

STATE OF ILLINOIS  
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REGULAR SESSION  
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PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the 97th General Assembly will come to order. Will all the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Chance Newingham, Athens Christian Church, Athens, Illinois. Mr. Newingham.

PASTOR CHANCE NEWINGHAM:

(Prayer by Pastor Chance Newingham)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Please remain standing for the Pledge of Allegiance. Senator Jacobs, to lead the Pledge.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Thursday, November 29th, 2012.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

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Senate Resolution 1013, offered by Senator Frerichs and all Members.

Senate Resolution 1014, offered by Senator Raoul and all Members.

Senate Resolution 1015, offered by Senator Lauzen and all Members.

Senate Resolution 1016, offered by Senator Lauzen and all Members.

Senate Resolution 1017, offered by Senator Hunter and all Members.

Senate Resolution 1018, offered by Senator Hunter and all Members.

Senate Resolution 1019, offered by Senator Hunter and all Members.

Senate Resolution 1020, offered by Senator Radogno and all Members.

Senate Resolution 1021, offered by Senator Frerichs and all Members.

Senate Resolution 1022, offered by Senator Haine and all Members.

They are all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please put those on the Resolutions Consent Calendar.

SECRETARY ANDERSON:

Senate Resolution 1023, offered by Senator Radogno.  
It's substantive.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Tony Yuscus with the [Blueroomstream.com](http://Blueroomstream.com) requests permission to videotape. Brian Moore, NBC WSNS, requests

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permission to videotape. Terry Martin, Illinois Channel, requests permission to videotape. Seeing no objection, leave is granted. Also, Carlos Martinez, Media {sic} (Medill) News Service, requests permission to videotape. Seeing no objection, leave is granted. Mr. Secretary, Appointment Messages.

SECRETARY ANDERSON:

Appointment Message 558

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

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

To be Director of the Illinois Department of Commerce and Economic Opportunity:

Adam Pollet

Annual Compensation: \$142,339

Appointment Message 559

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

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

To be a Member of the Illinois Finance Authority:

Bradley A. Zeller

Appointment Message 560

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

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

To be a Member of the Illinois Finance Authority:

Edward Leonard, Sr.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, we will be going to the Order of 3rd Reading shortly. Will all Members within the sound of my voice please come to the Senate Floor? All Members within the sound of my voice please come to the Senate Floor. We will be going to the Order of 3rd Reading shortly. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your announcement.

SENATOR MURPHY:

Senators Righter and Althoff are out of -- out of town and not -- not available here, on legislative business today. Just ask that their absence be recognized and excused.

PRESIDING OFFICER: (SENATOR SULLIVAN)

That will be recorded. Thank you, Senator Murphy. Ladies and Gentlemen, the Senate will stand at ease for a few minutes 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 President's room immediately. The Senate will stand at ease. (at ease) Senate will come to order. Mr.

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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 - Motion to Concur on House Amendment 3 to Senate Bill 678 and Motion to Concur on House Amendment 1 and 2 to Senate Bill 3430; refer to Labor Committee - Committee Amendment 3 to House Bill 1041, Committee Amendment 1 to House Bill 2607; refer to Licensed Activities Committee - Motion to Concur on House Amendment 1 to Senate Bill 2915 and Motion to Concur on House Amendment 2 to Senate Bill 3237; refer to Public Health Committee - House Bill 153; refer to State Government and Veterans Affairs Committee - Motion to Concur on House Amendment 1 to Senate Bill 551, Motion to Concur on House Amendment 2 and 3 to Senate Bill 3245; Be Approved for Consideration - House Bill 2557, House Bill 4148, Motion to Recede from Senate Amendment 1 to House Bill 5547, and House Joint Resolution 102.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, if I could have your attention. Have some committee announcements. The following committees will be meeting to take up Floor amendments and concurrence motions. These are for -- excuse me, for this afternoon. Criminal Law will meet in Room 212 at 3 p.m. Labor will meet in Room 400 at 1 p.m. Please note that this is a room change. Labor is in Room 400 at 1 p.m. Exec will meet in Room 212 at 2 p.m. Licensed -- Licensed Activities will meet in Room 409 at 2 p.m. State Government and Veterans Affairs will meet

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in Room 409 at 2:30 p.m. So I'll run through those again. The following committees will be meeting to take up Floor amendments and concurrence motions: Labor, Room 400 at 1 p.m.; Exec, Room 212 at 2 p.m.; Licensed Activities in Room 409 at 2 p.m.; State Government and Veterans Affairs, Room 409 at 2:30 p.m.; and Criminal Law will meet in Room 212 at 3 p.m. Enrique Rodriguez with Univision requests permission to film, videotape. And Seth Perlman with the Associated Press requests permission to take still photographs. Seeing no objection, leave is granted. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Today is the last day that I will be bringing Pages to the Illinois Senate. And I want to introduce you to two very special young men. The first on my right, your left, is Yoni Butbol. Yoni is a seventh grader at the Old Orchard Junior High School in Skokie. He's an honor student and, interestingly enough, he's working on his pilot's license. He's got twelve hours of the roughly thirty hours necessary to become a licensed pilot. And to my left, or your right, is someone who's very familiar to you, my son, Nadav. Nadav is a seventh grader at the Bessie Rhodes -- Dr. Bessie Rhodes Magnet School in Evanston/Skokie District 65. Three weeks from today, Nadav and I and the rest of our family will be leaving for Tel Aviv so that we can celebrate his bar mitzvah in Jerusalem on December



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31st. I've already told you about Nadav's many fine qualities, his achievements, and I've already let you know that he'll be sitting in this chair perhaps one day - in about eighteen years or so. Please give them both a warm Senate greeting. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Let's give our -- Senator Schoenberg's guests a warm welcome here. Great to have you here today in the Illinois State Senate. Senator Schoenberg, we -- we will be missing Evanston Days. Senator Christine Johnson, for what purpose do you rise?

SENATOR C. JOHNSON:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Johnson.

SENATOR C. JOHNSON:

Well, I'm wearing red today for a very special occasion. While, obviously, it might be appropriate for the Christmas season, I'm wearing cardinal red today to honor the Northern Illinois University Huskies football team for their outstanding accomplishments. For the second consecutive year, the NIU Huskies have won the MAC Conference Championship, and now the 12 and 1 champions will place -- face Florida State in the 2013 Discover Orange Bowl. The Huskies will cap the historic season with the first BCS championship bowl appearance in school and MAC Conference history. The Huskies are currently ranked fifteenth in the nation in the BCS standing. And I do have to point out that I'm not the only proud Huskie in the General

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Assembly. Senator Toi Hutchinson, who I'm very sad to see isn't here today to share this with me, also shares Huskie pride, as she's in the law school at NIU. And there are other General Assembly NIU alums as well: Representative Joe Sosnowski, Representative Coladipietro, Representative Fortner is actually a professor at NIU, Representative Pihos, Representative Chapa LaVia, Representative Eddy, and Representative Schmitz. And we are all very proud Huskies and I would like you to join me in a proud Senate round of applause for the Orange Bowl-bound NIU Huskies. Go Huskies.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Nice round of applause to the NIU Huskies. Thank you, Senator. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your announcement, Senator Murphy.

SENATOR MURPHY:

The Senate Republicans request a caucus immediately in Room 400.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy, about how long would you anticipate that caucus lasting?

SENATOR MURPHY:

Thirty minutes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy moves that the Senate recess for the purpose of a Senate Republican Caucus, lasting approximately one-half hour. Seeing no objection, the motion is granted. The Senate

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stands in -- the Senate now stands in recess to the call of the Chair. After the Senate Republican Caucus, 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 SCHOENBERG)

Senate will come to order. Will all Members within the sound of my voice please come to the Senate Chamber? We'll be taking final action. All Members within the sound of my voice please come to the Senate Chamber immediately, for final action. Proceeding to page 2 of your printed Calendar, House Bills 3rd Reading. Page 2 of your printed Calendar, House Bills 3rd Reading. House Bill 1299. Senator Noland. Do you wish to proceed? Senator Noland? Out of the record. With leave of the Body, we'll turn to page -- top of page 3 of your printed Calendar, House Bills 3rd Reading. House Bill 4666. Senator Maloney. Senator Maloney wishes to proceed. Mr. Secretary, please read the bill. Senator Maloney seeks leave of the Body to return House Bill 4666 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4666. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Maloney, on Floor Amendment No. 3.

SENATOR MALONEY:

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Thank you, Mr. President. Floor Amendment 3 becomes the bill and I'd be happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, 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 SCHOENBERG)

3rd Reading. On the Order of 3rd Reading, we have House Bill 4666. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4666.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President, and if this is in fact your last time presiding, thank you for your efficient running of the Senate during your tenure as President. This is a bill that was brought forward out of a meeting by the Illinois Public Pension Fund (Association), the Illinois Firefighters, the Fire Protection Districts, and the Illinois Department of Insurance. What the bill simply does is that it alters the requirements for the training of police and fire pension trustees. It simply extends the time the trustees have to complete their initial

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training from a period of one year to two years. And it requires specific requirements for trustees in the areas of ethics and fiduciary training requirements. I have -- know of no opposition. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR MALONEY:

I just appreciate your support. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall House Bill 4666 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, please take the record. On that question, there are 51 voting Aye, none voting Nay, 2 voting Present. House Bill 4666, having received the required constitutional majority, is hereby declared passed. House Bill 4866. Senator Martinez. Senator Martinez wishes to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4866.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. As amended with -- amends the Motor Fuel Sales Act in regards to requirements for gasoline

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stations and service stations in the State subject to the federal Americans with Disability {sic} (Disabilities) Act. This bill requires that gas stations and service stations in Illinois must provide and display at least one ADA compliant motor fuel dispenser with a direct telephone number to the station that allows a disabled driver to request refueling assistance. The bill contains monetary penalties for those owners or operators of a gas station or service station that do not comply. Fines will be enforced by the Department of Agriculture and fines collected will be deposited into the Motor Fuel and Petroleum Standard {sic} (Standards) Fund. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Seeing none, Senator Martinez, do you wish to close? The question is, shall -- House Bill 4866 pass. All those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 53 voting Aye, none voting Nay, none voting Present. House Bill 4866, having received the required constitutional majority, is hereby declared passed. House Bill 5730. House Bill 5730. Senator Delgado. We're so happy to have you back with us. On behalf of the Body, please accept our deepest condolences on your loss. Please -- thank you. Please take House Bill 5730 out of the record. With leave of the Body, we will return to page 2 of your printed Calendar, bottom of the page, House Bills 3rd Reading. House Bill 1299. Senator Noland. He does wish to proceed. Mr. Secretary, please read the bill.

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SECRETARY ANDERSON:

House Bill 1299.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Seeing the success of Senator Maloney, I'm now emboldened to present my bill. Thank you very much. House Bill 1299 amends the Property Tax Extension Limit - - Limitation Law and would allow a single question, whether a new taxing district should be created and what that maximum funding for the taxing district should be. Currently, there must be two separate questions. Under current law, the question of creating a taxing district could pass, but the funding question might not. This bill is designed to prevent this outcome. This bill only affects the creation of new taxing districts in counties that are subject to PTELL. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion on House Bill 1299? Seeing none, Senator Noland, do you wish to close?

SENATOR NOLAND:

I do not. Simply ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. The question is, shall House Bill 1299 pass. All those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the

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record. On that question, there are 53 voting Aye, none voting Nay, none voting Present. House Bill 1299, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we will now turn to middle of page 3 of your printed Calendar, House Bills 2nd Reading. House Bill 2065. Senator Haine. House Bills 2nd Reading. Do you wish to proceed? He wishes to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2065.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Are there any Floor amendments approved for consideration, Mr. Secretary?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. The Senate will be at ease for a few moments while we're waiting for the printing and distribution of a Supplemental Calendar. There's a correction to that. We're standing at ease for a few moments for paperwork. Thank you. (at ease) Senate will come to order. We'll now proceed to page 4 of your printed Calendar, Secretary's Desk, Non-Concurrence, House Bills. House Bill 4110. Senator Jacobs. Do you wish to proceed? He wishes to proceed. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:



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I move to recede from Senate Amendments 1 and 2 to House Bill 4110.

Signed, Senator Jacobs.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs, on the motion.

SENATOR JACOBS:

I just make motion to recede from Amendment 1 and 2.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Okay. Is there any discussion? Is there any discussion? Seeing none, Senator Jacobs, do you wish to close? The question is, shall the Senate recede from Senate Amendments 1 and 2 to House Bill 4110. 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, please take the record. On that question, there are 43 voting Aye, 10 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does recede from Senate Amendments No. 1 and 2 to House Bill 4110, and the bill is declared passed. We will now proceed. Supplemental Calendar No. 1, which has been printed and distributed. Secretary's Desk, Resolutions, House Joint Resolution 102. As the resolution addresses a -- waiver requests made by school districts, it's the ruling of the Chair that pursuant to Section 2-3.25g of the School Code, the adoption of this resolution will require only a simple majority. Senator Lightford, do you wish to proceed? She wishes to proceed. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 102, offered by Senator Lightford.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, House Joint Resolution 102 is the Waiver of School Code (Mandates) Report that the State Board of Education submits to us biannually. In this package, there were seventy applications for the spring 2012 school year. The agency has approved six waiver requests. Zero were denied. Twenty were returned. And forty-four were transmitted to us. And of that number, two were modified and have slight adjustments. I'll be happy to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...you, Senator Lightford. Is there any discussion on the school mandate waiver resolution? Is there any discussion? Seeing none, Leader Lightford, do you wish to close? The question is, shall House Joint Resolution 102 pass. All those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please read the -- please take the record. On that question, there are 50 voting Aye, 4 voting Nay, none voting Present. House Joint Resolution 102, having received the required constitutional majority, is hereby declared adopted. With leave of the Body, we will now proceed to the top of page 5 of your printed Calendar. Top of page 5, the Order of Postponed Consideration. Senate Bill 2124. Senator Garrett. Senator Garrett. Out of the record. Senate Bill 3521. Senator Jacobs. Out of the record. House Bill 506. Senator Muñoz. He wishes to proceed. As the bills on this

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order have already been presented and debated on the Floor, debate on this bill will be limited to one proponent and one opponent, each speaking to the bill. Senator Muñoz. I'm sorry. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 506.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 506, we did debate it last week, day before we left. I would answer any questions that you might have.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Muñoz, we -- on Postponed Consideration, we have one proponent and one opponent. There's no question and answer. Is there an opponent who wishes to speak? Any opponent who wishes to speak against House Bill 506? Seeing none, Senator Muñoz, do you wish to close? The question is, shall House Bill 506 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, please take the record. On that question, there are 26 voting Aye, 24 voting Nay, none voting Present. House Bill 506, having failed to receive the required constitutional majority, is hereby declared failed. With leave of the Body, we will now go to page 2 of your printed Calendar, Senate Bills 3rd Reading. Senate Bill 3925. Senator Link. He wishes to proceed. Mr. Secretary,

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please read the bill.

SECRETARY ANDERSON:

Senate Bill 3925.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. To clarify something, this is the gaming bill shell bill. It's the only one that's available in the Senate or the House. We are passing it over to the House to continue to work with the Governor, the Speaker, the President, and all people involved. And we will guarantee you that if we're successful in passing it over and they pass it there, we will have it back as a concurrence. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you. Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

He indicates he'll yield. Senator Syverson.

SENATOR SYVERSON:

Senator, thanks for your work on this and I know this a -- a work in progress. But your intent also with this legislation is to address some of the cleanup legislation dealing with other gaming issues. For example, one of the concerns out there is dealing with some of these charitable organizations and defining

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them when it comes to the video gaming. And so there is a number of cleanup legislation that's going to be potentially part of this sweeping agreement that -- that's going to get worked on. Is that correct?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Link.

SENATOR LINK:

You're correct, Senator Syverson. We're trying to clean up everything in this bill - concerns of Members, concerns of the Governor, concerns of all - and that it all be put into one bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Is there any further discussion? Seeing none, Senator Link, do you wish to close?  
Senator Link.

SENATOR LINK:

I would just ask for an affirmative vote so we can keep this moving along.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 3925 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, please take the record. On that question, there are 31 voting Aye, 17 voting Nay, 1 voting Present. Senate Bill 3925, having received the required constitutional majority, is hereby declared passed. We will next proceed to the -- to Senate Bills 3rd Reading. Senate Bill 957. President Cullerton. President Cullerton seeks leave of the Body to return Senate Bill 957 to the Order of 2nd Reading.

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Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 957. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment -- Floor Amendment No. 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton, on Floor Amendment No. 2.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill deals with driver's licenses and this amendment becomes most of the bill. I'd like to adopt the amendment and then debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Millner.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Millner, on Floor Amendment No. 3.

SENATOR MILLNER:

Thank you, Mr. Chairman {sic}. And, Jeff, thank you for all you've done over the years. We appreciate seeing you up there and everything you've done with us and for us. So that said, Senate Amendment -- Floor Amendment 3 makes a temporary visitor's driver's license invalid if the holder is unable to

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provide proof of liability insurance upon request of a law enforcement officer. The holder would then have committed a violation of Section 6-101 of the Illinois Vehicle Code, which requires you to have a valid driver's license, with a petty offense penalty. And so what we're trying to do is, of course, train, license, and mandate insurance. And there's a way to mandate it; it's to have a valid driver's license with you. So..

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you, Senator Millner. Is there any discussion? Is there any discussion on Floor Amendment No. 3? Seeing none, all those in favor will say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it. The amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 957. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 957.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton, on Senate Bill 957.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This piece of legislation would allow for undocumented immigrants the opportunity to apply for a temporary visitor's driver's license.

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Currently, in Illinois, if you do not have a social security number, even if you wanted to, you could not obtain an Illinois driver's license. However, we do have, and we've had for a number of years, the opportunity for a certain category of folks to get a temporary visitor's driver's license; that would be if the individual can provide documentation issued by the -- currently, the current law would say someone {sic} issued by the U.S. Citizenship and Immigration Services stating that that person is legally residing in the United States. This would be some people -- like students residing in the U.S. on a student visa. So we have taken this idea of -- of this document that's currently being issued by the Secretary of State and we wanted to add the category of undocumented immigrants. The reason for this is we have perhaps a quarter of a million undocumented in the State of Illinois who are eligible -- or, of driver's age. Many of whom, human nature being such as it is and the necessities of life being such as it is, are definitely driving. Unfortunately, there's also a good number of these drivers who not only are they not licensed, but they're also not {sic} without insurance. So, allowing these immigrants the right to drive legally has been around for a number of years. The temporary visitor's driver's license that we talked about, currently about fifteen thousand of those are in circulation in Illinois. Now, I believe that many of you know I've been involved in the Legislature for a long time - but also highway safety. I was the first sponsor of - many, many years ago - of the -- the passenger -- the seatbelt law back in 1984 and even the -- requiring people to have children in car seats in 1982. And we've had a tremendous drop in our fatalities ever since



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then. And it seems to me, it makes sense if we have so many folks here in Illinois who are driving a vehicle - we're not even asking them to take a vision test, we're not asking them to take a driver's test, and we're not certain that they would even have insurance. So, this document that would be issued is, however, distinct from a driver's license that you and I would have. It is not something that'll allow them to use to get on an airplane or to purchase a weapon. It has a unique appearance. It'll have a different color. It's valid for three years, cannot be used for commercial driving purposes. People have to pay for it. It would only say that they have the ability to use our roadways. It seems to me that if you're involved in a car crash and someone hits you and they don't have insurance, you would -- even if they're undocumented, you would prefer that they would have taken a test to be able to drive that vehicle and you would prefer that they would have insurance so that you won't be out money. And so that's why I think this is such an important issue. It's a highway safety measure. I think it's something that we've come up with a very good compromise with the fact that it's not a driver's license like everyone else's. I really appreciate bipartisan support that we have received in this effort and I would ask you all to please vote for it. In the meantime, I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Leader Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I'd like to speak to the bill.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

To the bill.

SENATOR RADOGNO:

This, as you know, is not by any means a new issue. It's been around here for at least five years, if not longer than that. It tends to be a very emotional issue. So I hope we can approach it by taking as much emotion out of it as possible. I don't think there really is a perfect solution to the predicament that we're in collectively, and that is, we do have at least a quarter million undocumented individuals living, working, going to school with us. And unfortunately, we haven't gotten any help from the federal government in clarifying their status, which is clearly what needs to happen. But with respect to the one activity of driving, I do think we've come up with a reasonable compromise in this bill. As the Senate President stated, it is a -- an -- an -- an attempt to separate out the driving function and address that, and that only. This bill is different than other states who have tried it. Some states have had less success with it than others. But I will tell you, in the discussion over the five years, there has been a true effort to address legitimate concerns with other types of driver's licenses that other states have dealt with. I really do believe that this is a fair and honest attempt to get more people to be tested, to know the rules of the road, let them know they need to have insurance. And the amendment that Senator Millner brought forth actually has a little bit higher bar for undocumented drivers to be sure they do have insurance. Time will tell if it's effective. But I think that this is a very good faith effort to move forward with a public policy problem

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with a good public policy solution. So I would encourage people to vote in favor of this. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any further discussion? Any further discussion? Leader Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...bill.

SENATOR MUÑOZ:

Ladies and Gentlemen of the Senate, I stand and rise in strong support of the bill. And I can tell you, as a law enforcement officer, I was a little disappointed with the Chiefs of Police and the Illinois Sheriffs' Association, mainly because I passed so many bills for them over the years. But when I talked to the Chiefs of Police and the director of the Association, they're mixed; some of the departments want to be for it and others are going to take the position no matter what, unless you're a citizen, that's the only way you can obtain a driver's license. I think it's unfair. As a police officer, you want to have a person that's driving a vehicle with a valid driver's license and proof of insurance. Ladies and Gentlemen of the Senate, not only do you and I pay extra money to our insurance, and, too, all our constituents, because somebody has to pay for that driver that's not insured that gets into an accident. Sure, your insurance says, "Well, pay the deductible", but after awhile, when this bill's up, throughout municipalities, throughout the State, we're paying for that. Here, you have individuals - granted they're not citizens, but

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they're law-abiding citizens that they can be without being here; they're undocumented - they don't -- they want to be doing the right thing. They want to drive legally. They want to have the insurance. They want to have a car. They have families. They go to school. And for most of you that don't know, the people that are up here in the dais, some of them are teachers, architects, engineers, lawyers, but they can't get board certified here, maybe because of the language barrier too, because the federal government hasn't opened it up for citizens or for them to be a resident. Well, that's -- we'll let the federal government deal with that. But what we can do here, for them, is let them drive legally. It's a good thing. It's a safety measure. They have families. And most of all, they want to do the right thing. Look up in the dais, and it's just not the Latino community; it's Polish, Irish, Haitian, all across the board. Ladies and Gentlemen, vote Aye for this bill. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR BRADY:

Thank you, Mr. President. I stand in support of the gentleman's legislation. We live in an imperfect world, an imperfect State. The fact of the matter is, there is a cost to society when we have uninsured, untrained and untested drivers. Fact of the matter is, they are not going to self-deport. They're not going to -- the federal government's not going to deport them. They are here. We have to try to find some resolution to this. This legislation goes a great deal in terms

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of improving past legislation in several ways. But the fact of the matter is, this will allow for training, testing, and insurance for many people who don't have it, therefore, I believe, reducing insurance premiums on people who are paying that cost right now. Tens of thousands of people in this State get in accidents without insurance. There's a cost associated with that. There are fatal accidents that occur because people haven't been trained, tested in this regard. This opens that door. I do want to thank the sponsor. A concern that I had was as to what this could also be used for. The sponsor adopted language that I asked to be put on that said this cannot be used for identification purposes, which protects our security, I believe, from airports, the purchase of guns and ammunition, as well as the -- protects the right to vote. So I stand in support of the gentleman's legislation and I encourage others to do so as well.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR MARTINEZ:

...Mr. President. And to the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...bill.

SENATOR MARTINEZ:

Today I stand in very strong support. I've watched over the course of the years, being here in the General Assembly, on how this bill has been debated on -- on issues. I'm very happy to see that the Members of the other side of the aisle have joined us in something that's very important, because at the end

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of the day, this is about public safety. It's making sure that we identify those two hundred and fifty thousand folks that are out there driving, at this moment, without a license. When we talk about public safety, public road safety, we have to make sure that every individual who is driving our streets know the rules of the road, understand what the rules of the road are, and more important, I think it's a safety measure that our law enforcement need right now. They are on the streets, patrolling the highways, you know, on -- on every day, 24-7, and it's important for them to be able to at least know who is driving, as opposed to locking somebody up right away because they don't have a driver's license. So I stand in very -- support. I want to thank all the community groups that sat hours and hours and hours over the course of the last, almost seven years that we've been at this, trying to make sure that we found the right language. And I'm -- I am so happy today to know that all the input from the other side of the aisle was also put into this bill, because it's the right thing to do. We have to ensure that everyone driving out there has car insurance. There's just too many accidents that occur where people do not have insurance. This is another way of making sure that we have people insured so that we can take care of these accidents and - - and the liabilities that a lot of these traffic accidents cause. So I -- I am very happy today to see that we're working together, that -- in a bipartisan fashion, that this bill has bipartisan support, and more important, that we know that today we're going to be able to let the rest of the Illinois people know that we are going to take -- we're taking every measure that we can to ensure that there is public safety out there on

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the roadways. So I want to commend the sponsor, who took leadership of this bill and has made it, you know, work in every way possible, and I -- I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR DELGADO:

Thank you, Mr. President, Members of the -- of the Chamber -- of the Senate. To the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...bill.

SENATOR DELGADO:

I, too, join in strong support of this important legislation, as someone who's not affected by it. My family is from Puerto Rico, a commonwealth of this country since 1917 under the Jones Act, which actually made our community -- our island citizens. But they had a purpose of taking our men to the war, and the same thing with Guam and the Philippines. There was not one application, not one fingerprint, but there was an economic need to protect this country. And my father and many other men -- and I just came back from burying my dad and I want to thank you all, publicly, for the love you have sent me. He's a World War II veteran and he was a Sergeant, and I'm very proud of him. And he just had a military burial in Melbourne Beach, Florida. But I also participated in Miami, as a former felony parole agent, when the Mariel boatlift came from Cuba -- not with any kind of corrections -- any connections, just a boat that arrived in Miami. Castro had emptied his prisons, he said, of all kind of individuals -- that, by the way, many of them

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today walk around in society. Some are being held in prisons in Louisiana without any kind of processing until {sic} today. But for the rest of us all, many, many have moved on into their lives since the eighties and are enjoying their lives in this country. And until we can find a -- a stronger policy, I'd like to agree with some of my colleagues on the other side in terms of knowing what -- what the value is to stand for. But I was there to have to try to process these men and women, not understanding, and especially being from Chicago, exactly how I felt about that. But it's very clear from a law enforcement standpoint, when we have Lake County sheriffs, like Mark Curran, who estimates twenty-eight percent of inmates in the Lake County jail are nonviolent, undocumented immigrants who do not have valid driver's license, just tying up police officers and vital resources. This is about having confidence in our ability to have a strong work force and families who are -- who are -- who said "We will fit this mold." "We will take the necessary steps to be able to get to work safely, to be able to take our children safely to school and to the medical centers, if needed." But at the end of the day, we are afraid. The only crime we broke -- the only crime we might have created was coming -- looking for a job to feed our families. So I find a new day here in Illinois. I commend us all. I think it's a wonderful, wonderful afternoon to stand on this issue and to lead as we've -- and -- and also to follow, as we've seen in New Mexico and in other states that are experimenting and knowing that we can reduce our uninsured motor costs as we continue to pick up the tab. But now this bill seems to have brought both sides together. And I'm just so proud that I was able to return



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in time to cast my Yes vote. And I would pray that in the goodness of America and the goodness of Illinois that we know our State police are very cognizant of who's going to be on our highways and the more folks we can record to know who is driving next to us and our families will be a plus. And as we move forward in this protracted process, we can supervise this; we can have a fiscalization of this process. So with that, I would pray that we would see a humane vote here today and one that will also create a stronger economic foothold here in Illinois by voting Yes on this -- on the gentleman's legislation. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR SANDOVAL:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...bill.

SENATOR SANDOVAL:

Mr. President, Ladies and Gentlemen of the Senate, I rise today, as many of us have risen before for many years. In fact, fourteen years ago, this bill, in another form, was introduced by our former colleague, Senator Miguel del Valle. In 2007, another form of this bill was introduced by Members of, primarily, the Latino Caucus of the Senate - Senator Martinez, Senator Muñoz, Senator Delgado and myself - with the support of many of my colleagues in this Chamber. Today there's a saying in many of our Mexican homes, (remarks made in Spanish) - it's better late than never. I know that some of the English-only

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papers well may need a translator, but I -- so I will -- so I will try my best. We have made -- it has been -- and I know of no other sponsor than the Illinois Senate President "Juan" Cullerton to be the primary sponsor of this piece of legislation today, the proud son of immigrant parents from Ireland, in the same spirit of the former sponsors of similar legislation over the last fourteen years. This man has made a -- a career, the hallmark of his leadership has centered and focused, in big part, to public safety of our highways - the protection of children, working families, seniors on the roads of the State of Illinois. In fact, over my last five, six years as Chairman of the Illinois Senate Transportation Committee, with the support of many of you on this side of the aisle, as well as that side of the aisle, in a very bipartisan way, we have had a history, all of us, of protecting and making our highways better and safer for all the residents. We have passed and proposed laws that ban cell phone use on our highways. We have passed a ban on texting while driving. We have banned the use of cell phones in school zones and in construction zones. This Illinois Senate, in a very bipartisan way and fashion, has demonstrated our commitment to keeping our roadways and our highways safe. We are not Johnny-come-latelies to the issue of protecting people, all people of the State of Illinois. I stand today in reluctance, to a certain extent, although supportive of this piece of legislation, 'cause this is not the perfect way of protecting our highways. It is not the perfect way to be providing temporary driver's licenses to the undocumented. It should be a permanent driver's license for the undocumented residents of the State of Illinois, because they pay taxes, they

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pay mortgages, they support many of our public funds used for Social Security purposes, for Medicare purposes, for Medicaid purposes. They have been, many of them, law-abiding residents of this great State. So I am reluctant in the shape and the form of the bill that we are going to vote on in a few minutes. I also want to point out that I am reluctant because we shouldn't be here passing this bill here today. There's no need for this bill to be voted on today, because, you know, let me remind you, this is a federal issue. This is an issue that our Congress has failed the people of Illinois. This is an issue that my Congressman Luis Gutiérrez, for the nineteen years as a federal Congressman, has failed the people of Illinois. He has failed my community. The Mexican residents in -- in my community have been failed by his leadership -- his lack of leadership and the leadership of Congress to do what's right and pass immigration reform. If they were to spend more time in trying to protect and enhance the quality of life of the people of Illinois and end the bickering and the lack of bipartisanship, we would not have to vote on laws like this today. I call on -- I take this opportunity on calling on my Congressman of the 4th Congressional District, Luis Gutiérrez, of nineteen years, and the rest of Congress and the President of the United States to get with the program of the undocumented residents who have been law-abiding and contributing people of this great State and of this country. We in the Illinois Senate have a responsibility and we take it very serious. Once again, when the undocumented residents needed coverage when it came to in-state tuition, it was the Illinois Senate that provided -- that provided the net. When it came to protection for health

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care, KidCare for the undocumented and FamilyCare for the undocumented, it was the Illinois Senate that provided the web for these -- for our people. And now, when it -- and when it came to providing a path to citizenship, it was, again, the Illinois Senate, through the New Americans Initiative, that have invested over three million dollars a year for the last nine years to provide a passage to citizenship for the undocumented residents of Illinois. Congress has failed the people of Illinois. Congress has failed the undocumented residents of the people of Illinois. The Illinois Senate has been the responsible Body and we have done it in a very bipartisan way. This is not a perfect bill. (Remarks in Spanish) I ask a favorable vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any further discussion? Is there any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation is not about student visas and it's not about temporary visitors. In all of our oaths of office, we solemnly swear that we will support the Constitution of the United States and uphold its laws and the Constitution of the State of Illinois and that we will faithfully discharge our duties of the Office of State Senator. Equal protection under the law and under the Constitutional -- under the Constitution certainly goes hand in hand with equal responsibility to follow the law. I am in favor of legal immigration, but oppose illegal immigration. I also support efforts by the national government to finally and equitably solve the illegal immigration problem

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in America. However, we have the cart before the horse in the case of granting additional legal privileges to people already breaking our country's law. The national government should act first, which then paves the way for this action. And when folks say to us, it's only one law, the immigration law, that's being broken. That is simply not accurate - for tens of thousands of people who are also employed illegally, many of them driving to work, therefore breaking the traffic laws. Now we're expected to believe that folks who are already breaking the immigration law, the employment law, the traffic laws, are now going to follow the insurance law. And I'd just like to say that forty years ago, John F. Kennedy cautioned us that full confidence in the integrity of American law is essential. He said, "...our Nation is founded on the principle that observance of the law is the eternal safeguard of liberty and defiance of the law" - in this case, immigration law - "is the surest road to tyranny." ... "Even among law-abiding men few laws are universally loved, but they are uniformly respected and not resisted. Americans are free, in short, to disagree with the law but not to disobey it. For...no man, however prominent and {sic} powerful, and no mob, however unruly and {sic} boisterous, is entitled to defy a court of law." Therefore, observance of the law is the ground upon which we pitch our tent for domestic tranquility and social peace. I ask for a No vote on this legislation.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR SYVERSON:

Thank you, Mr. President. Just a -- a question for the

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sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

He indicates he'll yield. Senator Syverson.

SENATOR SYVERSON:

Senator, can you help me understand the -- my understanding is, under this legislation, they -- no criminal background checks are part of that, but traffic -- previous traffic violations are taken into consideration when it comes to issuing these license?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

My understanding is that the Secretary of State is going to issue these temporary visitors' driver's licenses. And I want to thank the Secretary, by the way, in helping us draft the legislation so that it can be implemented, 'cause he's -- his office is the one that has to implement it. You have to show that you are who you are when you come to get your temporary visitor's driver's license. So you'll have to show documents, like a passport from the country that you were born in or anything issued from the government, like a -- from the Consul's office. Then, in addition to that, the Secretary of State will require proof that you've been in the State for one year. So we're not going to be having folks come here for the purpose of just getting this license. So they would need various documents that would determine -- to prove the -- the identity. Also, they're going to issue these centrally so that they're going to be able to take a photograph of the person applying. If that -- they can tell from double-checking that photograph with any

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previous illegal application for a driver's license that that same person might have made and then that person would be identified and would be charged with that offense. So I don't know if that answers your question. But I don't know that there's going to be any -- checking of someone's prior record, because they wouldn't have had a license before that, if -- if that answers your question.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Syverson.

SENATOR SYVERSON:

Well, no, I guess it doesn't totally answer that. When -- when you go to renew your license, whether you have a license now or not, when you go to renew your license, if you've been issued a previous violation for speeding or driving without insurance or driving without a license, you're issued then a -- a ticket or a -- and you pay a fine. If that is not paid, then my understanding is you can't renew your license. In this case, if someone is driving illegally and they are stopped for speeding or for any other violation, if they're stopped, they are issued a -- a driver's license number for -- for court purposes and then they're given a ticket that they have to pay. If those tickets then are not paid, then when -- or, under this scenario then, will those driver's licenses still be issued? So will they do a background check with the Secretary of State's Office? If there are violations or tickets or fines that are still owed to be paid, will they be -- will they not be allowed to be issued that license until those are -- deficiencies are paid or corrected?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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President Cullerton.

SENATOR CULLERTON:

Well, it sounds like - the scenario you laid out - they would check that. But I have not talked to the Secretary of State's attorney, who did testify in the committee, about that specific fact. So, I -- I don't know. I -- I would tell you that this is a Senate bill. I specifically made it a Senate bill, not a -- not to amended a House bill. It -- I hope it goes to the House and I will follow-up with that specific question and make sure that that answer is provided if the bill does end up going to the House.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President, and for your time in discussing this issue. I guess what I don't want to have - and I appreciate your willingness to look into this - is a -- a -- a procedure in place where someone can -- where -- where those who currently are licensed would have a -- stricter regulations or stricter laws than -- than those who are applying for these new cards. And so, where any of -- anyone in -- in this room had previous ticket violations would not get their license renewed, that we would want to make sure that if these others had violations, or monies owed, or tickets, or court appearances that they hadn't done yet, that they also would not be allowed to be issued this new license, if that makes sense. You're nodding your head. Maybe I'm jogging a memory on something.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.



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SENATOR CULLERTON:

No, it's -- I agree with you. I just haven't had a specific conversation about that with the Secretary of State's Office. It would make all the sense in the world, when they're checking residency, they're checking whether they are who they are, if they had some record. I know that if they had a record of illegally trying to apply for a driver's license before, then they would be arrested for that. But if they were issued a ticket when they didn't have a driver's license and they didn't pay a fine, the Secretary of State has all those records and I'm virtually certain that they would not issue the temporary visitor's driver's license because of that, until those were paid.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Chris Brooks from WICS-TV seeks permission to videotape today's proceedings. Seeing no objection, leave is granted. Is there any further discussion? Senator Jacobs.

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

He indicates he'll yield. Senator Jacobs.

SENATOR JACOBS:

Mr. President, is it your point that everybody who drives a car should be licensed?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

Tested and insured and have a license.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Senator Jacobs.

SENATOR JACOBS:

Point is then, at the end of the day, is that we should be licensed -- these people should be licensed and they should be properly insured before they go on the road. And that this -- this is going to make us safer than if we didn't do it. Is that correct?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs.

SENATOR JACOBS:

Would it be wrong to assume that people are going to drive, irregardless of if they have a license? So, in effect, let's just let them have a license. Is -- is that -- is that the point?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

I think we've seen from experience that folks, even if their license is suspended in Illinois, a good percentage of those folks go out and drive anyway. So I'm -- I'm using that experience to assume that a quarter of a million undocumented that are here - out of necessity in many cases - are out driving. But they do not have a license, they haven't been tested, they don't have insurance necessarily, and that's why I think this is the time to do this.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs.

SENATOR JACOBS:

One final question. Mr. President, I'm going to ask the question that my Republican colleagues maybe would have asked before election, that are not asking now, and that is: How do I, as a lawmaker, support a bill that gives undocumented workers the right to drive? Doesn't this, in effect, flout the law and make the law meaningless?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

Well, Senator, let me say that there might -- other people might have different motivations to support this bill. When -- when I first talked to the immigration rights groups about this bill, I told them that my interest was really a selfish one for the citizens of the State of Illinois who are driving on our highways, who are being potentially jeopardized by so many undocumented folks who don't have a license, haven't been tested, might not know how to drive, might not have insurance. And from a selfish point of view, I think we should protect ourselves by asking them to get a license - by requiring them to get a license. So I don't view it as a reward for illegal activity. I don't think that's our jurisdiction. We have said, in the debate here, we -- it has come out, it's not our decision to decide what's going to happen to the twelve-million-plus undocumented folks in the United States. That's not for us to decide; that's the federal government to decide. But we are responsible for our roadways and we have an obligation to our

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citizens to make them safe. We have an obligation to try to save lives, and that's what we're doing by passing this bill. So that's what I would say to those folks who would say you're somehow rewarding illegal activity. We're not, in my opinion. We're letting that decision be made by another form -- by another lawmakers, and we're taking care of what we're supposed to take care of in Illinois.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs.

SENATOR JACOBS:

In closing, I would just like to say that, across the aisle, one of my Republican friends mentioned the President John F. Kennedy, a great Democrat patron. And I -- in his book, A Nation of Immigrants, he also said, immigrant costs -- excuse me, "Immigrant {sic} policy should be generous; it should be fair; and {sic} it should be flexible." I agree with Senator Sandoval in that this bill is not a perfect bill, and I wish I could vote on both sides of this bill. But at the end of the day, we have to vote on one side of it, and I'm going to become very flexible on this vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR MILLNER:

Thank you, Mr. Chairman {sic}. I would like to address this bill from both my past experience, thirty-plus years' experience as a law enforcement officer, and my current experience as a State legislator. And I'm telling you, by looking at all the facts of this case, the bottom line here is -

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- and -- and looking at -- yes, I have to say, I took the Constitution -- the oath, and I believe in my oath. I believe in it. I did that for over forty years now. And so this is important to me to make sure it's done correctly. As a matter of status, will this grant illegal immigrants any additional status other than a driving privilege? No, it won't. And in fact, the bottom line here today for me is, is that we want people, all people in our State, to obey the law. So we have people driving in our State - they're going to drive today; they're going to drive tomorrow. We need to provide the opportunity to obey the law. This does that. It doesn't grant anything else. We talk about the federal government wouldn't be for this. Well, I disagree, because in the REAL ID Act, the federal REAL ID Act, if you look at that, this particular piece of legislation complies with that. It does because it says -- it requires that any driving documents that a state issues to anyone without lawful immigration status must be visually distinct from regular licenses and must state on their face that they're not valid for identification purposes. So, you know what folks, you cannot use this to vote, you cannot use this to get on an airplane, you cannot use this for any form of identification, except to the police officer that stops you and asks for your license. We want our people to obey our traffic laws. So I believe that Senate Bill 957 actually goes beyond that and protects against fraud and abuse. And it does that in a number of ways. This will, folks, I really believe from my heart, will improve highway safety for all of our motorists and to make sure that everyone on our roads are trained, tested, licensed and insured. You just can't walk in there and get one

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of these. Most of us, we go to the Secretary of State's Office. We get in there; we take the test, whether it's the written test or the driving test. They take our photograph; they hand us a license. It doesn't happen with this particular piece of legislation. There's only a few places that will accept it. And when you apply, you have to have documentation. You have to prove that you lived in Illinois for at least a year. Now they're going to look at everything from -- from -- whether it's credit card bills, mortgage payments, rental payments, mail that goes to your house with your name on it, to make sure it's there for a year. They'll make that decision. They're going to do a facial recognition photograph. Now, folks, most people aren't aware of how this works, but when you take that photograph, it really does work. If I take my photograph here in Springfield and I apply under a different name up in Chicago, it will immediately determine it's the same guy. Even if I grow a beard, it doesn't matter; it's facial recognition. So we have that protection. We're verifying these documents - they live herein a year. They look different than other regular driver's licenses. And, again, it makes sure they follow the rules. The amendment we just accepted was my amendment that said that if they get stopped on the street and they don't have insurance -- now, if you get stopped and you don't have insurance, the police officer writes you a ticket, no valid insurance. You got to go to court and prove it. If we issue one of these and they get stopped, it's a not valid driver's license - no valid DL. And they get a ticket for no insurance, and one for not having a valid driver's license. This goes well beyond all those things. The -- the -- the safety that we're concerned about is evident.

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It was written into this bill. It's good language. Certainly, could we go further and do more with people? We probably could. But looking at all of this together, the bottom line is highway safety. The bottom line is getting people insured. The bottom line is getting people the training, tested and licensed. Let's get safety out on the street. Not having people drive willy-nilly. What do we want to do, folks? We want everybody who's in our State to make sure they're obeying the law. And remember this, too, there could be people who are getting this temporary driving license who may be undocumented today, but they're going through a process to become documented. I just want the people who are driving our roads to drive safely and have a driving license and insurance. That's the bottom line and I truly urge an Aye vote for this. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Our final speaker, Senator Raoul.

SENATOR RAOUL:

It's Senator Raoul as the last speaker of the Latino Caucus. I have to agree with Senator Muñoz that the -- the face of an immigrant is not only the Latino community. The face of the immigrant looks like every Member in this Chamber. We are a nation of immigrants. I maybe more directly than some of you are -- is -- I'm a first generation child of Haitian immigrants. And I was speaking to my mother earlier today and she was reciting to me the complications that she had with her immigration status when she first came here. So it's by fortuity that I stand before you as a citizen of this great country of ours. I just came back from New York this morning, where I was visiting with my sister who runs, and has run for

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the last twenty years, an organization called Haitian Women for Haitian Refugees. And she started running the organization twenty years ago after she spent some time in Guantanamo Bay as a translator for Haitians who had been interdicted as they were trying to flee persecution, many who were repatriated. And a previous speaker talked about equitable application of our immigration laws. Let's not lie to ourselves - there's never been any such thing in this country. So, by fortuity, some people have legal immigration status in our country and some people don't. I can take you to the Haitian community in Florida and they can point to other communities that have -- have gotten preferential treatment with regards to how immigration laws are applied. My first job out of college, I -- I -- I worked for a packaging company that packaged for McDonald's, and I was taken to a sugar refinery in Savannah, Georgia, and I was told that we go get our workers from Haiti because there's no equipment that they -- that allows us to get the sugar and there's no workers -- there are no workers here that -- that will do the work. And so, we go get our workers from Haiti and then we take 'em back. Now, I don't think they were filing immigration papers when they were going to get those workers. And we want to pretend like we don't rely, on a day-to-day basis - every person in this room - on the work of undocumented immigrants. We do - whether it's in the restaurants, whether it's domestic workers, whether it's in manufacturing facilities, wherever it may -- may be, but - whether it's in construction - we do rely upon it. And we can't pretend that we don't. And we can't pretend that these people don't contribute to our economy, because they do. And I was



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speaking to a dear friend of mine on the other side of the aisle, and -- and I think the Minority's -- Leader said it right: The federal government has not done its part on this and they've fallen short. I wouldn't quite say it like the good Senator from the southwest side, but he had some points in there. The federal government has fallen short. But we have to separate that apart from this safety measure that we're dealing with here. We are a State legislature. We can -- we can urge, but we cannot pass immigration reform in this Chamber. But we can put in place a safety measure that recognizes that there are a quarter of a million people here in our great State, many of whom contribute to our economy, many of whom work hard and we rely on their work. And so let's -- this is a small measure to recognize that we need to protect ourselves, while recognizing that these people are making a contribution to our economy. So I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton, to close.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. Just to sum up the arguments. First of all, I, once again, want to thank the Secretary of State for helping us draft this legislation so that we know that it will work when it becomes law. I also want to thank Senator Millner for the amendment, which highlights the fact that we really want to emphasize the fact that we want insurance to be purchased by folks who'll get this -- this -- this new license. To make it very clear - it's been stated before - we don't do immigration law here. I'm very hopeful, now that the election's over, that the Congress will go

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back and deal with the issue of immigration at the federal level. But while they're doing that, we have a responsibility for our roadways, and we acknowledge that many of these undocumented immigrants are driving now and it's unsafe. Driving is a privilege, but there's also obligations that come with it - an obligation to take a vision test, an obligation to take a road test, an obligation to purchase insurance. We will definitely save lives by passing this bill. To me, when people have asked me what's the most important bill you've passed in the thirty-four years I've been here, I say it's the highway safety bills, because all of us can sit here and actually press a green button and, as a result of that, lives will be saved. The same thing will happen with this bill. Please press the green button and vote Aye.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 957 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, please take the record. On that question, there are -- on that question, there are 41 voting Aye, 14 voting Nay, 1 voting Present. Senate Bill 957, having received the required constitutional majority, is hereby declared passed. (Remarks in Spanish) Ladies and Gentlemen, for purposes of scheduling, I'd like to remind everyone that the following committees will be meeting. The Labor Committee, in Room 400 - please note that this is a room change; Executive, in Room 212; and Licensed Activities, in Room 409 - will meet immediately. State Government, in Room 409, will meet following Licensed Activities. And Criminal Law will meet in Room 212

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immediately following the Executive Committee. The Senate will now stand in recess until after the committees. At which time, we will reconvene only for the purposes of receiving committee reports and other paperwork and for the Assignments Committee to meet. For scheduling purposes, we also anticipate that the Senate Executive Committee will be meeting tomorrow at 10 a.m. and that the Senate will convene at 11 a.m. tomorrow. Senator Muñoz, with a point of personal privilege. Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have some guests here in front of me. Although they're not from my district...

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Why don't you hold on for a moment, Senator. Could we give Leader Muñoz our attention, please?

SENATOR MUÑOZ:

Thank you, Mr. President. I have Rosa Gomez, business relations from Mexico, from Puerto Vallarta. She worked with us when our Latino Caucus went to Mexico. So she's here visiting with us. So if we can give her a nice welcome, I'd appreciate it. And also, I have two gentlemen that live in our State, businessmen, two brothers, Santiago and Guillermo Garcia. If we can welcome them all to the Senate, I'd really appreciate it.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Okay, let's give our guests a warm Senate greeting. The Senate will now stand in recess. I'm sorry. Senator Emil Jones.

SENATOR E. JONES:

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

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on Senate Bill 3925.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Record will so reflect. Seeing no other Members seeking recognition, the Senate will now stand in recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Back on popular demand, the Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Forby, Chairperson of the Committee on Labor, reports House Bills 1041 and 2607 Do Pass, as Amended.

Senator Harmon, Chairperson of the Committee on Executive, reports Senate Amendment 1 to Senate Bill 641 and Motions to Concur: House Amendment 3 to Senate Bill 678, House Amendments 1 and 2 to Senate Bill 3430 recommended Do Adopt.

Senator Raoul, Vice-Chairperson of the Committee on Criminal Law, reports Senate Amendment 2 to House Bill 3804 recommended Do Adopt.

Senator Holmes, Chairperson of the Committee on State Government, reports Motions to Concur: House Amendment 1 to Senate Bill 551 and House Amendments 2 and 3 to Senate Bill 3245 recommended Do Adopt.

Senator Martinez, Chairperson of the Committee on Licensed Activities, reports Motion to Concur: House Amendment 1 to Senate Bill 2915 and House Amendment 2 to Senate Bill 3237 recommended Do Adopt.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Resolutions, Mr. Secretary.

SECRETARY ANDERSON:

Senate Resolution 1024, offered by Senator McCann and all Members.

Senate Resolution 1025, offered by Senator McCann and all Members.

Senate Resolution 1026, offered by Senator McCann and all Members.

Senate Resolution 1027, offered by Senator McCann and all Members.

And Senate Resolution 1028, offered by Senator McCann and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Resolutions Consent Calendar, Mr. Secretary.

SECRETARY ANDERSON:

Senate Resolution 1029, offered by Senator Forby {sic} (Frerichs).

It is substantive.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

Message from the House by Mr. Mapes, Clerk.

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

Senate Bill 16.

(Secretary reads title of bill)

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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 Amendments 5, 6, 7 and 8 to Senate Bill 16. Passed the House, as amended, December 4th, 2012. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Mr. Secretary, Introduction of Senate Bills.

SECRETARY ANDERSON:

Senate Bill 3942, offered by Senator Delgado.

(Secretary reads title of bill)

1st Reading of this Senate bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The Senate will now stand at ease for a few minutes to allow the Committee on Assignments to meet. Will the members of the Committee on Assignments please come to the President's Anteroom immediately? The Senate will stand at ease. Will the members of the Committee on Assignments please come to the President's Anteroom immediately? The Senate will stand at ease. (at ease) Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Harmon, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Motion to -- to Concur on House Amendments 5, 6, 7 and 8 to Senate Bill 16, Floor Amendment No. 2 to House Bill 3816; refer to Public Health Committee - Committee Amendment 2 to House Bill 153.

Signed, Senator Don Harmon, Chairman.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Ladies and Gentlemen, please note that the following committee will be meeting to take up Floor amendments or concurrence motions tomorrow. The Senate Executive Committee will meet at 10 a.m. tomorrow in Room 212. Executive, in Room 212, at 10 a.m. There being no further business to come before the Senate, the Senate now stands adjourned until the hour of 11 a.m. on the 5th day of December, 2012. The Senate stands adjourned.