. President. I move for the previous question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, there are one, two, three, four seekers -- speakers seeking recognition. Senator Mulroe, for what purpose do you rise?

SENATOR MULROE:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. I, too, rise in support of this bill. This may not be a perfect budget -- and I just want to remind everybody, this thing didn't happen overnight. For years and years, we -- we borrowed to make payments on our obligations. This year and last year, we've met our obligations. We made our pension payments, we made our medical premiums payments - without borrowing. One thing that I was disappointed with was not addressing the backlog of old bills. We could not come to an agreement with that -- about that. We have this year made steps in the right direction to start paying those off. It may not be perfect, but, in my opinion, it's a step in the right direction to get our fiscal house in order. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

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

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, is it your understanding that the House is working on a budget bill, as well? And...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- Senator Steans.

SENATOR STEANS:

Yes. That's correct.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

And do you know if the House Democrats -- or the House Republicans are working with the House Democrats over in the House to craft a bipartisan piece of legislation?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

That -- that's correct.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

Has any Republican Member approached you about a budget bill, and saying, here's our budget bill? Here's what we have. Here's what the House -- or the Senate Republicans are bringing

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

to the table.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

There was initial discussions with the Republicans to try to come to agreement. They have not put forward any budget -- actual budget proposal.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

You know, the best way to avoid criticism is to do nothing, to say nothing, and be nothing. It takes courage to make a tough vote. And it seems to me that for too long politicians in Illinois, Republicans and Democrats alike, for the last thirty years, when the Republican Governors were thrown in jail - in case any of you forget that - we have...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs. Senator Jacobs. Senator Jacobs, to the bill. Senator Jacobs.

SENATOR JACOBS:

We have allowed ourselves to reach for headlines, rather than the bottom line. And I think this budget does one thing that no one's done around here for a long time, and that's take responsibility. Now, this bill may come back to us in another form, a form we may not even recognize, but I think it's important that we don't cut education. I think it's important that the Murray Center stays open. And I'm surprised that some of my friends on the other side of the aisle think we should close that facility. So I'm looking forward to you rising and

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

telling me why you're for closing your own facility. And don't be mistaken, anybody in this crowd, this is a -- this is a partisan budget. Every -- every budget is partisan. That's what we do here. We're elected to be partisans. We fight for our districts. But at the end of the day, it's time for us to move away from the headlines and towards the bottom line, and this is a great bottom-line story. I want to tip my hat to you, Senator. You're new here and you've done a wonderful job. It's very difficult to make tough decisions. Some people would rather do nothing, reach for headlines, but today you're reaching for the bottom line and I salute you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR SCHOENBERG:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Schoenberg.

SENATOR SCHOENBERG:

Mr. President and Ladies and Gentlemen of the Senate, when I heard the earlier comments in opposition to this bill, I have to tell you, I haven't heard so much manufactured drama since the last time I turned on Fox Television and watched Glee. Because there was so many outrageous things that were said in such a short period of time, even without a commercial break, we would be here all night if we addressed them point by point. But I'd like to tackle a couple of them, because I don't want to let them go, Mr. President. What's the rush? What's the rush? Did you hear that earlier? I heard that earlier. Well, if you

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

were one of the thousands of people who've tried to do business with the State of Illinois, whether you're a community-based mental health provider, whether you're a small business owner waiting to be paid for the invoices that were sent to the State, whether you're the hospital in your community, which is the largest employer in that community, you've been waiting a long time to get paid. In fact, you could probably argue that instead of spending appropriations, we should really measure this along the time frame of how long did you wait to get your money. All right? Do you want to wait a very long time? If you oppose this bill, you will. If you want to wait less time, you'll support this bill. Now there was an earlier statement that we are awash in record revenues here in the State. It's like witnessing a tidal wave, if you would believe what we heard earlier. Now, unless the Chinese government is going to start making our pension payments, there is nobody out there who's going to fully fund the scheduled pension payments that are at historic record highs as the direct result of former Senator Rauschenberger's brainchild, the 1995 restructuring of the pension schedule. So we are seeing record -- record contributions to the pension system - record contributions - all of which, by the way, comes right off the top. So it's bad if you borrow it. If you -- it's bad if you go to the capital markets to make that payment, but it's even worse if you pay it in full. So isn't it terrible that this budget framework actually pays 1.3 billion dollars in overdue bills? There are - - thousands of people around the State who are actually going to wait less if this budget becomes law. Now, we've had some reference also to purported slights of hand. There's this "off

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

budget" budget which exists in Illinois - seven hundred plus special funds, which currently carry a balance of about two billion dollars. Now if you would believe the opponents to this bill, we shouldn't touch any of that - as if the value of that dollar isn't as good as the value of the general revenue dollar. And furthermore, somehow, if we increase authorization in order to access hundreds of millions of dollars in new federal funds, as we've asked the hospitals to do with the hospital assessment, which brings in nine hundred million dollars a year; as we've asked the long-term care industry to do in bringing in matching federal funds - you have to have the authorization in order to get that federal money - but according to those who oppose this bill, that's a new spend. So, right, let's let Governor Daniels and Governor Walker and all the other Governors who also have Medicaid bills to pay, let's let -- let them take the money and not take it ourselves because we have to adhere to a false premise that's being advanced on the other side of the aisle. Mr. President, Ladies and Gentlemen of the Senate, I just want to say in closing that this is a very constructive, positive step towards securing a better foothold, not just on Wall Street, but securing a better foothold in the confidence the Illinois taxpayers have that if you do business with the State, you'll actually see your money before your children are grown. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Our last speaker seeking recognition is President Cullerton.

SENATOR CULLERTON:

Thank you, Mr....

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. We started this debate over the budget by the Senate Republicans asking for an hour caucus. I countered with a forty-five-minute caucus. We were successful in our negotiations. That's as much successful negotiations we've had on the budget in the last three years. I would point out that you started at the higher number and we got you down to forty-five minutes, at the lower number. The -- the fascination with the income tax expiration is -- I find it to be interesting. The -- we don't have a promise that the income tax is going away; it's the law and it's going away, unless somebody wants to pass a law to change it. And a very important event is going to take place prior to that decision, and that would be the Governor's race. In fact, maybe -- there might be -- many of you in your own caucus might be candidates to be Governor, and might be successful. And, who knows, you might actually be the Governor. And if that's the case, then on July 1st, 2016, it doesn't really matter what -- what the revenues are, or the spending has been back today, it'll be whatever budget you want to propose. And, finally, maybe on that day, if that's the case, a Republican might actually vote for a budget in the Senate, 'cause it hasn't happened the last three years. This is the fourth year of the boycott - anticipated. So I don't think that that is what should drive us. But we did try to negotiate with you this year. And we heard that this was what your fascination was, that we have to start cutting because we don't know what's going

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

to happen on July 1st, 2016. So we said, okay, what -- what are your numbers? How much do you want to spend less than what we're spending? And we got a number. We did get this much from you: One billion one hundred and twenty-one million forty-six thousand eight hundred and one dollars. And that's how much money you wanted us to cut, and I said, okay, let's sit down and start negotiating then. That's a lot of money. This is more than what we have spent. This -- this is additional cuts. And if you applied the -- the percentages of our budget that the House is using, that would mean we would have to cut four hundred and forty-six million dollars from elementary and secondary education - four hundred and forty-six million more than what we have in this budget. We'd have to cut higher ed by a hundred and thirty-six million. We'd have to cut human services by three hundred and fifty million dollars. So, we said, fine, let's start negotiating. Well, we don't actually want to actually negotiate - because the fact is, it would be impossible to pass a budget with these cuts. So, that's why we're off on our own here trying to put a budget together. And what are our challenges? First of all - and what's included in this budget? - we had to come up with a billion dollars more for the pensions this year, and that's in this budget. And, number two, last year the budget that we reluctantly voted for underfunded Medicaid by two billion dollars. We just kicked over two billion dollars into the next fiscal year, and this year we said, and the Governor to his credit said, we shouldn't do that. And that's why the Medicaid negotiations hopefully will result in a budget where we are appropriating -- in this budget, we're appropriating what we're actually going to spend.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

And we're, for the first time, not going to kick the can down the road when it comes to the Medicaid budget. Those things together, combined with the fact that we're actually spending less than we were last year, in spite of that, is an extraordinary budget. I want to thank Senators Steans and Trotter and Kotowski and our staff for working on it, and I urge all of us to vote for it. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Steans, to close.

SENATOR STEANS:

When I first learned I was going to -- becoming an Appropriations Chair, I went and met with a former budget director for the State and many outside agencies who analyze the State budget, and asked them: Tell me, what are all the gimmicks we've played to get ourselves into this fiscal situation we've gotten ourselves into? I learned, one, borrowing. We -- we borrow to pay current assets, current -- excuse me, current obligations. This budget does none of that. We fully fund our pensions. We fully fund everything. There's not -- not a single dollar borrowed in this. We're fully paying our debt service, fully paying our pensions. Learned, second, we have these whole host of things called statutory transfers out - deals that have been cut over the years that come right off the top; they never get scrutinized through the budget process. No longer the case. We've gone over each one of those statutory transfers out. We'll be seeing that in a later bill and we've -- making reductions there. I heard, three, this State has crazy numbers of other State funds, dollars that are available most places for general revenues, but aren't. Here we

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

-- we segregate them, have all these different piggy -- piggy bank accounts. We are using balances available on those to pay off unpaid bills. It's no new revenues. It's cash that's sitting there. We're using it to actually get money out to our vendors, which will help our economy, and it's very fiscally sound to actually get these bills -- unpaid bills down in levels. And then my personal favorite and biggest one that's gotten used is what is so affectionately around here called Section 25 Medicaid liabilities, which has allowed us, for example, this year, to underfund our Medicaid bills, not actually make the bill payments. In one of the Medicaid bills we're looking at - I'm hoping that we actually pass - will get rid of our ability to do this. And this budget itself anticipates fully funding our Medicaid bills this year, and then I'm hoping we'll continue to do so for all the years to come. This is an incredibly fiscally sound budget. It very much is restoring us to fiscal health in the State of Illinois, very much putting us on the path that future -- future General Assemblies here can decide to take a vote or not on a tax increase, but they certainly won't have to, and yet it also manages to protect our core values. We're using every available dollar incredibly wisely so that we fund education fully at Fiscal Year '12 -- Fiscal '12 levels, and we're not making cuts that we don't need to be making, protecting and making an investment in our youth, in their education for the future benefit of this State. Very much urge an Aye vote. And very much appreciate how well all of our caucus has come together around developing, I think, a budget that really does reflect the priorities of the people in this State. Thank you.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall Senate Bill 2404 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? Mr. Secretary, take the record. On that question, there are 34 voting Aye, 24 voting Nay, 0 voting Present. Senate Bill 2404, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, if you will turn to page 5 of the printed Calendar, still on the Order of Senate Bills 3rd Reading, we have Senate Bill 2455. Senator Steans. Indicates she wishes to proceed. Mr. Secretary, Senator Steans seeks leave of the Body to return Senate Bill 2455 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 2455. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, on Floor Amendment 1, to explain it.

SENATOR STEANS:

I'll explain it when we get to 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Floor Amendment 1? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Steans.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, to explain Floor Amendment 2.

SENATOR STEANS:

I'll explain it on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Floor Amendment No. 2? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, on Amendment 3.

SENATOR STEANS:

I'll look forward to explaining it on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR ALTHOFF:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. Senator, can you tell me, does Amendment 3 include additional moneys for Grow Your Own Teachers?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

It does. I'm just trying to get you the exact amount.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

That's all right. I can answer the question, actually. It was rhetorical. It's an additional million dollars. And although I applaud the mission of Grow Your Own Teachers, which is - to remind people - to recruit and prepare parents and community leaders to become teachers in hard-to-staff schools in their communities, I question why we're putting an additional one million dollars into the program, noting that when participants came before Appropriations II Committee in Chicago, the graduates of the program noted that when they graduated, there were no jobs available. Out of the fifty-four graduates, only twenty-nine are currently teaching in Illinois schools. And let me remind you that this program has been in place since Fiscal Year 2006. It's had 19.2 million dollars appropriated to it, and we have fifty-four graduates. Let me do a little bit of math for you. We had six hundred and fifteen students enrolled. If you take out the two hundred and two candidates that are currently in the program, the fifty-four graduates that did graduate, we have three hundred and sixty-nine individuals that entered the programs and failed. Somehow this program isn't working. We are not providing the guidance, the tutoring, the mentoring, something, that provides an opportunity for those people that entered the program to be successful. We talked ad nauseam about how important it is to have programs that are successful. Budgeting for Results is supposed to evaluate the programs and determine which ones are successful and which ones

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

we're supposed to then invest other moneys into, not to support programs that obviously have major problems. Don't mean to pick on this program. Again, I think the goal is extraordinarily laudable, but we're failing the program. We're either not providing, again, the tools that we need or the people that we need. We talked at Appropriations II about trying to find a way to make the program successful. Why would we provide another million dollars just to continue the same old process and not have success? And let me remind you, if you do the math again, 19.2 million dollars, it's costing us six hundred and sixty-two thousand dollars per student to graduate. My comment is, is when we have a time when we have fiscal issues, when we're looking at a budget and we're cutting programs that are successful, why would we put another million dollars into a program that's having problems? These students are entering -- going to school and then not having to pay it back. They get counseled out, so they're not even responsible for providing that money back to the State of Illinois. So my question, Senator, after my rant, is why would we give it another million dollars and not give that money...

PRESIDING OFFICER: (SENATOR SULLIVAN)

I'm sorry, Senator Althoff.

SENATOR ALTHOFF:

That's quite all right.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Okay.

SENATOR ALTHOFF:

That are not...

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Senator Althoff.

SENATOR ALTHOFF:

Why aren't we giving it to programs that are, in fact, successful, like early childhood education or Local Government Distributive Fund moneys that are being extraordinarily well used by our municipalities? I'm done.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff. My apology. Senator Steans.

SENATOR STEANS:

I will happily be confused with Senator Althoff any day. Senator Althoff, I just would like to answer your question. We are reducing it. It is a reduction from last year, and if you had been at the negotiating table with us, I'd have been happy to talk about doing further reductions. We didn't have that opportunity.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

I, too, wouldn't mind being confused with you, Senator Steans. But I think the most important part of the analysis is I didn't need to be sitting at the table. We passed legislation here. I have been working with your colleague on Budgeting for Results. We know that what we are supposed to be doing is evaluating programs that are successful and ensuring that the money goes to those programs, particularly, again, when we have the budgetary constraints that we have currently going on. I would really question whether some of these additional items that were added in in Amendment 3 are truly worthy of that addition. Thank you very much.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Steans, I'm looking at Amendment 3 on Senate Bill 2455. And this is one of the two amendments that was not subject to an Appropriations hearing. I -- I appreciate the reference to an open process. This came directly out on the Floor. So I want to take a little time, if you don't mind. I want to walk through some of the things in this amendment and see if I can get a better understanding of why you want to do this. There is a fifteen-million-dollar increase in child care in this amendment. Why?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff. Senator Steans.

SENATOR STEANS:

You look good in red, Mr. President. This is an offsetting reduction in the TANF program that is now funding the child care program. So there's an equal offset of 15.8 million dollars from there. We are going back and funding more of the child care because of maintenance of effort -- suggestions that if we don't, we're going to lose federal funding. We found the reduction elsewhere.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

SENATOR RIGHTER:

I'm sorry. I don't think I understood that, Senator. We're going to lose federal funding in what program if we don't add the fifteen million dollars?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

For maintenance of effort requirements at the federal level on how we fund it. If you go down certain levels, we risk losing that. And we've also reduced the TANF line here to offset the increase of the 15.8 million dollars. So it's -- that one's a revenue-neutral item.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

What are the maintenance -- maintenance of effort requirements in child care? I'm not familiar with that. Can you elaborate?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I believe it's in order to leverage a certain amount of federal funds, but I'll get back to you with the details on that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Okay. Well, there's fifteen million and we think we need to do it but we're not sure why. Let's go to -- you're adding

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

1.5 million, added to DCEO. What's that for?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It's eight hundred and thirty thousand dollars being added for community projects and transportation.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. What kind of community projects?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

The community projects help disabled individuals.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Then why are they at DCEO? If they're for disabled, why are they at the Department of Commerce and Economic Opportunity?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

This is where it's been historically. I really don't understand the nature of why, historically, it was put in DCEO. I just don't have information on that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Fair enough. We'll move on, Mr. President. Thank you.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

We're adding a little over eight hundred thousand dollars to an -- some after school youth program at the Department of Human Services. What's that for?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

The Teen REACH program.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

What's it funded at in -- in your proposed budget without the amendment?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

About 7.5 million.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

What's the -- why do we need to -- add the extra eight twenty?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It keeps it level with the current fiscal year funding.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Okay. Also added at the Department of Human Services is

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

four hundred thousand for the Healthy Families program. Now, I don't know what the Healthy Families program is. Maybe you can tell me what that is and why we're adding four hundred thousand to it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It goes along with the early childhood block grant. It's a family monitoring program. And it's another one -- I understand there's maintenance of effort requirements.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Okay. Right below that on my list is two hundred and seventy-five thousand for Parents Too Soon at DHS, which is a separate program, which to me kind of sounds like the Healthy Families program, but maybe it doesn't to everybody. Ask me why we're adding that. I mean, I'm sorry, answer me that. Excuse me.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It's making it whole with the Fiscal Year '12 and it's another area that we will have to pay the federal government back if we don't match the same level of funding.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

That's a recurrent theme. We're adding 1.6 million for

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Early Intervention. Can you explain why that's being added on?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It's simply reducing how much we're cutting from the program. It's still lower than fiscal year -- current fiscal year, but it's reducing the level of cuts.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

What's the cut that you have in the underlying budget before you add back the 1.6 million?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

We had cut 1.4 million and this is restoring a part of it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Wait. If you cut 1.4 and you're adding back 1.6, you're not restoring part of it, you're restoring all of it and then a little extra change on -- on the side. So have you decided this program needs an increase?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

No. She -- I think I got the wrong number here. I apologize. The right number is -- it is -- I -- she's looking for the right number. I'll get back to you when she has it.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter, while -- while they're looking for that number, would you like to ask another question? Senator...

SENATOR RIGHTER:

You betcha.

PRESIDING OFFICER: (SENATOR SULLIVAN)

You bet. Senator Righter.

SENATOR RIGHTER:

You bet. There is another -- now, Senator Althoff already talked about the million dollars for Grow Your Own Teachers, but I do want to talk about that in just a moment. I see another million dollars to the National Board Certified Teachers program. Now, if we're already giving more money to the Grow Your Own, do we need to do that as well?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

These are different programs. The National Board Certified Teachers, this is -- we had eliminated it. This restores a million dollars to that program.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

To the amendment, if I might. To the -- I actually have one more question. Actually, I have one more question, Senator Steans. You've asked for Republican help. Let me give you a suggestion. Here's forty-five million dollars. Table the amendment, just table it. There's forty-five million right there. There's forty-five million that you can just save for

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

the taxpayers right now, including -- including a million dollars for a Grow Your Own Teachers program that costs the State six hundred and sixty-two thousand dollars a teacher. And I understand -- actually, to answer Senator Althoff's question for you, I understand why you need to add more money back, because in your base budget, you've only got five hundred thousand dollars in there, which at your rate of spending won't even produce one teacher. I mean, this -- if this is budgeting for results, we need to back up. So here's my question, Senator Steans - you want a suggestion from the Republicans, here it is - will you table the amendment and go forward with your budget as it is?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

No, but I would welcome a budget bill from you to consider and negotiate on.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Senator Steans, with all due respect, that line is getting a little thin. You can save the taxpayers forty-five million right here, so let's do it. I mean, right here, in front of all your colleagues and the press, you can save forty-five million here from adding onto all these programs, including one that costs us six hundred and sixty-two thousand per teacher. Let's do it. Will you, please, table the amendment and save the taxpayers forty-five million?

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Senator Righter, that question has been asked and answered. Would you like to speak to the bill or do you have any other questions? Senator Righter.

SENATOR RIGHTER:

I will wait till the budget comes up as a whole. Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

You're welcome. Seeing no further discussion, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2455. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2455.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. As the second one of our three budget bills, Senate Bill 2455 provides appropriations for GRF funding of agencies and programs -- for agency programs and grants. The amendment includes 11.7 billion in GRF, which is an increase of 65.7 million above Fiscal Year '12 appropriations to GRF programs and grants. Overall GRF

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

discretionary spending is decreasing by two hundred and fifty-five million dollars. This proposed budget remains within the 16.8 billion in discretionary spending that we're doing, which is two hundred and fifty-five million lower than current Fiscal Year '12. I would be happy to answer any questions on any of the details.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Murphy.

SENATOR MURPHY:

I urge a No vote on this second piece of the Democrat budget to cement the tax increase into permanency and require yet another one. This bill doesn't do enough to pay down the backlog of bills that the Majority has accumulated with their budgets over the last decade and needs to be voted down, and we need to start this process all over again for the sake of the taxpayers. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator McCarter.

SENATOR McCARTER:

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Senator, I heard that this budget will allow you to pay off 1.2 billion dollars in bills. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

1.3 billion in unpaid bills.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Okay, 1.3. What is our backlog of bills currently, approximately?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It's anticipated to be about eight billion at the end of the fiscal year.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

So, with this budget, let's just say that you -- let's just say this -- this does -- does pass and signed into law, how many years will it take for us to catch up on our unpaid bills?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It depends on how much we appropriate for it in future years and what -- what we do with Medicaid this year.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

SENATOR McCARTER:

Let's -- let's assume that we're not going to increase spending for the next five years. Can we pay off our bills in five years?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Absolutely.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Well, I -- I guess I'd have a hard time believing that, 'cause you're -- if -- if you're at -- I think it's more than -- more than eight right now and it would take more than five years. But, you know, if -- back home, if -- what -- what about -- what about the downgrading from Moody's? I mean, is -- is this going to really -- this going to -- are we going to get a better rating by Moody's by taking this action?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I think we're going to have historic action over the next week, when we address Medicaid, pensions. And with this budget that starts paying -- doing significant paydowns on our unpaid bills, I think we'll be in much better footing.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

...the -- to the bill.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

You know, if you take off -- you take off the zeros and you -- you put this in front of a family who's making thirty-four thousand dollars a year and they've got nine thousand dollars in unpaid bills, and they make a commitment to pay off twelve hundred dollars in bills within the year, none of you would look at that family and tell them that someone's -- that -- that they're doing well. You wouldn't counsel them and say, boy, you're really making some strides in your family to -- to get your fiscal house in order, and in at least five years, you'll have paid off your bills. Well -- and if this family took the approach we're taking, somebody's going to pick up their car, 'cause they're not going to be making the payments. Now, we're not -- you know, we're -- we're State government, we're not -- we're not in that position. We can just push -- push things off. We can promise that we're going to save more. We're going -- you know, we -- you can pass the tax increases. But this is irresponsible. If you continue on this -- with -- with this kind of spending habits, in five years, you're looking at over fifteen-billion-dollar deficit. And by the way, we shouldn't be criticizing our neighbors that much, because Governor Daniels has a surplus.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

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

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Righter.

SENATOR RIGHTER:

Thank you. I mentioned it a little bit earlier, but -- I think it's worth repeating, and that is the phrase that we've heard in this building for the last two or three years that sounds good, but has fallen flat, and that is "budgeting for results". We're not budgeting for results here. This is a sham. This is a sham and we know it's a sham, because serious policymakers don't add a million dollars to a program - and a million dollars in a thirty-three-/thirty-four-billion-dollar General Revenue Fund budget is not a big deal here in the Capitol, but a million dollars is a big deal back home - but serious policymakers, who are really trying to get results, don't add a million dollars to a program that is -- has turned out to be a gross waste of the taxpayers' money. I really appreciate the honesty from the other side of the aisle about this is a partisan budget. It absolutely is. But what's more interesting than that to us is not that it's just a partisan document, it clearly is, as Democrat versus Republican, but it's even a Chamber squabble for you folks. The sponsor herself said, when asked why you're putting together a complete budget before Medicaid is done, the answer was to beat the House. That's right - not drive efficiencies into State spending, not to do something to make sure that we're on a trend to make sure the tax increase does remain temporary, not any of those other things that most people would look at and say, you know what, that's what we want in public policymakers - it's to beat the House of Representatives. And here's what's going to happen:

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

You're going to go through all this turmoil here and all this baiting - oh, why don't you guys get involved here - and what's going to happen is, these budget bills are going to zoom over to the House of Representatives and they will meet exactly the same demise as your budget did last year - and that is, what is the stunning silence of the Rules Committee in the House. Okay? I understand that some of you are feeling a little bit better because you're going to be able to vote for some programs and add a little money here and add the forty-five million here that we could've spent if we just tabled the amendment, but we couldn't even do that. And we're going to feel better that we said, hey, you went home and we did some things. You're doing nothing. You're doing absolutely nothing, because this budget will die over there because, you know, people over there will recognize that the only reason you did this was to beat the House. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DILLARD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Dillard.

SENATOR DILLARD:

The whole budget package by you all is -- is not budgeting for results. In fact, I think your package, as I look at it now, is Blagojevichian. It is -- it is clearly predicated on a tax increase, actually a couple. There are fund sweeps, which we have no idea whether you're -- you're raiding funds from

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

programs that -- that any of us care about. But those funds were raised and usually predicated on a nexus between where those moneys are going to be spent, and most of those moneys go to regulate public safety in many, many, many cases. This is a partisan budget and it's not why our side of the aisle has problems with what you're doing. But the facilities that you pick and choose to close just happen to fall on partisan lines. There is -- you know, there's money in here, or at least in the next bill, a specific appropriation for Chicago teacher pensions, while we haven't solved the pension crisis of this State. You know, Rickey Hendon ought to be here, 'cause, as Senator Righter said, the "beat the House" theme I think is what's driving this horse tonight. But, you know, I can picture Rickey Hendon here, saying "Let's beat the House." "Let's beat the House." "Let's beat the House." Just like we're for a softball -- for a softball game of -- of some kind. You know, this is not ready for prime time. And I understand and I agree with you that -- that time is wasting here. But this is a plan that's not ready for prime time. And I really believe that it is kicking the can down the road. And many of the tricks of the Blagojevich administration are sadly contained in here. And as Senator Althoff really pointed out, the one glaring one that we use tonight as an example is the Grow Your Own Teacher program, which is a good program, good-sounding program, like Budgeting for Results. But, obviously, you know, the principles that you all have laid out are not even -- are not even followed on a regular basis by you. So, Mr. President, I reluctantly get up and have to oppose this, and this is a plan -- all of these, three-bill trio, is a plan that's not ready for prime time and I

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, are -- are you aware -- would -- if we pass this bill tonight and -- if we wouldn't pass this bill, would we have to cut special education?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Quite possibly.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

Would we have to cut breast exams for women? The breast cancer?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

Would we have to cut home deliveries for seniors on -- with

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

-- that need meals?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

How about children? Will we have to cut early education for children?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

How about funeral expenses for the indigent?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

Senator, are you aware that the last Republican to raise the tax were the two gentlemen that the prior speaker spoke for? Were you aware of that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Senator Steans.

SENATOR STEANS:

I was not here at the time, so I'm not sure I was.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

You know, the bottom line on this is it -- it -- this is not where anybody wants to be. It's a step in the right direction. And I resent the fact that some of my friends on the other side of the aisle want to make this a Democrat/Republican thing. It's not. Maybe we forget that Governor Edgar increased the taxes. Maybe we forget that Governor Thompson increased the taxes. Look, we're all guilty here. We're all guilty. So it seems to me that we're moving in the right direction. We're putting our fiscal house in order and we are not kicking the can down the road. And as far as the notion that we're doing this to beat the House, we're doing this because this is what we are elected to do. Some of my Republican friends would rather say No to everything. No. No. No. No. No. No. But to avoid criticism, to do nothing, to say nothing, is to be nothing.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Our last speaker seeking recognition is Senator Lightford. Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

To -- to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Lightford.

SENATOR LIGHTFORD:

Ladies and Gentlemen of the Senate, education will continue

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

to suffer in this budget and our public schools will fall further behind. And our sponsor has stated not once, but twice, that we're holding the spending to last fiscal year. But what she has not indicated is that last year's fiscal year, where we currently are today, is two hundred and thirty-one million dollars short in GSA. That means all of our school districts who rely heavily on support from the -- this State has received a reduction in their fifth payment and there is no money to fund our schools for the sixth payment. There is no money. Our schools will not receive any revenues for the sixth payment, yet we say we are holding the line on education. We're far from holding the line on education. This budget reflects a GSA level of Fiscal Year 2008 per pupil spending. If we would have stayed in line with the EFAB recommendation level, our kids will {sic} be receiving eight thousand five hundred and sixty-one dollars per pupil spending, yet this budget is a reflection of five thousand six hundred and twenty-nine dollars. We all boast about education being a priority. Well then act like it's a priority and fund our kids properly. This is a travesty that we continue year after year to lie to the people who need the support the most. All our kids would be hooked on phonics if they depended on us. Property rich districts don't have this challenge. But there are a whole lot of school districts across this State - and not just my school district, Mr. President - a whole lot of you sitting in here, your kids in your communities, they're poor too. They need this assistance and it's not happening. So what I need us to know, and I want you to know, is that this is a bad budget from my perspective; it doesn't fund our kids. And I will be reluctantly voting Yes just

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

because the House budget is worse. And the Senate proposed number is even worse than that. So while you stand up and you keep boasting about this isn't a good budget, tell the truth. Your proposal will undercut education funding by seven hundred million dollars - seven hundred million dollars. That's what your budget would do. That's why you didn't put nothing forward. So I'm not happy. I am not happy at all to have to push a Yes vote, but it's better than what's coming over from the House and it's better than any suggestions any of you had. And to my colleagues on this side of the aisle, this will not be the last time you hear from me on this issue. We have to do better funding our children's education. Our public school system is failing us. We're graduating kids below level in reading and math. They can't even pass the entrance exam into City Colleges. And none of us should be proud of that, none of us. Our higher institutions, they don't have our kids in 'em; they're coming from other places. They're coming from different countries. Hell, they don't have the kids here who need an education in Illinois, because they can't get accepted into our very own universities. So it's time now for the dog-and-pony show, we're not cutting education. Yes, we are. We are cutting education again by three hundred and fifty million dollars. That's what this budget does. It cuts the General State Aid level by three hundred and fifty million dollars. The House proposed budget is by six hundred and ten million dollars, and your proposal is by seven hundred million. That's the only reason why I'll vote for this budget, because it's the lowest cuts. But they are cuts and they're hurting our children, and all of our kids deserve to have a quality education, and we fall

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

short of that, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further -- seeing no further discussion, Senator Steans, to close.

SENATOR STEANS:

Well, I very much appreciate the passion of our previous speaker, and I think that speaks to the fact that this is not a perfect budget. And it is -- there are real cuts embedded in this budget. I think what the real sham and the real irresponsibility that's going on here this evening is, yet again, for the fourth year, we're having a boycott of the budget process. I understand, you -- you try to talk about our politics over here. Well, I think the politics that's going on on that is that we don't want any ownership. You know, we don't want to -- we want to be able to go out to the electorate and say we had no part of any of this. That's easy. The hard work is actually rolling up your sleeve and being part of a solution, and we would welcome that. We would look forward to your participation in this, and hopefully we can achieve that in some of the areas yet going forward. I think we are entering some historic periods here - I'm sure hoping so - and believe that we are very much taking steps to restore fiscal integrity and health to the State. I very much take exception with the discussion that there's any gimmicks going on. This is an entirely gimmick-free budget. We are using other State funds appropriately to pay down unpaid bills. And I think there's a real hypocrisy going on when suggesting that using cash balances there to pay unpaid bills that we owe is outrageous, particularly when it's going to be going towards paying Medicaid

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

bills and enabling us to do the Section 25 Medicaid reform - that I know is important to that side of the aisle - to get us out of, ever again, underfunding Medicaid. So, I believe that we are taking an enormous step forward with this budget. It's not perfect, as I know my colleagues will attest, but it's a huge improvement in the way we've done this historically. And I very much urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall Senate Bill 2455 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? Mr. Secretary, take the record. On that question, there are 34 voting Aye, 24 voting Nay, 0 voting Present. Senate Bill 2455, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, next up on the Calendar - we're on the bottom of page 5 of the printed Calendar - we have Senate Bill 2461. Senator Kotowski. Mr. Secretary, Senator Kotowski seeks leave of the Body to return Senate Bill 2461 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 2461. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, to explain Floor Amendment 1.

SENATOR KOTOWSKI:

Like to address the -- the Amendment No. 2 on 3rd -- Amendment No. 1? I want to adopt...

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, this is Amendment 1. Senator Kotowski.

SENATOR KOTOWSKI:

Adopt Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 1? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, on Floor Amendment No. 2.

SENATOR KOTOWSKI:

Yes, permission to address Amendment No. 2 on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 2? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2461. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2461.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment No. 2 provides appropriations for nondiscretionary spending items for the Fiscal Year '13 budget. The amendment includes GRF funding for Medicaid expenses at the Governor's introduced level, group health insurance, and pensions. The amendment also includes other State fund funding for debt service and group health insurance. The bill totals about 18.9 billion all funds - 12.9 billion GRF and 5.9 billion other State funds. If we can recall when we passed a law a couple years ago, we determined that in order to figure out how much money we had to spend, we wouldn't play any political games anymore with these bills that we had to pay and these obligations that we have. What this does is addresses these fixed costs and shows how much money that we have available to spend on other areas of the budget. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Murphy.

SENATOR MURPHY:

Forgive me, Senator, but does this have the Medicaid line in it, this particular bill?

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans -- Senator Kotowski.

SENATOR KOTOWSKI:

I want to say, it will be an honor to be connected with Senator Steans. I really want to say that. But I'd be honored to -- to be confused with her intelligence and -- and the type of -- type of stateswoman she is. Senator Murphy, it allows for the -- the appropriated amount for -- that the Governor had for Medicaid spending at 6.6 billion.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

How much is that line item for Fiscal Year '12?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

One second, please, Senator.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Senator. It is level to Fiscal Year '12.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

So, if we, in fact, end up not cutting Medicaid by 2.7 billion, don't we have to add 1.1 billion more in appropriations for what we don't cut?

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Senator Kotowski.

SENATOR KOTOWSKI:

That's -- we don't expect that to happen. We expect to -- we've been working together in a bipartisan fashion to get a 2.7-billion-dollar solution, so we've appropriated this amount of money given that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

But if we're going to allow 1.1 billion of growth in the program, because we aren't cutting it, and we're going to cover that with new -- new spending -- or new -- new -- new revenues, don't we have to increase this appropriation line by 1.1 billion then?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

No, sir.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

So at no point in the -- between -- during Fiscal Year '13 or before, will we see a supplemental appropriation that increases Medicaid appropriations by 1.1 billion? Is that what we can assume?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Again, thank you for your question. I think you can assume

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

that we've appropriated 6.6 billion for Medicaid right now, right here in this bill, and that this is what we've appropriated for the coming year.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

But what if -- I mean, what if we don't cut the 1.1 billion? I -- I mean, you have to appropriate -- if you don't cut it, that means you're going to spend it, and if you want to spend it, you have to appropriate it. So, why is it so hard to acknowledge, if you don't get the full cuts, that you have to raise the appropriation?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Again, I appreciate your question. If we do -- are able to secure in a separate bill that's distinct from this, secure additional revenues, and it brings in new revenues, I imagine that we would have to address this somewhere down the line when it comes to the amount of money that we have to spend on Medicaid.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

And I assume that would mean the appropriation would go up by the corresponding amount that we create revenue to fund Medicaid. Isn't that fair?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

SENATOR KOTOWSKI:

Absolutely.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President. I, you know...

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Murphy.

SENATOR MURPHY:

The -- and I appreciate your answer on that, Senator. Obviously, what that means is that, in fact, we really are at 1.1 billion more in reality than the 33.7 that the previous sponsor had referenced. So we're at 34.8 billion in spending. And there's really no way around that in reality. That's just way more money than the people of this State can afford. The sponsor made a good point, and one that I think -- and I hope we can all work towards, and I think it bears repeating - that we will work, as we have, on a bipartisan basis to try and reform Medicaid and reform pensions. And I know passions run high at this point. I know this becomes a frustrating time. People are under a lot of pressure and it's easy to attack the other side, but I do think it's worth noting that the Members on this side of the aisle in the Medicaid work group - Senators Righter, Althoff and Christine Johnson - spent countless hours with our colleagues on the other side of the aisle to try to work toward a Medicaid reform. I remain hopeful that that can be successful. Senator Brady and Senator Rezin spent countless hours on pension reform to try and tackle the largest problem facing this State. And I remain hopeful that we'll have an

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

opportunity to solve that problem as well. The two fundamental problems facing the State today, Senate Republicans have been at the table with ideas, pushing, trying to work, and hopefully, in the end, with votes, will be part of the solution, if the solution is, in fact, a solution. And so while I understand that emotions can run high, I do think it's -- it -- it's important, especially as we work in the last week plus, to try and respect the efforts on both sides of the aisle and the -- the good intentions, even where we disagree. With that, we disagree on this bill, and I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Syverson.

SENATOR SYVERSON:

Senator, can I take you over to the area on the employee health insurance, the group health insurance line, in which, currently under this, we're appropriating five hundred and fifty of the -- I think, the -- what's been discussed, the 1.1 billion number. Is there -- is there a reason why we're appropriating just the five fifty now, only part a year?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Appreciate your question, Senator. Two things: Number one, this assumes a three-hundred-million-dollar cut overall to

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

the group health care insurance line item. Secondly, this appropriates six months to assist in the negotiation, to make sure that we get a health care provider, to make sure we get that reduced amount of spending on the health care side. Thirdly, we're actually banking that -- that other half of the money that we will spend on the reduced amount that we're going to be spending on the health care -- health care measure.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

Thank you. The -- the reduction you were talking about, this -- which is the three hundred and twenty-one million, how is that -- how is that derived? From what -- where do those numbers come from?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Senator. You know, we recently passed Senate Bill 1313, and we expect to see some savings from that. We also expect, based on our conversations with leadership in the Governor's Office, that they're going to arrive at that number in negotiating this new contract when it comes to providing health care coverage in our State for employees.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

Well, if -- if the procurement's not done yet, I guess I'm not sure how we arrive at that -- at that number. We don't have the negotiations done yet either on 1313 or what's going to be -

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

- how much will be contributed. And even if we -- if we count those dollars and we put that -- that -- that three hundred twenty-one million back in that -- that we believe will come from those negotiations, it's still -- the appropriation is banked on zero liability increase, which we've already been told from COGFA that -- that we should be planning on a seven percent increase just because of the contract and the usage increase from our carriers. And so, is -- are any increases of -- that the carriers have mentioned that are -- are a part of this this year, are any of those in these numbers?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I appreciate your -- your question, Senator. The -- the reason -- it, again, gets back to the reason I initially enumerated, why we put in half the amount of appropriations, because it is our intent, as -- as the General Assembly and this Body, if you vote for this bill, that that'll make sure that the Governor delivers on his promise to guarantee that savings in the group health care insurance line item.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson? Senator Syverson.

SENATOR SYVERSON:

Just to close. I don't think it would -- unfortunately, I don't think it'll guarantee that he'll do that, because when you have contracts that are already in place, what will happen is that we'll be pushing off bills, like we are currently doing, if we don't fund the full amount. And even if we get the full three hundred and twenty-one million that we're talking about,

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

that's still, unfortunately, not including any rate increases, any utilization increases that both the consultants and the vendors have said are coming for sure. So the end result would be -- is that we're going to end the year then with a payment-cycle delay because we can't midyear change contracts on this. So, I'm a little concerned, again, that these numbers are numbers that aren't going to hold up. They'll be like the existing year, where we're going to end up running short and have a -- have a payment-cycle delay. But I appreciate you taking the time to answer these questions. And I would remind everyone that negotiating on the -- with the health insurance contracts has been something that's been done in a bipartisan fashion with COGFA this last year, and appreciate the work that both caucuses did on getting a handle on -- on this program. So, thank you for your time.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Last speaker seeing -- seeking recognition, Senator Holmes. For what purpose do you rise?

SENATOR HOLMES:

Thank you, Mr. President. Actually, I -- I rise to the bill - actually, this package of three bills. First of all, I want to commend Senator Kotowski and Senator Steans for all their hard work crafting a very responsible budget. And I want to emphasize that, that this is a responsible budget. It's responsible for the people and the businesses of Illinois. One of the absolute best things we can do for the businesses in this State - and I mean, they -- again, we're talking about our businesses, our providers and our schools - is to actually manage to pay our bills on time. That would be a huge benefit.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

This budget actually helps us do this. It keeps us from sinking further in debt. It's also going to pay down over a billion dollars of overdue bills. That is a huge benefit. We are also, for the second year in a row, fully funding our pensions. So, this is an extremely responsible budget. I wish we would have had bipartisan support, but I do want to thank everybody who is working on this and is responsible. And even though we're upset with some of these cuts - and some of them are very, very difficult - to some of the things that are so very near and dear to us, many of our -- our educational facilities and our human services, and they're understanding that this is something we need to do in order to become fiscally responsible. So I urge everybody to vote for this very, very responsible budget.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Kotowski, to close.

SENATOR KOTOWSKI:

Thank you very much, Mr. President. Thank you, Ladies and Gentlemen of the Senate. I appreciate your thoughtful questions. I just wanted to address real briefly a couple points that were spoken from my colleagues on the other side of the aisle. There are two people who spoke who I have a tremendous amount of respect for and appreciation for what they've done in the General Assembly. I would say that you're right. One of the things that we're doing is to make sure there isn't automatic funding of State programs, and, quite frankly, that program hasn't lived up to its potential. And one of the things that you see in that budget is accountability. We have cut that program by fifty percent. And I think it sends a significant message in -- across the board, we did -- we did a

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

lot of -- took a lot of actions like that. The reality is this is a process. And some of the things that have happened as a result of the reform legislation that we passed, it requires the State for the first time ever to live within its means and to fund programs based on whether they work or not. So there are programs that we had throughout the State budget that really hadn't performed, that aren't working as well as they could have. But the fact is, people in our State want a government that works. They want a government that works. They don't want a government that's paralyzed by waste and corruption and fraud or partisanship. They want a government that works. Now I've had two disappointments here since I've been down here. First disappointment was being down here and being a part of a legislative situation where we had a Governor who was very, very -- well, he made a lot of bad decisions and he's in jail right now. A second major disappointment I have is I really wanted to see a budget bill presented by your side and I really wanted to see that bill and work together. One of the greatest challenges we have down here is taxpayers pay our salary. And one of the greatest opportunities we have here is to introduce legislation and bills, and go down to LRB and introduce a -- a bill to make an impact. That was such a gift when I was elected. The first bill that I ever got passed required insurance companies to cover mammograms and ultrasounds for women at risk of breast cancer. Bill Haine helped me get that bill passed. It was a bill. It was a piece of legislation. I can't tell you the frustration -- that exists, but I want to get to this budget here. This budget's important because it balances, it cuts spending, it pays bills, and it funds key priorities. It

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

doesn't do everything, but the single most important thing we can do right now in the State of Illinois is balance our budget. Balance our budget, 'cause balancing the budget means stability, it means accountability, it means dependability. It means that businesses, large or small, will stay here because the schools are funded, the roads are fixed, that there is a net of protection and security for people who work hard and play by the rules, for people who raise a family, for people who are retiring, for people who need the most help. Like I said in my opening, people want a government that works, a government that pays its bills, a government that recognizes the principles that my parents followed: When you have less, you spend less. When you owe somebody, you pay 'em back. When you have a pressing need, you rally together as a family. You forget your differences. You rally together as a family, a family of legislators, and you forget your differences and you come to the table and you deliver a budget. And you know as a family, beyond a shadow of a doubt, that the greatest action you could take for this and future generations is to ensure that they have a world-class education - to what our previous speaker said - a world class education, because people in our State want a decent, satisfying life. Well, this budget, this spending reform plan, pays bills, it cuts spending, it funds priorities and it balances - what businesses want, a balanced budget. They want a balanced budget. They want stability. Vote for this bill. Vote for this budget, because it does something that's never been done in the past few years: It pays off our bills. It pays off our bills. It funds our priorities. It balances and it funds priorities. Thank you.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall Senate Bill 2461 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? Mr. Secretary, take the record. On that question, there are 34 voting Aye, 23 voting Nay, 0 voting Present. Senate Bill 2461, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we have further action to do here. We're going to have -- we have one more bill that we will be doing. So, everybody hold still for just a minute. But before we go to that action, Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

I'd like to be recognized as a No -- No vote on the last bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intent. Ladies and Gentlemen, if you'll turn to page 7, the middle of page 7 of the printed Calendar, we have Senate Bill -- on the Order of Senate Bills 3rd Reading, we have Senate Bill 3695. Senator Frerichs. Do you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3695.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Thank you much, Mr. President. After all of this display

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

of bipartisanship, I thought it'd be time to bring another bill that was the result of a lot -- a lot of negotiations -- produced a good bill. Senate Bill 3695 amends the Prevailing Wage Act by requiring contractors who do not participate in jointly administered labor-management fringe benefit funds to file benefit contribution information with their certified payroll, and calls for Illinois Department of Labor to develop an electronic database that will be capable of accepting and retaining certified payrolls. Database is subject to appropriation. The bill also changes the date certified payrolls must be filed from the tenth of each month to the fifteenth of each months -- month. We began to have a good debate on this earlier in this month with Senator Righter and people asking why we needed this bill. Currently, there is no consistency in the reporting of certified payroll records because many different forms and formats are used by contractors. Further, the law currently does not require reporting of all components that comprise the prevailing wage. Specifically, the reporting of fringe benefits is not required. This forces the Department of Labor to take the added step of pursuing and sometimes subpoenaing to determine whether there is compliance with the law. This delay means that workers must wait even longer to receive their full wages and forces the Department of Labor staff to utilize limited financial resources to seek necessary information. This bill provides a solution. It requires contractors to file all the information the Department of Labor needs to determine whether the correct prevailing wage rate has been paid, both wages and benefits, without mandating how they file it. Filing complete information

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

on prevailing wage and benefits will allow the Department to more easily identify contractors in violation of the Act and more easily dismiss complaints, and complete up-front filing will likely reduce the number of complaints that are filed because compliance will be more readily apparent. I believe this bill will create efficiencies in our Department of Labor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Frerichs, it's good to pick up on the conversation we left off a week or two ago when we were talking about this. I think one of the questions I had for you that we had not gotten an answer to was, why does this bill mandate that the contractors report annualized fringe benefits? Can you tell me that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

I'm sorry I couldn't provide you a clear answer earlier. All that does is simply codifies current Department of Labor practice.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Okay. Now, before, you said that there was no uniform system of reporting. Now you're telling me that there's a Department of Labor practice that's uniform - I'm assuming for everybody - with regards to annualization of fringe benefits. So, regardless of whether it's a practice for some or not, what I want to know is, why are we going to now mandate by State law that contractors turn over the annualization figure on fringe benefits, which has no relevance to a prevailing wage claim?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

We do that because, when there is an investigation, they ask for annualized fringe benefits. That is the current practice that we're codifying.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Why are you putting it in State law?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

As -- as I said earlier, we're trying to make the system more efficient. Currently, there's a nonstandard practice out there. When a complaint is filed, there are -- investigation has to be conducted. If we can get this information up front, more quick -- we get this information up front, determinations can be made more quickly, and in doing that, we can get wages to people who deserve them and will probably likely result in fewer complaints.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I think we ought to set aside for now this discussion. We can have a broader conversation about whether government mandates result in more efficiency a little bit later. Let me ask another question. This bill requires these contractors to provide net income information, including all deductions. Now, since the prevailing wage process is about gross wages, why would the Department require net income information, including all deductions?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

That's a very good question, Senator Righter. The Department of Labor needs the net wages on the payroll submission in order to match the amount of the canceled check to verify the worker was actually paid that amount. One type of fraud that has occurred is the contractors show the correct gross wages on the certified payroll, but then take back some of the wages through illegal deductions. Without having the net wages recorded, there would be no way for the Department to verify the worker actually received the appropriate pay.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

But I also asked about the individual deductions, because that's part of the bill, Senator. I mean, wage assignments, child support payments, maintenance payments are now going to be

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

going into the Department of Labor - private information. Why? Is how much someone pays in child support relevant to a prevailing wage investigation, Senator?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

I -- I don't think it's relevant and I think there's a misunderstanding here. This bill does not require contractors to list deductions. It requires them to list the net pay. So, the concerns over privacy of workers' child support payments or other wage deductions, for example, are just simply unfounded. It does not...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs, I'm sorry. Did I cut you off? Do you have -- Senator Righter.

SENATOR RIGHTER:

But if the -- if the contractor provides a net pay figure, Senator, to the Department, the Department's going to say, well, how can you verify that that's the net pay? How else are they going to do that except for showing what the deductions are? I mean, do we really believe that this Department, which is so trusting of contractors these days, is going to say, oh, you said that's the net pay, that's fine, without asking for verification of that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

They can verify it against the canceled check of the employee -- of the -- of the check that they received. And

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

that's why we need to know how much they paid, we can look and see if it was paid. You do not have to know what the deductions were for.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

To the -- to the bill, if I might, Mr. President. Ladies and Gentlemen, this is a dramatic overreach by the Department of Labor. This is unnecessary. It's not the Department's business what the annualization of fringe benefits is. That's an unnecessary burden on the contractors who are trying to say in this -- stay in this State. The notion that net pay should be something that'd have to be reported to the Department, and God forbid, that information include private information from the employee, is wrong. That's not the contractor's job here. We hear so much about job creation and wanting to keep jobs in this State, and we heard a terrific colloquy over there from that side of the aisle about we're going to keep employers because we're paying their bills. Why push them out like this? Why keep unnecessary burdens on their backs just like this? This is nothing other than a nice wide fishnet for the Department of Labor. They don't need any more tools. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LAUZEN:

Thank you, Mr. President. To the -- or a couple of questions for the sponsor.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

Senator, would -- would it be fair to say that the Department of Labor handles maybe as many as one thousand complaints a year? I mean, can you give us an idea of about how many complaints they handle a year?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

I don't know the actual number, but I know that they are working on a backlog that can stretch well over a year.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lauzen.

SENATOR LAUZEN:

I'm sorry. The -- the question I asked was, can you give me a rough number of -- and I'm going to ask you about how many complaints there are that they handle per year. Then I'm going to ask you, what's the base, you know, the numerator versus the denominator of how many employers are there in the State. So, about how many complaints? And then about how many employers do we have in the State of Illinois? You know...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- Senator Frerichs.

SENATOR FRERICHS:

As I said previously, I don't know the number of complaints. I know there's a significant backlog. And I don't also have the -- the information on the number of employers.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Senator Lauzen.

SENATOR LAUZEN:

Would it be fair for me to assume that there could be as high as one thousand complaints that they go through and they handle in a year? And would it be a fair assumption, if -- if the sponsor of the bill doesn't have an estimate of what it's -- he's proposing, that we're going to say rather than this number have to comply with a -- have to comply with this, all people are going to have to do it? I'm trying to get a relative idea. Would it be fair to assume, just for the purposes of this discussion, as many as a thousand and as many as hundreds of thousands of employers that are affected by prevailing wage in the State of Illinois? Would those be fair assumptions?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

I can't comment whether they're fair or not. A thousand seems awfully high to me. And hundreds of thousands of employers sounds very high to me. And perhaps you meant employees, or maybe I misheard. Hundreds of thousands employers complying with prevailing wage in the State of Illinois?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lauzen.

SENATOR LAUZEN:

Okay. To the bill: Here's the problem, Ladies and Gentlemen, and -- and all respect to the sponsor, here's the problem: We don't even know how many people we're going to put through this purgatory of having to go through this. We don't even know the relative number of how many complaints versus the

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

number of employers - and I do mean employers, I don't mean employees. I mean the people who are going to have to do this work. As an accountant, I love this, man. This is full employment for accountants. You -- you had said earlier, as you were describing this bill, that your desire is to make this more efficient. My question is, more efficient for whom? Is it for the -- for the -- a -- a government bureaucracy in the Department of Labor? Or is it for the base of the people who employ our neighbors and friends and who pay all the taxes that we shove toward the people in Illinois? I would say that you're making it easier on the Department at the enormous expense, a hundred times more expense, for the people who actually do the work in this State and employ people. So I -- I would just -- I would suggest a No vote. I think that we should not turn the Land of -- of Lincoln into the "land of leaving" in Illinois.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR CULTRA:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Cultra.

SENATOR CULTRA:

Senator Frerichs, are all contractors required to do this reporting?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Yeah, it's -- it's the contractors who don't use the -- the

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

contractors who aren't involved in fringe benefit funds.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cultra.

SENATOR CULTRA:

Could you be more specific? I'd..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

So, I'm -- I'm going to be clear about fringe benefits here. So, pension, vacation, health care, and training are a part of prevailing wage rate that contractors must pay their employees. Filing complete information on prevailing wage and benefits will allow the Department to more easily identify contractors in violation of the Act and more easily dismiss the complaints. The complete up-front filing will likely reduce the number of complaints that are filed. This reporting requirement seeks to shed light on prevailing wage fraud that is occurring at the fringe benefits level.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cultra.

SENATOR CULTRA:

Isn't it only the nonunion contractors that have to do this?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Yes, essentially.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cultra.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

SENATOR CULTRA:

What are the penalties for submitting an error? Aren't -- aren't there some new penalties involved?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

I'm unaware of any new penalties. If they're in violation of the law, the same penalties would apply.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cultra.

SENATOR CULTRA:

Well, there's -- this is a new paperwork requirement. It seems to me, there are some penalties in not submitting paperwork that's correct. And the problem with this bill is, when you start figuring out fringe benefits and different things, it's easy to submit an error. And it -- and it looks like to me -- what -- what -- what are the penalties if -- if you commit an error?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

There are penalties, if a contractor is committing fraud and misrepresenting wages paid. There are penalties, as currently exist. If there is a simple error - there are not penalties for just simple errors. They would work with the Department to correct those.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cultra.

SENATOR CULTRA:

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Who makes the determination of whether it's fraud or whether it's an error?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

...be -- it is required to be a willful error, and the Department will determine that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cultra.

SENATOR CULTRA:

Yeah, well, with the increased reporting, it certainly is going to be much easier to make an error. To the bill: This is entirely burdensome, and it looks like to me, it goes way beyond what we should be doing. We should be promoting business in this State, making it easier for our contractors to compete, bid on work. This does just the opposite. It -- it -- it makes it much easier for somebody to be turned in. The paperwork, if there's an error, I think - what is it? - two strikes and then you can't -- you can't bid on a job for a while. So, I would urge a -- a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs, to close.

SENATOR FRERICHS:

Thank you very much, Mr. President. What this bill really does is about more effective government. The proposed changes are designed to create a more streamlined process so the Department can investigate complaints more efficiently. Current law states that contractors must pay wages and fringe benefits as part of the total prevailing wage rate, but does not require

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

the reporting of -- of such benefit payments. The bill requires up-front reporting of both wage and benefit payments, which will make the investigation process more efficient. Senate Bill 3695 allows the Department to more easily indentify contractors in violation of the Act and, likewise, more easily dismiss complaints and likely reduce the number of complaints that are filed. More importantly, it allows workers to get paid more quickly for work performed. I'd request an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall Senate Bill 3695 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? Mr. Secretary, take the record. On that question, there are 30 voting Aye, 27 voting Nay, 0 voting Present. Senate Bill 3695, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you very much, Mr. President. Could I have a verification of the affirmative votes?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lauzen has requested a verification. Will all Members please be at their desks? Mr. Secretary, please read the affirmative votes.

SECRETARY ANDERSON:

Clayborne, Annazette Collins, Jacqueline Collins, Crotty, Delgado, Forby, Frerichs, Haine, Harmon, Holmes, Hunter, Hutchinson, Jacobs, Koehler, Kotowski, Lightford, Link, Maloney, Martinez, McGuire, Mulroe, Muñoz, Noland, Raoul, Schoenberg,

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/23/2012

Silverstein, Steans, Sullivan, Trotter, and Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lauzen, do you question the presence of any Member voting in the affirmative?

SENATOR LAUZEN:

Yes. Is Senator Lightford in the Chamber? Wonderful. Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

On a verified roll call, there are 30 voting Aye, 27 voting Nay, 0 voting Present. Having received the required constitutional majority, Senate Bill 3695 is declared passed. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10 a.m. on the 24th day of May, 2012. The Senate stands adjourned.