

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

HB0207	Third Reading	121
HB1292	Third Reading	122
HB1814	First Reading	3
HB2036	First Reading	4
HB2275	Third Reading	118
HB2381	Third Reading	124
HB2454	First Reading	4
HB2674	First Reading	4
HB3243	First Reading	4
HB3379	First Reading	4
SB0105	Third Reading	4
SB0105	Vote Intention	6
SB0206	Recalled	115
SB0206	Third Reading	116
SB0338	Third Reading	81
SB0494	Out Of Record	6
SB0494	Recalled	6
SB0494	Recalled	77
SB0494	Third Reading	77
SB0572	Third Reading	14
SB0577	Recalled	7
SB0577	Third Reading	8
SB1006	Recalled	15
SB1006	Third Reading	16
SB1043	Third Reading	85
SB1210	Recalled	19
SB1210	Third Reading	19
SB1399	Recalled	27
SB1399	Third Reading	28
SB1410	Third Reading	23
SB1410	Vote Intention	27
SB1479	Third Reading	32
SB1479	Vote Intention	34
SB1532	Third Reading	34
SB1572	Third Reading	35
SB1640	Third Reading	91
SB1680	Recalled	94
SB1680	Third Reading	95
SB1847	Recalled	36
SB1847	Third Reading	37
SB1853	Third Reading	37

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SB1880	Third Reading	38
SB1900	Recalled	49
SB1900	Third Reading	49
SB1961	Recalled	51
SB1961	Third Reading	52
SB2136	Recalled	55
SB2136	Third Reading	56
SB2187	Recalled	56
SB2187	Third Reading	57
SB2305	Third Reading	100
SB2312	Discussed	93
SB2312	Third Reading	67
SB2350	Recalled	72
SB2350	Third Reading	73
SB2362	Third Reading	74
SR0218	Adopted	125
SR0254	Resolution Offered	2
SR0255	Resolution Offered	2
SR0256	Resolution Offered	2
SR0257	Resolution Offered	2
SR0258	Resolution Offered	2
SR0259	Resolution Offered	2
SR0260	Resolution Offered	2
SR0261	Resolution Offered	2
SR0262	Resolution Offered	2
SR0263	Resolution Offered	2
SR0264	Resolution Offered	2
SR0265	Resolution Offered	2
Senate to Order-Senator Link		1
Prayer-Pastor Shaun Lewis		1
Pledge of Allegiance		1
Journal-Postponed		1
Committee Reports		3
Senate Stands at Ease/Reconvenes		13
Committee Reports		13
Resolutions Consent Calendar-Adopted		126
Adjournment		127

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR LINK)

The regular Session of the 98th General Assembly will please come to order. Will our Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Shaun Lewis, Capitol Commission, Springfield, Illinois. Pastor.

PASTOR SHAUN LEWIS:

(Prayer by Pastor Shaun Lewis)

PRESIDING OFFICER: (SENATOR LINK)

Will our guests remain standing for the Pledge of Allegiance? Senator Jacobs.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR LINK)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Wednesday, April 24th, 2013.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter moves to approve the Journals -- Senator Hunter.

SENATOR HUNTER:

Mr. President - thank you for that - I move to postpone the reading and approval of the Journals just read by the Secretary, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter moves to approve {sic} the Journal just read by the Secretary. Is there no objection? So ordered. Senator Hunter. Resolutions, Mr. Secretary.

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Senate Resolution 254, offered by Senator Biss and all Members.

Senate Resolution 255, offered by Senator Morrison and all Members.

Senate Resolution 258, offered by Senator Harmon and all Members.

Senate Resolution 259, offered by Senator Link and all Members.

Senate Resolution 260, offered by Senator Link and all Members.

Senate Resolution 261, offered by Senator Hunter and all Members.

Senate Resolution 262, offered by Senator Hunter and all Members.

Senate Resolution 263, offered by Senator McGuire and all Members.

Senate Resolution 264, offered by Senator McGuire and all Members.

Senate Resolution 265, offered by Senator Koehler and all Members.

They are all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

James Carder of Blueroomstream.com requests permission to videotape. Seeing no objection, permission is granted. Committee Reports, Mr. Secretary. The Consent Calendar, Mr. Secretary.

SECRETARY ANDERSON:

Senate Resolution 256, offered by President Cullerton.

And Senate Resolution 257, offered by Senator Frerichs.

They are both substantive.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR LINK)

Committee Reports, Mr. Secretary.

SECRETARY ANDERSON:

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Amendment 1 to Senate Bill 206 Recommend Do Adopt.

Senator Frerichs, Chairperson of the Committee on Higher Education, reports Senate Amendment 3 to Senate Bill 1900 Recommend Do Adopt.

Senator Harmon, Chairperson of the Committee on Executive, reports Senate Bill 1639 Do Pass, as Amended; and Senate Amendment 3 to Senate Bill 494, Senate Amendment 2 to Senate Bill 577, Senate Amendment 1 to Senate Bill 1132, Senate Amendment 2 to Senate Bill 1847 and Senate Amendment 2 to Senate Bill 2136 Recommend Do Adopt.

Senator Raoul, Chairperson of the Committee on Judiciary, reports Senate Amendment 1 to Senate Bill 1210, Senate Amendment 3 to Senate Bill 1399 Recommend Do Adopt.

Senator Holmes, Chairperson of the Committee on Environment, reports Senate Amendment 3 to Senate Bill 1961 Recommend Do Adopt.

Senator Jacobs, Chairperson on the -- of the Committee on Energy, reports Senate Amendment 3 to Senate Bill 2350 Recommend Do Adopt.

Senator Kotowski, Chairperson of the Committee on Appropriations II, reports Senate Amendment 1 to Senate Bill 1984 Recommend Do Adopt.

PRESIDING OFFICER: (SENATOR LINK)

House Bills 1st Reading, Mr. Secretary.

SECRETARY ANDERSON:

House Bill 1814, offered by Senator McConnaughay.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

(Secretary reads title of bill)

House Bill 2036, offered by Senator Connelly.

(Secretary reads title of bill)

House Bill 2454, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 2674, offered by Senator McGuire.

(Secretary reads title of bill)

House Bill 3243, offered by Senator Martinez.

(Secretary reads title of bill)

And House Bill 3379, offered by Senator Martinez.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR LINK)

Ladies and Gentlemen of the Senate, we are about to go to the Order of 3rd Readings. Today is the deadline for Senate Bills 3rd Reading, so, all Members at the sound of my voice, get to the Floor immediately. We are going to 3rd Readings. Will all Senators come directly to the Senate Floor? We are about to start 3rd Readings. Especially Members that have bills up first. Please come to the Floor immediately. We'll start on the top of -- on page 4 of your Senate Calendar. Senate Bill 2. Senator Manar. Senator Manar. Out of the record. Senate Bill 31 -- with leave of the Body, we'll skip down to Senate Bill 31. Senator Noland. Out of the record. Senate Bill 41. Leader Muñoz. Leader Muñoz. Out of the record. Senate Bill 46. Senator Frerichs. Out of the record. Senate Bill 105. Senator Frerichs. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 105.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs, on your bill.

SENATOR FRERICHS:

Thank you very much, Mr. President. Senate Bill 105, as amended, allows utilities to provide true-up services for the retail electric suppliers. Under current law, the RES do a true-up for the supply and the utility does a separate true-up for delivery. The legislation would allow the utility to do one single true-up. The utilities would then recover all of its reasonable and prudently incurred administrative and operational costs from all its retail customers through its delivery service charges. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose, for what purpose do you rise?

SENATOR ROSE:

For purpose of thanking the sponsor. After committee, some folks came and we -- we went through it and it's an excellent piece of legislation. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 105 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, no Nays, none voting Present. Senate Bill 105, having received the required constitutional majority, is declared passed. Senate Bill 202. Senator Haine. Out of the record. Senator Koehler, for what purpose do you rise?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SENATOR KOEHLER:

I'd like to have the record show that I would have preferred to have voted Yes on that last bill.

PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect. Senate Bill 337. President Cullerton. Out of the record. Senate Bill 338. Senator Hutchinson. Senator Hutchinson. Out of the record. Senate Bill 494. Senator Tom Cullerton. Mr. Secretary, please read the bill. Senator Cullerton seeks leave of the Body to return Senate Bill 494 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 494. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Tom Cullerton.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton. Senator Cullerton.

SENATOR T. CULLERTON:

Mr. -- Mr. President, if I could take this out of the record for just a moment.

PRESIDING OFFICER: (SENATOR LINK)

Out of the record. Senator Steans, for what purpose do you rise?

SENATOR STEANS:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR STEANS:

Yeah, thank you, Members of the Senate. I just want to invite you to a dinner next week on the Common Core Standards. As you

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

may know, in education here, we're going to be -- implementing the new Common Core and new assessments in every school district in Illinois. Superintendent Chris Koch will be outlining the implementation of the Common Core Standards and there's going to be a national expert, Sandra Alberti, really presenting what these mean to all of us and to all of our districts. So I think it's something that has a lot of relevance to everybody in the room. It's going to be on April 30th at the State House Inn from 6 to 8 p.m. and you don't need to have RSVP'd to attend. You can just show up. So I'd encourage you to take a look and try to be there on April 30th. Thanks.

PRESIDING OFFICER: (SENATOR LINK)

Senator -- Senate Bill 577. Senator Koehler. Senator Koehler seeks leave of the Body to return Senate Bill 577 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 577. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR LINK)

Senator Koehler, on your amendment.

SENATOR KOEHLER:

Yes, thank you, Mr. President, Members of the Senate. The amendment just states that any moneys - and I'll explain this more on 3rd - that would be used for this educational emergency fund would be from new moneys if we pass a new gaming bill.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 577. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 577.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Can we keep the noise down on the Floor? This is 3rd Reading, final action on bills. Keep the noise down, please. Senator Koehler, on your bill.

SENATOR KOEHLER:

Yes, thank you, Mr. President, Members of the Senate. Senate Bill 577 requires that fifteen million dollars in gaming revenues, and now, with the amendment, future revenues -- new revenues, if we pass a -- a new gaming bill, would be deposited annually into an educational assistance fund to be used by the State Board of Education to fund special education. It would hold harmless some of the losses that some of our school districts have incurred. Let me just state that funding for children requiring special educational services is a line item within the State Board of Education's budget that provides funding to school districts for students with disabilities. Many of our schools have really been short -- shorted on this. My own school district in Peoria has lost about a million dollars on -- on this fund as well. So, this

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

is a way to try to prioritize special education and to see if we can't correct this situation. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

To the bill, Mr. President. We had -- we had some issues in committee with this. I appreciate the -- the sponsor cleaning up the bill to make sure it was for future revenues, as opposed to current revenues, so that there wasn't a deviation from the general State aid of this fifteen million dollars. This is obviously a complicated issue, but this hold harmless is keeping us from implementing changes that were put in place years ago. This has not been funded for the last couple years and it's because it's time for this to move on from the prior -- prior arrangement. The hold harmless needs to stop and the formula needs to be looked at. Frankly, Senator, and I hope to encourage you to -- to participate in this, the entire formula needs to be looked at across the board for both special ed, for poverty grants, for PTELL adjustments. This is something we've been focused on this spring, hoping to put some transparency on. This -- this entire education funding process needs to be revisited. I understand what you're trying to do here, but I think this goes in the wrong direction and I encourage a No vote.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR McCARTER:

Question of the sponsor, please.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR McCARTER:

Senator, I just -- because I -- you know, I wasn't in the committee this went through, I -- I -- I just have to -- I need to have an understanding how this is going to affect my school districts. Who -- who are the winners and who are the losers if we go forward with this?

PRESIDING OFFICER: (SENATOR LINK)

Senator Koehler.

SENATOR KOEHLER:

There is a list. I know that Senator Luechtefeld has a -- has a copy of that list, if he would share it with you. Quite frankly, what you've just stated is correct, that there are some winners and losers, and we're trying to correct the impact of some of the losers on this. And I don't disagree at all with what Senator Murphy is saying. We need to look at the entire scope of how we fund education, and I'm certainly wanting to be a part of that process. This is an attempt really to put focus on the school districts that -- and -- and special education is -- is very important to society and -- and to our school districts, and this is a way of just saying that -- that we think that it's important that we fund at the level that -- that meets the need in our school districts. Now whether there's winners and losers in your area, it depends on that list, and I hope you have that.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

To -- I'd like to speak to the bill. Thank you, Senator. I

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

-- I do have the list and I -- and I'm taking a look at that now. I -- you know, we all want to protect -- protect our districts and I -- but I think the bigger -- the -- the bigger task at hand here is a fair -- you know, formula. In -- in my area, I've got -- I've got schools that are holding band concerts as fundraisers to pay for a band teacher's salary. I've got a district that just ran a -- a referendum, and lost really bad -- by a large margin, to try to increase their -- the -- the educational fund by thirty -- over thirty percent. I mean, in my district, they have done everything they can do. They've cut - they've cut - they've cut every cost they can cut. And this formula needs to be made fair. We -- we've seen where the money's gone over the last decade. We've seen who's lost money over the last decade. And this has got to be a priority in this Body. And so, I -- I'm not in favor of a task force to take care of it next year. I think this needs to be taken care of, at least, to make the State general aid one hundred percent - one hundred percent - in this next year's budget, and I think together we can come together and do that. That's not too big a task for us to address and it's something we can succeed at and we can all go back home and say, listen, we did this for you. I've got to do that. I think we're all willing to work together to do that. So I encourage that we work together on that in the future. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. You know, much of what has been said by the last couple of speakers is, I think, true. You know, our State aid formula and the way it works

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

right now is certainly not working in a fair way, I don't think. But it has been said that, this particular bill, there are winners and losers. I -- I'm not real sure there are losers in this bill. This is -- if -- if I understand it, is fifteen million dollars coming from the gaming, which will be paid on the hold harmless -- some hold harmless schools. I don't think that affects -- certain schools are not going to lose and the other, fifteen million, and these gain. So it's not a -- it's not a lose or win situation. It is a win for some schools. You know, whether this really happens in the end, whether -- you know, when this is all done, the gaming bill has to pass, all those sorts of things -- has to get past the Governor. But I -- I -- you know, I'm going to support the bill because I think it does help some schools in -- in every district, really. And it's certainly not a -- you know, certainly not the kind of fix that a lot of people would like to see, but I certainly am going to support it because I do believe it helps -- if it actually happens, it will help every person in this -- in this room, some of their schools, to a certain degree, or one -- certainly one or the other. So I will support the language. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Senator Koehler, to close.

SENATOR KOEHLER:

Yes, thank you, Mr. President. And thank you for the -- the comments from all three of the speakers. And I think that we're really in agreement on this. And, Senator McCarter, I will support funding at a hundred percent. I think that's essential for us to do this year. So I don't see that we're working at -- at differences here. I think this is all part of the same. What we

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

try to do in this bill -- and, Senator Luechtefeld, you're -- you're correct - the situation before that we're trying to correct is that there were winners and losers created. This helps to create all winners, if we can get this thing done. But, again, we're trying to just put the focus and the priority on special education and saying this is an important part of education and let's live up to our obligation to fund it. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 577 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 13 Nays, nobody voting Present. Senate Bill 577, having received the required constitutional majority, is declared passed. Steve Bourque of WICS-TV seeks permission to record TV and video -- audio. Seeing no objection, permission is granted. The Senate will now stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will come to the President's Anteroom. The Senate will stand at ease. (at ease) Senate will come back to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 2 to Senate Bill 1006 and Floor Amendment 2 to Senate Bill 1680.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

With leave of the Body, we'll go back to Senate Bill 494. Senator Cullerton. Out of the record. Leave of the Body, we will go to Senate Bill 572. Senator Kotowski. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 572.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Kotowski, on your bill.

SENATOR KOTOWSKI:

Thank you, Mr. President. Senate Bill 572, as amended, repeals the School Employees {sic} (Employee) Benefit Act, which requires CMS to administer a prescription drug program for school employees. This is a -- a program, basically, that -- the prescription drug benefit program for school districts has not been established due to lack of start-up funding and staffing. The amendment would make the program an optional offering.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 572 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, 1 voting Present. Senate Bill 572, having received the required constitutional majority, is declared passed. Leader Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

State your point.

SENATOR MUÑOZ:

Mr. President, Ladies and Gentlemen of the Senate, I have today with me a Page by the name of Noah Myers. Most of you probably know his dad, Bobby Myers. Noah is in eighth grade here. He's here from Springfield. He is very talented, very smart, excellent student, and he plays the saxophone. If we can welcome him back to the Senate, I would appreciate it.

PRESIDING OFFICER: (SENATOR LINK)

Welcome to the Senate. Senate Bill 1006. Senator Raoul. Senator Raoul seeks leave of the Body to return Senate Bill 1006 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1006. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, on your amendment.

SENATOR RAOUL:

Floor Amendment 1 is mostly the substance of the bill. I'll explain it on 3rd.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Senator Raoul, on Floor Amendment 2.

SENATOR RAOUL:

Floor -- Floor Amendment 2 offers language limiting it to felony offenses and explaining what information needs to be communicated to CJIA.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1006. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1006.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, on your bill.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1006 is an initiative of the Better Government Association. It's a compromise bill on the expansion of electronic recording of custodial interrogations. Up until now, mandatory recording of custodial interrogations have been limited to homicide. What Senate Bill 1006 suggests to do is to expand the recording to allow for permissive recording of custodial

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

interrogations for all felony offenses other than homicide, where it's mandatory. And the bill also provides that the Illinois Criminal Justice Information Authority shall collect and retain all data regarding the number of investigations and the types of crimes captured during the recording of custodial interrogations and maintain a database of that information.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR RIGHTER:

Senator Raoul, I want to pick up a little bit on the issue with regards to -- on the information that's to be collected by the Illinois Criminal Justice Information Authority. Can you -- and I know you've refined that through, I believe, Floor Amendment 2, at the request of the City of Chicago. Can you walk through with me what information will be collected and -- and how that information will be collected? In other words, is this something that the Information Authority's going to be reaching out to law enforcement authorities and saying you need to bring this in, or is this something that all the authorities, should they choose to tape, will be doing that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

No. The -- CJIA would not be reaching out. The police

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

departments would be reporting on a monthly basis and the information that they would be reporting would be the numbers of the -- the numbers of investigations that the videotaping was used in and the types of crimes captured during those recorded -- interrogations, rather.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Just, final note, Senator Raoul - and I didn't think about this until we got out here on the Floor today - is, this is something that, while it's not in the bill, maybe the Criminal Justice Information Authority ought to do kind of a pre-emptive reach out to these law enforcement agencies, if it becomes law, to let them know, hey, we're going to be seeking this information from you, it's going to be in the situation where you voluntarily choose to -- to record, just so they know -- for the smaller law enforcement agencies in the State, just so they know that it's coming. But, other than that, I appreciate your work on the bill, Senator Raoul. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1006 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, 1 voting Present. Senate Bill 1006, having received the required constitutional majority, is declared passed. Senate Bill 1042. Leader Harmon. Out of the record. Senate Bill 1043. Senator Hutchinson. Senator Hutchinson. Out of the record. Senate Bill

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

1132. Leader Harmon. Out of the record. Senate Bill 1164. Senator Haine. Out of the record. Senate Bill 1190. Senator Hutchinson. Out of the record. Senate Bill 1204. Leader Harmon. Out of the record. Senate Bill 1210. Senator Silverstein. Mr. -- Senator Silverstein seeks leave of the Body to return Senate Bill 1210 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1210. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment 1, offered by Senator Silverstein.

PRESIDING OFFICER: (SENATOR LINK)

Leader Silverstein, on your amendment.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This amendment was worked out with the cooperation of our staff, Senator Righter and their staff. It retains the bill, but it's -- amends the bill to remove the amendments regarding the home -- Human Rights Act and it clarifies about employment and -- which I will discuss on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

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 LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1210. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1210.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Leader Silverstein, on your bill.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This is a bill known as the Homeless Bill of Rights. It creates a bill of rights for homeless individuals, the right to -- to move freely, freedom, equal treatment in both State and municipal agencies. It also -- as I said before, we did take out references at the request and negotiations with Senator Righter and Jo Johnson and Amy Bowne, who -- all four of us worked very well together and I appreciate all their assistance. This is already established in Cook County. I think it's something that has to be done. And, again, I appreciate working with the other side of the aisle on this matter.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Silverstein, we've had a number of conversations about this bill and I know that you've refined it, and I appreciate the time that you and your staff have put in on this. When the bill started, it -- it -- would have incorporated into the law these rights in two different areas, the Human Rights Act and this new Bill of Rights. And it's my understanding now, the Human Rights language has been stripped

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

out, so we're dealing with a situation whereby a person in this position who is homeless would have a cause of action only if they were discriminated against solely based on the fact that they did not have a home. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Leader Silverstein.

SENATOR SILVERSTEIN:

That is correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

So, I want to give you a couple hypotheticals here. It -- as the bill is now structured, if an employer is interviewing an individual to fill a job and let's say that that job has to do with contact with the public and they have a concern about an individual's housing status and therefore their daily appearance, if you -- whatnot, that might not bring a cause of -- in fact, that wouldn't bring a cause of action here, but what would - and this is -- this is timely, because of the flooding we've seen in the State - an individual who's working in a job and their flood -- their home gets flooded out and, for two or three days, they're without a home, because they are searching for an apartment to rent - thank you, Mr. President - they're searching for an apartment to lease or somewhere to land, at least on a temporary basis. The bill you've got before us now would prohibit the firing of that person from that job for an instance like that. Is that -- is that fair to say?

PRESIDING OFFICER: (SENATOR LINK)

Leader Silverstein.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SENATOR SILVERSTEIN:

That is correct, solely based on housing. Correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR RIGHTER:

Thank you. I rise in support of Senate Bill 1210. Now there are -- I mean, let's be plain-spoken about it. There are districts in which people back home -- and they're thinking about the funding in their school districts, they're worried about transparency in government and budgeting, and other issues like that, and wondering what their State government's doing, and they'd say, "What are you guys doing passing a bill of rights for the homeless?" But, to Senator Silverstein's credit, he's narrowly tailored this legislation now to where it could affect people who think -- who think that they will never be affected by a homelessness issue and I think it is narrowly crafted to the extent where it can make a real difference for people all across the State. I rise in support of it. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1210 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 11 Nays, 1 voting Present. Senate Bill 1210, having received the required constitutional majority, is declared passed. Senator Muñoz in the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Chair.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate Bill 1332. Senator Raoul. Out of the record. Senate Bill 1399. Senator Link. Indicates he... 1399 out of the record. Senate Bill 1407. Leader Clayborne. Senator Clayborne. Out of the record. Senate Bill 1408. Out of the record. Senate Bill 1410. President Cullerton. Oh! Tom Cullerton. Sorry, Senator Tom Cullerton. Indicates he wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 1410.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Cullerton.

SENATOR T. CULLERTON:

Thank you, President and Members. This bill will -- just updates Park District Code, which will allow the park districts to follow what municipalities do when receiving grant funds. As it stands now, park districts have to revise their entire budget, instead of just doing a supplemental appropriation, much like municipalities and villages and cities are allowed to do. So this will allow park districts to follow the Open Meetings Act and post the grant application, post the grant receipts, and utilize it in their budget for that coming year.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR McCARTER:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

I'd like to ask a few questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Indicates he will yield. Senator McCarter.

SENATOR McCARTER:

Thank you, Senator. This is more -- I think this is a little bit more than an update to the Code. It -- it -- the problem with this is it -- it really violates a commitment to the people that are funding these park districts, and that you're taking their money. And, you know, like clockwork, you take their money, but when it goes to spending it, we want latitude as to how we can spend it. And I think we're giving -- we're giving park districts a little too much latitude here. I think -- and -- and we talked about this in the committee, but why is it that we didn't put a cap on how much money we're going to let people spend so freely? And I understand that my park district is a lot different than yours, but twenty-five thousand dollars to a park district in our small communities is a lot of money. I know that's not a lot to yours. But why -- why were we not able to come up with that as a cap on -- to avoid the procedure that you're -- that you've done in this bill?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Cullerton.

SENATOR T. CULLERTON:

The -- the cap level I had -- I had chatted about was the OSLAD -- average OSLAD grant cap, which was -- came back as three hundred and twenty-five thousand, was the average OSLAD grant. Also, when we're talking about grant funding realistically coming, a grant can only be used -- a grant can only be used for the specific purpose that it is given. The money cannot be spent

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

before the grant's received, and also that grant will have to be filed and reported after the grant is utilized through all the -- and is constantly available for FOIA. If you utilize the grant for a different source, whether that grant is an OSLAD grant from the State, whether it's even a private grant, those dollars can only be utilized for the intended purpose of the grant. Much like with...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter.

SENATOR McCARTER:

Does this enable you to not abide by the Open Meetings Act?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Cullerton.

SENATOR T. CULLERTON:

No. You still have to abide by the Open Meetings Act.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter.

SENATOR McCARTER:

But will this not eliminate the public hearing?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Cullerton.

SENATOR T. CULLERTON:

No. It will eliminate the thirty-day hearing that's required for a full budget. But it still has to be done through an open meeting, still has to be done at a park district meeting. Those meetings are posted prior to, as well as what's going to be voted on - again, much like a municipality in a city. And those meetings all have opportunities for public comments on agenda items and non-agenda items. So while this would be placed on the agenda,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

you would actually be able to speak on the agenda item.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter.

SENATOR McCARTER:

To the bill: Ladies and Gentlemen, this -- this supplemental appropriation does exempt the expenditures from the normal process of publication notice and public hearing requirements. And, you know, I -- I just think to -- to take a grant of three hundred and fifty thousand dollars and say that, because of timing, you need to avoid this process to -- to be accountable to the taxpayers, is just wrong. You know, if -- if -- three hundred and fifty thousand dollars in -- in one of my small communities, if they treated it that way, that local mayor, park district manager would be looking for a new job. And maybe we're just that way in my district, that they -- they think that they should, you know, people should be accountable for those -- those -- that much money. But this takes away the accountability to the taxpayers, and for that reason, I would encourage a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There being no further discussion, Senator Cullerton, do you wish to close?

SENATOR T. CULLERTON:

Thank you. Thank you, Senator McCarter. And we had chatted about this during the course of committee. I appreciate all of his comments, and I think we will respectfully disagree, but -- so I would ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall Senate Bill 1410 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 voting Yea, 14 voting Nay, 0 voting Present. Senate Bill 1410, having received the required constitutional majority, is declared passed. With leave of the Body, we'll be going back -- Senator Noland, for what purpose do you seek recognition?

SENATOR NOLAND:

Yes, Mr. President, sorry to trouble you. I just wanted to be recorded as an Aye vote on -- on Senator Cullerton's bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Record will reflect your intent, Senator. With leave of the Body, we'll be going back to Senate Bill 1399. Senator Link. Mr. Secretary, read the bill. Senator Link seeks leave of the Body to return Senate Bill 1399 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1399. Mr. Secretary, are there any other Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Link.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link, on your amendment.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

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:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 1399. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 1399.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Senate Bill 1399 amends the Code of Civil Procedures {sic} (Procedure) to remove the statute of limitations from actions based on childhood sexual abuse. Under the current law, an action based on childhood sexual abuse must be filed within twenty years of the date that the plaintiff knew the abuse and had knowledge of the injury caused by such abuse. Senate Bill 1399 would remove the statute of limitations altogether and allow a person to bring an action based on a -- childhood sexual abuse at any time. As amended by the -- Senate Amendment 3, Senate Bill 1399 applies to actions filed on or after the effective date of the bill that would not have been time barred under the statute of limitations or a status {sic} (statute) of the -- repose prior to the effective date. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR ROSE:

Questions of the sponsor, if I may.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR ROSE:

Senator Link, if I...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Rose.

SENATOR ROSE:

Thank you. Senator Link, if I may, this is only civil cases, not criminal cases, correct?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

Correct.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Rose.

SENATOR ROSE:

Senator Link, and -- let me -- does this apply to -- to individuals and entities, or just individuals?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

Can't hear.

PRESIDING OFFICER: (SENATOR MUÑOZ)

If we can keep the discussions a little low, I'd appreciate it. The sponsor -- it's hard to hear. If we can keep the noise down, please. Senator Rose, can you repeat your question, please?

SENATOR ROSE:

Absolutely. Senator Link, does this apply to individuals as well as entities, or just individuals?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

It applies to any lawsuit for damages.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Rose.

SENATOR ROSE:

Would -- the concern would be, if you're going to extend a lawsuit to an entity for something that happened thirty years ago, and the actual perpetrator within that entity is long since dead or disappeared, how does that entity then defend itself in the lawsuit if the witnesses are no longer available?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

Thank you, Senator. The burden of proof is on the plaintiff to prove the case. And that's what we discussed at length in committee on this.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Rose.

SENATOR ROSE:

But if you -- if you come in and allege a set of facts and you're the only witness that's still alive thirty years later -- I mean, if you're the only occurrence witness that's still alive thirty years later, how does -- how does the organization have a defense? I mean, you have -- you now have live testimony from a witness in favor of the plaintiff, but if all the defendant's witnesses are long since dead or missing, you know, which happens - people move, people do whatever; you can't locate 'em - how do

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

they defend themselves thirty years later?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

It's a question for the trier of fact to prove the burden on the plaintiff. It -- burden's still on the plaintiff.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Harmon, for what purpose do you seek recognition?

SENATOR HARMON:

Thank you, Mr. President. For questions of the sponsor. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Link, I want to thank you. You endured quite a bit of exercise in the Judiciary Committee, as we refined this bill to satisfy concerns that were raised there. I just want to make sure that the Floor debate reflects some questions reflecting our intent in the amendments that you've adopted. So my first question is this: Is the intent of this bill to circumvent the Illinois Supreme Court's ruling in Doe against Diocese, regarding revival of time-barred cases?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

No. This bill does not disrupt the Illinois Supreme Court ruling in Doe versus Diocese, which -- which held that a legislative amendment to Section 13-202.2 of the Code of Civil Procedures {sic} extending a statute of limitations would not apply

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

to -- retroactively to allow reveal of claims that were already time-barred under the prior statute of limitations on the effective date of the amendment. If it becomes law, Senate Bill 1399 will only -- will only remove the statute of limitations for those lawsuits seeking damage based on the childhood sexual abuse that are not already time-barred or under the prior statute of limitations on the effective date of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any other discussion? There being none, do you wish to close, Senator? The question is, shall Senate Bill 1399 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Yea, 4 voting Nay, 0 voting Present. Senate Bill 1399, having received the required constitutional majority, is declared passed. Senate Bill 1454. Senator Delgado. Out of the record. Senate Bill 1471. Senator Holmes. Out of the record. Senate Bill 1479. Senator Morrison. Indicates she wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 1479.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Morrison.

SENATOR MORRISON:

Thank you, Mr. President. Senate Bill 1479, as amended, provides that an operator of a motorboat who has been involved in a boating accident that resulted in injury or death is deemed to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

have given consent to breath or chemical tests for the purposes of determining the content of alcohol or drugs in the person's blood. This will mirror the Vehicle Code provisions that impose implied consent to such tests when a driver is involved in an accident. This was developed with the assistance of Secretary of State, DNR, State Police, and I would respectfully ask for your support today.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR McCONNAUGHAY:

To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR McCONNAUGHAY:

I just wanted to take this moment to thank Senator Morrison for addressing some of the concerns that have been raised on this bill. It's a really good bill and I think it does a lot for public safety on our waterways. There were some concerns that -- a number of us had, but she was quite kind in addressing all of those concerns. So, thank you very much.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There being no further discussion, the question is, shall Senate Bill 1479 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 1479, having received the required constitutional majority, is declared passed. Senate Bill 1532. Senator -- Senator Rose, for what purpose do you seek recognition?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SENATOR ROSE:

Thank you, Mr. President. On the last bill, would the record reflect my intention to have voted Aye?

PRESIDING OFFICER: (SENATOR MUÑOZ)

The record will reflect your intent. Now, Senate Bill 1532. Senator Rose. Indicates he wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 1532.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Rose.

SENATOR ROSE:

Thank you. This bill would allow the State Department of Agriculture to refer complaints that were made knowingly false and unfounded and with an intent to harass an individual to the State's Attorney's Office. We've worked with the ASPCA, the American Society for the Prevention of Cruelty for {sic} (to) Animals, on this. This is their language. This is also the language of the Humane Society of the United States, worked with ASPCA on. And we've limited it to just animal control shelters. And that's the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? There being none, the question is, shall Senate Bill 1532 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Yea, 0 voting

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Nay, and 0 voting Present. Senate Bill 1532, having received the required constitutional majority, is declared passed. Senate Bill 1544. President Cullerton. Out of the record. Senate Bill 1551. Leader Radogno. Out of the record. Senate Bill 1567. Senator Delgado. Out of the record. Senate Bill 1572. Senator Delgado. Indicates he wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 1572.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President and Members of the Senate. Give me one moment so I can catch up on paperwork here. Senate Bill 1572, as amended, requires the State Board of Education to report on the impact of charter school enrollment on the operations of CPS, the impact of school actions to the -- on the operations of CPS, and the impact of standardized testing on the operations and practice of CPS. And so Senate Amendment No. 3, added to it, deleted the provisions requiring CPS to sell properties, which made this a little bit more plausible for everyone. And I would ask for your indulgence at this time.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? There being none, the question is, shall Senate Bill 1572 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Yea, 0 voting

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Nay, 0 voting Present. Senate Bill 1572, having received the required constitutional majority, is declared passed. Senator Link back in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

Senate Bill 1588. Senator Mulroe. Out of the record. We'll skip over 1594. Senate Bill 1633. Senator Jones. Out of the record. Senate Bill 1640. President Cullerton. Out of the record. We'll skip over 1680 and (16)81. Senate Bill 1708. Senator Silverstein. Leader Silverstein. Out of the record. We'll skip over 1779. Senate Bill 1788. Senator Jacobs. Senator Jacobs. Out of the record. Senate Bill 1795. Leader Martinez. Out of the record. Senate Bill 1847. Leader Radogno. Mr. Secretary, please read the bill. Senator -- Senator Radogno seeks leave of the Body to return Senate Bill 1847 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1847. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Leader Radogno.

PRESIDING OFFICER: (SENATOR LINK)

Leader Radogno, on your amendment.

SENATOR RADOGNO:

Thank you. The amendment becomes the bill. I'll talk about it on 3rd.

PRESIDING OFFICER: (SENATOR LINK)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1847. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 1847.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Leader Radogno, on your bill.

SENATOR RADOGNO:

Thank you, Mr. President. This amends the Workers' Compensation Act. It removes the rebuttable presumption for a small number of paramedics and EMTs that do not respond to emergencies, but merely transport individuals between facilities. EMTs and paramedics that it affects may still receive workers' comp benefits, but the burden of proof would remain with the employee. It's important to note that this does not apply to public employees and it does not apply to firefighters. There is no opposition to it. So I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1847 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. Senate Bill 1847, having received the required constitutional majority, is declared passed. Senate Bill 1853. Senator Bivins. Mr.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1853.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bivins, on your bill.

SENATOR BIVINS:

Thank you, Mr. President. Senate Bill 1853 allows for local law enforcement to charge a reasonable fee for offering fingerprint services. It's an initiative of the Illinois Sheriffs' Association. I did receive a question on what is a reasonable fee, and we found nothing over ten dollars. And we will work with the House to clarify that. It came out of committee 10-0, and I know of no opposition.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1853 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 1853, having received the required constitutional majority, is declared passed. Senate Bill 1877. Senator Manar. Mr. -- out of the record. Senate Bill 1880. Senator Manar. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1880.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR LINK)

Senator Manar, on the bill.

SENATOR MANAR:

Thank you, Mr. President. Senate Bill 1880 provides for the establishment of a tax equivalent grant each year to Springfield School District 186, beginning in FY'14, should it be appropriated. The grants would equal 0.5 percent of the equalized assessed valuation, or EAV, of all lands in the district owned by the State of Illinois. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR LUECHTEFELD:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR LUECHTEFELD:

Senator, you -- you indicated to me that -- that -- that the district could maybe do this already and that you wouldn't need this language. Did you find out differently?

PRESIDING OFFICER: (SENATOR LINK)

Senator Manar.

SENATOR MANAR:

Yeah. Two -- two -- two answers to your question, Senator. The -- the first time this bill was introduced in the House and passed by the House, the -- the district fell just below the threshold that is in existing law. And since then, State properties have decreased, not increased. So the answer to your question is no. They're just -- just below what is in current law

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

today.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Now you told me that there was another district in the State that is -- has done this. So, would you explain that one to us and where that's at?

PRESIDING OFFICER: (SENATOR LINK)

Senator Manar.

SENATOR MANAR:

Yeah. Thank you for the question. Springfield is a bit different in terms of the circumstance that the Chaney-Monge School District is in. The tax equivalent grant that is granted for that school district relates to one piece of property, a large piece of property that takes up a good portion of the land area within that school district. Springfield's circumstance is unique, because the State owns hundreds of properties throughout District 186's boundaries. So, my intention with the bill is to get at the same uniqueness, just from a -- a different perspective.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Normally when this is done, because -- because the State owns -- for instance, in -- in my district, we have Shawnee National Forest, but the -- and -- and it creates a problem because of -- of the fact that they don't pay the taxes. Normally, though, there are -- there are students that are on this property that -- that the school district has to educate. And since they don't receive any -- any tax money, local tax money on it, I can see that that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

makes some sense. I -- I would say that, is -- are -- are there any children at all -- any students at all who live on any of this property that you're wanting to -- that you're wanting to get into this program?

PRESIDING OFFICER: (SENATOR LINK)

Senator Manar.

SENATOR MANAR:

Not that I'm aware of. I'm not aware of any property - I could be wrong - but -- but I'm not aware of any property the State owns in District 186 that would be housing or that would allow a family to live that would have students attending the school district.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

This is similar to a -- a federal program in which you use a lot of times on air bases or wherever, but normally there are a lot of students who go to those schools and the federal government makes up that difference. But -- but, again, there are usually students who live there. That is not the case here. And I'm not real sure that, you know, we should be doing this. But, again, I understand what you're trying to do. It's in your district and all those sorts of things, but I'm not real sure I like the precedent that's happening here. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR RIGHTER:

Thank you. Senator Manar, I want to -- I want to take Senator Luechtefeld's questioning and kind of go the next step. It's my understanding that the one grant that exists now is in -- for Stateville, where you have -- for the school district that has Stateville, because you have children living on the grounds who have to be educated by the school district, as Senator Luechtefeld said. If we take this step and say, okay, these grants should also be afforded to school districts that have large parcels of property not subject to property taxation, can you think of other areas in the State, maybe such as, the Champaign-Urbana school district that has the -- all the grounds of the University of Illinois, or others like that, that would qualify under a similar expansion of the rationale for the tax equivalent grant?

PRESIDING OFFICER: (SENATOR LINK)

Senator Manar.

SENATOR MANAR:

Thank you for the question, Senator Righter. Just a couple -- one -- one point, and then I'll -- I'll get to your question. In regards to the Stateville Correctional Center, when -- when the statute was passed to account for the students that -- that live there, I recall that when I was on the staff at the time, that the Stateville Correctional Center took up upwards of forty-five percent of the property within the school district, but -- but didn't produce forty-five percent of the students. So -- so that's a bit of an anomaly, which I believe was the point of that originating legislation, was to account for the fact that when we

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

use property taxes as the predominant source of revenue for school funding in Illinois, which is becoming more and more the case, that -- that in circumstances that are unique - and I would argue Stateville would be one and I would argue District 186 would be another - that we should have some accounting for it. This bill doesn't pay property taxes on behalf of State buildings, but it does account for the fact that they don't pay in a district that has hundreds and hundreds of them. But -- but to your question, I don't -- I don't believe that there would be any other community in the State, that I'm aware of, that would have the unique nature of how State government and the school district interact in terms of property, equalized assessed valuation, the numbers of property, the acres of property, property that comes in State custody, property that exits State custody to the extent that District 186 does.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

What percentage -- you used forty-five percent for Stateville, saying that forty -- forty-five percent of the districts -- I'm not sure whether you said property or EAV, potentially was consumed by Stateville. What percentage is that for the District 186?

PRESIDING OFFICER: (SENATOR LINK)

Senator Manar.

SENATOR MANAR:

So, for the current statute, it's forty-five percent or more of the acreage of property. So, not EAV, but the acreage of property. I may have misspoke a few minutes ago. It's acreage of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

property. I do not know. And part of the bill that -- that I've brought to the Senate requires that the school district -- the burden of this is on the school district to produce that number and present it to the State Board of Education in a meaningful manner. And -- and to me, they should do that in an independent manner, working with the local assessor's office in Sangamon County. And then it would be up to the appropriators, which is the General Assembly, whether or not that the formula for how the grant is exercised is actually appropriate. So the bill is subject to appropriation, which is different than the current tax equivalent grant that's in statute today, which is not subject to appropriation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Knowing the district as you do, would you be willing to suggest that that percentage for the School District 186 is far below forty-five percent?

PRESIDING OFFICER: (SENATOR LINK)

Senator Manar.

SENATOR MANAR:

I believe it's close. I believe it's close, but I would also make the same argument, again, that the unique nature of District 186 is the number of properties, how those properties interact with the school district, and -- and having the -- the -- the seat of State government that has an incredible number of properties and acreage of properties, from -- from small offices to the State fairgrounds to the Capitol grounds, that are dispersed, you know, throughout the district that the district doesn't control is -- is

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

another unique part of the bill, which is why I introduced the bill in the first place. So, it's two things. It's -- it's the fact that it doesn't meet the statute today in terms of what is required - at least I don't believe that -- that it does. But it's also the fact that this is a -- a unique situation and it calls for a unique piece of legislation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR RIGHTER:

Ladies and Gentlemen of the Senate, there's no question that Senator Manar is correct that Springfield finds itself in a unique position. But I want to go back again to something that Senator Luechtefeld pointed out, and that is, this kind of system was put in place in order to provide some kind of offset for school districts that had a nontaxable property within the boundaries of their school district that housed children that the school district was being required to educate. And I appreciate that, while in the Stateville situation, it's forty-five percent of the property, but maybe not forty-five percent of the kids, but in Springfield, it's zero percent of the kids. I mean, there aren't any students living on any of the grounds that are not taxable here. The second question is, if we do this, then who's next - University of Illinois, maybe Shawnee National Forest? We can go on and on and on. I would be shocked, I would be shocked, if there's anyone in here who, in answer to the question, raise your hand if your school

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

districts aren't hurting, wouldn't raise their hand. The question is, do you address that by changing the formula by which we educate students and giving more insight to the taxpaying public on how those formulas work or is it to piecemeal approach, even if it's for a member of the majority party, and even if it's a unique situation? Is that the way we want to go forward? And I simply suggest it's not. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado, for what purpose do you rise?

SENATOR DELGADO:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR DELGADO:

Mr. President, Members of the Senate, I rise in strong support of Senator Manar's legislation. I like three things about it and that is the fact that -- first of all, and also I want to congratulate Senator Manar, who brings a vast level of experience to his position as a freshman due to his background here. But we see we have, a, it's subject to appropriations; b, it's a bipartisan piece of legislation; and c, it seems to be a very specific solution to a very specific problem that is happening within his Senate district. And I recall that my former colleague over in the House, who used to bring some wonderful, wonderful southern fried chicken, in Representative Poe, who had passed this same legislation back in the 93rd General Assembly, passed the House, but wasn't heard in committee in the Senate at that time. And the impact is minimal in comparison to how much money is under this dome. So with that, I would ask for an Aye vote and knowing

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

that the creativity that the gentleman has brought to this Session and to this -- to his seat should be up -- held up high by his constituents and many of us can continue to learn from that creativity. And I would ask for an Aye vote, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Would the sponsor yield to a question, please?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR DILLARD:

Thank you. Senator Manar, you said we dropped below a threshold here in the capital city area. To what extent has Governor Quinn and Governor Blagojevich, essentially moving many employees and essentially moving much of the State Capitol to Chicago, had on the Springfield public schools?

PRESIDING OFFICER: (SENATOR LINK)

Senator Manar.

SENATOR MANAR:

If -- if I had a -- if I had firm figures in front of me, the one thing that I could point to and it would be not specific to -- to any agency, but clearly there are less employees today in State government per capita probably than there ever has been in -- in the history of the State. And you could argue both sides of that statement, whether that's fiscal responsibility or whether that is decimation of State government. You could make arguments on both sides and we've heard those arguments here in this Chamber over any number of years, but, clearly, less State employees affect the City of Springfield and -- and Sangamon County and -- and many

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

other communities.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard. Is there any further discussion? Seeing none, Senator Manar, to close.

SENATOR MANAR:

Thank you, Mr. President. Thank you for the discussion on this bill. A few closing -- a few closing remarks based on some of the discussion we've had on the bill. First of all, this bill does not change the funding formula for -- for schools. This does not change the general State aid formula, though I do have a resolution that was introduced, and I'd be happy to sign up as many cosponsors as possible, that is intended to change the formula, because I don't think there's too many of us in the Chamber that would agree that the formula that funds our public education system is working as well as it should today. This is not an effort to be a piecemeal approach to education funding, but this is an effort to recognize a very unique situation for District 186. And this is transparent. I -- I am not offering this bill any other way than for what it is. It's a unique bill for a unique circumstance, and it is subject to appropriation, so I would say it's fiscally responsible. And if we choose, as a General Assembly, not to budget for this line item - it's not a lump sum; it's a line item in the budget - then -- then we choose not to. So there's fiscal responsibility built into the language of the bill. I appreciate the discussion and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1880 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Take the record. On that question, there are 34 Ayes, 18 Nays, 1 voting Present. Senate Bill 1880, having received the required constitutional majority, is declared passed. Senate Bill 1896. Senator Manar. Out of the record. Senate Bill 1900. Senator Biss. Senator Biss seeks leave of the Body to return Senate Bill 1900 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1900. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Biss.

PRESIDING OFFICER: (SENATOR LINK)

Senator Biss, on your amendment.

SENATOR BISS:

Thank you, Mr. President. Floor Amendment 3 simply adds a non-voting member to a committee that we'll discuss, hopefully, on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1900. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1900.

(Secretary reads title of bill)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Biss, on your bill.

SENATOR BISS:

Thank you, Mr. President and Members of the Senate. This -- Senate Bill 1900 is on a somewhat arcane, but I believe important, issue regarding open access to scholarly research. And here, roughly speaking, is the situation, we have -- we're lucky to have in this State nine public universities that have thousands of faculty who do, as a condition of employment, extraordinary research, which they publish in journals all over the world. That research is effectively funded by the taxpayer of Illinois because of our view as a Body and as a State that it's beneficial to the people of Illinois to support scholarly research. The taxpayers who fund that research then have no access to see it, in many cases, because of the nature of the copyright agreements that faculty enter into with the publishers of the journals that they publish in. And this is a situation which made a lot of sense in a different technological era, but makes less and less sense in this day and age. And as a result, there is an international movement toward open access, as it's called, to scholarly research. And there's a lot happening all over the world. There's a lot happening in this country. The National Institute {sic} (Institutes) of Health has a very, very broad open access policy, and the Office of Science and Technology Policy in the White House has directed the other large grant-making federal agencies to adopt analogous policies. Additionally, fifty-six institutions in North America have voluntarily adopted their own open access policies, which brings us to the point of this bill. It simply directs each

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

of our nine public institutions to set up committees to figure out how to establish the best open access policies for the faculty, for the libraries, for the institutions, and for the people of Illinois. There is no longer any opposition to this bill. I'd appreciate your support and I'm happy to take any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1900 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate Bill 1900, having received the required constitutional majority, is declared passed. Senate Bill 1912. Senator Raoul. Senator Raoul. Out of the record. Senate Bill 1934. Leader Muñoz. Out of the record. Senate Bill 1961. Senator Haine. Senator Haine wishes to -- wishes -- seeks leave of the Body to return Senate Bill 1961 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1961. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, to speak of your amendment.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment makes it quite clear that the licensure of those architects and pipefitters, laborers, and others, who do the work of asbestos abatement, are -- that licensure function is kept in DPH and has some other minor parts of it. The -- this satisfies

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

the pipe trades, laborers, the architects, environmental design folks that they had with the -- the concerns they had with the bill.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1961. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1961.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, on your bill.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill, 1961, transfers some of the powers, duties, rights and responsibilities under the Asbestos Abatement Act and Commercial and Public Buildings Protection {sic} (Asbestos Abatement) Act to the Environmental Protection Agency. It retains other functions, such as licensure, with the Department of Public Health and it -- it's done because it is a more efficient and better way to deliver this regulatory and supervisory function, which is most important to the business community and, of course,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

to those in the -- the AFL-CIO who do the work, that that's done safely, efficiently, competently, and on time and below cost. It's a pro-business, pro-labor, pro-public health bill. There's a minor tweak that has to be done in the House. That's the only change. There -- there is no opposition, except for the Department of Public Health, which I would describe as strong opposition, and the opposition of EPA. Other than that, there's no opposition.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR McCARTER:

Senator, so, after listening to you just now, that -- the -- the -- the reason we need this legislation is to be more efficient. And so, are we making a statement that one agency is more efficient than another?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

No, sir, we are not. You are, but I'm not.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

That's why I put it in a question form. But, let me -- let me just speak to the bill, briefly. I -- I -- I think we all understand the underlying purpose for this. But how we can transfer only part of our -- and not the responsibilities in whole

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

to another agency - and if -- if that works better, I agree, and I -- and I would be supportive of that - but how we cannot shift the complete responsibility. Have -- have we looked into that and -- and is that -- I'm hoping that's something we've already planned out, because, you know, when -- when you start dividing responsibilities in any organization and any project and people don't know what they're responsible for, it typically leads to the job not getting done. And so, as long as that's -- you know, as long as we've looked at that, I think we can be supportive of this. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Thank you for that -- that comment, Senator McCarter. The - - it's arguable that the -- the gist of the bill is because of the divided regulatory authority that we had. We had too many chiefs bumping into one another, confusing members of the various tribes, and the -- the -- the functions that are kept in DPH are their historic licensure function. And it seems to be most efficient to keep the licensure function where it's always been. They have always licensed plumbers and pipefitters and architects for this function. The architects are licensed as architects, but for this function, the architects have a subspecialty. The industrial hygienists are another group. And they -- they're not opposed to this. But the -- the primary regulatory authority transferred to EPA seems to be logical and most efficient, and that's why -- and I point out to you, you can see, all of those groups are strongly supportive that deal -- deal with it - IMA, the Chamber, NFIB, so on and so forth, the School Management Alliance, Chemical Council,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

the Building Owners, et cetera.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1961 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 1961, having received the required constitutional majority, is declared passed. Senate Bill 1984. Leader Radogno. Out of the record. Senate Bill 2136. Senator Althoff. Senator Althoff seeks -- leave of the Body to return Senate Bill 2136 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 2136. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. Floor Amendment 2 becomes the bill and I'll be happy to discuss the entire bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

No further amendments reported.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2136. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2136.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. Senate Bill 2136 amends the Automatic Telephone Dialers Act and the Registered {sic} (Restricted) Call Registry Act. It just provides that a consumer is entitled to statutory damages of five hundred dollars for each violation of the Act. And it also requires persons subject to those Acts to maintain records of calls made. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2136 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate Bill 2136, having received the required constitutional majority, is declared passed. Senate Bill 2153. Senator Cunningham. Out of the record. Senate Bill 2187. Leader Harmon. Senator Harmon seeks leave of the Body to return Senate Bill 2187 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 2187. Mr. Secretary, are there any Floor amendments

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon, on your amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 becomes the bill. I move for its adoption.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon, on Floor Amendment 2.

SENATOR HARMON:

Thank you, Mr. President. Floor Amendment No. 2 corrects a drafting error. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? All those in favor, 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 LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2187. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SECRETARY ANDERSON:

Senate Bill 2187.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon, on your bill.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I trust that all of you have heard about this bill. I think it's colloquially referred to as a battle between psychologists and psychiatrists. But to my way of thinking, it really is about adapting our health care system as it relates particularly to access to mental health care. Senate Bill 2187...(microphone cutoff)...a doctoral level psychologist who obtains an additional master's degree in psychopharmacology, who does extensive clinical work and passes a rigorous national exam, to prescribe medicine for their patients when that's needed. We did amend this bill in response to concerns written -- raised in committee testimony and in writing by the Illinois State Medical Society and the Illinois Psychiatric Society that would require a prescribing psychologist to have a contractual collaborative agreement with a physician in order to prescribe. This is the exact model that has been used very successfully with advanced practice nurses and other prescribing professionals. I hope that for most of you, this additional formal degree of collaboration will give you the last bit of comfort you'll need to vote in favor of the bill. I'm sure you've all heard from physicians who oppose the expanded scope of practice and I expect you'll have some questions. Again, to my thinking, this really is about solving a fundamental problem with

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

access to mental health care, particularly in underserved communities across Illinois. And I used to oppose this -- this bill. I -- but I came around. And -- and I did so really for three reasons. Illinois faces a critical shortage of mental health professionals who are trained to prescribe, and that results in inadequate treatment for too many folks that we represent. Number two, this is a reasonable extension to increase the number of mental health professionals who can prescribe when it's necessary. And third, this only makes sense if it can be done safely and this bill allows it to be done safely. There's convincing evidence from other jurisdictions that prescribing psychologists, who are well and adequately trained, can prescribe safely. Prescribing psychologists have written thousands of prescriptions over the last twenty years. We have data from the military. We have data from the State of New Mexico and from the State of Louisiana, where psychologists have been prescribing for years. It's become clear to me that the additional training in psychopharmacology, a master's degree in psychopharmacology, that's required by this bill will add the final level of training and expertise needed for psychologists to safely prescribe. And not every psychologist will pursue this additional level of training beyond the ten to twelve years that they do postsecondary school. The additional training will produce conservative and responsible prescribers. Again, as this bill has been amended, even after this additional training, only those psychologists who enjoy the trust of a medical doctor, an Illinois licensed physician, will be able to prescribe. I want to underscore this point, because I think it is that important. This legislation, as we've amended it, adds another layer of endorsement by the medical profession to each and every

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

psychologist who prescribes. A psychologist cannot prescribe unless he or she has a written collaborative contractual agreement with a medical doctor describing the scope of that delegated prescribing authority. I do like the compromise we've reached here. I feel sometimes like we've been negotiating with ourselves, but I would tell you I think that we have gone at least ninety percent of the way in accommodating the concerns raised by opponents. I would not be advancing this bill if I did not believe it will produce a safe and sound -- medical services for the people in Illinois who need them. There are safeguards. Only those psychologists who can maintain the faith of the prescribing -- or, the medical doctor who's in a collaborative agreement with them will be able to continue to prescribe. Again, this model has been used successfully with advanced practice nurses, so successfully so that we are seeing legislation come over that's going to expand the scope of advanced practice nursing. It has been such a successful model. I'm eager for your questions and I ask for your support.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen to {sic} the Senate. To the bill. I would like to speak to the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR COLLINS:

First, I would like to thank Leader Harmon for this legislation. And I rise in support of the legislation and I would like to share one perspective that I find particularly powerful in

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

reference to what we are trying to accomplish here today. Dr. Daisey Dowell is a -- a pediatrician at Lawndale Christian Health Center, which is a FQHC serving parts of Chicago. And Lawndale has come out in support of this bill. And Dr. Dowell's perspective is helpful to understand as well. Dr. Dowell grew up in Cabrini-Green and has dedicated her life to helping those from her community. Dr. Dowell and other medical providers at Lawndale see many cases of mental illness, including depression, anxiety, panic disorder, and child abuse. Their patients have limited access to psychiatric care, and although they provide the best treatment they can, these patients would benefit from treatment by a prescribing mental health specialist. Dr. Dowell is excited about the possibility of prescribing psychologists because they could be on-site to collaborate with Lawndale's physicians to provide specialized mental health treatment for their patients. That is why I support this legislation for the same reasons. You know, opponents have contended that prescribing psychologists would provide substandard care. But I believe that the lack of access to psychiatrists has already created a substandard care for many in Illinois. So I would hope this legislation would pass that -- to provide the -- better care and more comprehensive care for my constituents and other constituents in the State. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCann, for what purpose do you rise?

SENATOR McCANN:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR McCANN:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

I rise in hearty support of this bill. I want to thank the sponsor for all of the diligent hard work that he's undertaken. I, like the sponsor, was originally opposed to this bill, but as I've engaged in conversation around my district -- and I have an interesting district. I have all or parts of nine counties, and fifty-one percent of the population of my district reside here in Sangamon County, where access to care is not -- not as big a deal as it is to the other forty-nine percent of my constituents, who reside in eight other counties, where access to care is a very -- a very important issue. And I have firsthand knowledge of constituents who have had issues, where having a collaborative agreement between their primary care physician and a psychologist would have been an extraordinary relationship to have had, that would have benefited those constituents greatly. The wonderful thing about this bill is that there are -- there -- there's no requirements for anyone to participate who do not wish to. There are some physicians who are for it, some who are against it. Some psychologists who are for it, some who are against it. This allows them to reach out and to work together to extend a higher level of care to our constituents, the people that we are sworn to -- to work for. So, again, I would recommend an Aye vote and I thank the sponsor for his work.

PRESIDING OFFICER: (SENATOR LINK)

Senator Biss, for what purpose do you rise?

SENATOR BISS:

To ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR BISS:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Senator, you said something that was to me extremely interesting in your opening remarks. You talked about what you described as twenty years of data built up from the military examples, Louisiana and New Mexico. Would you mind sharing with us a bit more information about that data? What exactly was being analyzed and what the outcome of that analysis was.

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you for your question, Senator. The -- the military was the first to -- to pioneer this in -- in a pilot program and they've been doing it the longest. More recently the State of New Mexico and the State of Louisiana have approved these sorts of programs with their own variation. I think the most important point - and it's a point that came up in questioning during committee when Senator LaHood asked it - for all of this time, there has not been one single complaint or incident of which we have been made aware where there's been a failure in this system, where psychologists prescribing medicine has compromised patient safety. The opponents have not raised any incidents where there has been a -- a bad outcome. The proponents have looked and have not found any evidence that there -- there's a flaw in the system.

PRESIDING OFFICER: (SENATOR LINK)

Leader Radogno, for what purpose do you rise?

SENATOR RADOGNO:

First, a question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SENATOR RADOGNO:

Senator, you mentioned, in the collaboration portion of the bill, that there has to be a collaboration with a physician. I believe that this was raised in committee, that the typical language with the nurse collaborations is the physician licensed to practice medicine in all of its branches. Why is that language not in the bill?

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon.

SENATOR HARMON:

Thank you, Senator, for your question. My understanding is that this language is almost verbatim from the advanced practice nurse model. I'm -- I'm not sure I understand exactly the difference that you're asking about or -- or the -- its import.

PRESIDING OFFICER: (SENATOR LINK)

Leader Radogno.

SENATOR RADOGNO:

The -- the question, for example, would be, would a chiropractic physician be able to do that?

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, that -- thank you for putting a finer point on it. The collaborative agreement permits the delegation of prescribing authority that the medical doctor has to a prescribing psychologist. A chiropractor has no prescribing authority. That's an impossibility. I know it's been raised. There have been a lot of specters raised around this bill that just aren't borne out by the facts. So I -- I want to make

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

sure that that's -- that's clear.

PRESIDING OFFICER: (SENATOR LINK)

Leader Radogno.

SENATOR RADOGNO:

Okay. Well, to the bill: I do believe that we need to expand access to care, and I'm a big believer in allowing people to practice to the maximum level of their expertise. I actually worked in mental health for a number of years and was around it a lot, pretty familiar with what the medications being used were and so on. But the concern I have with this bill and expanding it to psychologists -- and you point out they take the psychopharmacology courses, which is well and good, but what they lack, as opposed to an advanced practice RN, is physical examination skills. So, for example, some of the newer classes of the psychotropics have a big effect on the eyes, or, you know -- so there would need to be frequent examinations there, and that's the piece that they lack. I am more comfortable -- expanding prescriptive abilities to those that have training at the core; that is, on physical examinations and the physical working of the body. The pharmacology part is important, but I don't think it's the entire package that we need to look at. So, I'm going to be voting No. I'm also impressed that the National Alliance of the mentally ill are opposed to this as well, and of course, as well as some other psychologists. But my main concern, while I'm interested in expanding accessibility, is that core nature of the training of psychologists is not in the physical sciences, as we've done with -- with RNs and so on. So, I would urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Leader Harmon, to close.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SENATOR HARMON:

Thank you, Mr. President. And I do want to respond to Senator Radogno's points. I appreciate them. I do want to emphasize -- I do want to emphasize, in response to some points, again, there has been some raising of specters that don't exist. The -- the prescribing psychologist would have to obtain a master's degree in psychopharmacology. This includes much of the biological sciences, anatomy and physiology, biochemistry, the neurosciences, pharmacology, psychopharmacology, clinical medicine, or pathophysiology, health assessments, lab assessments and differential diagnosis. I hope that that does address some of your concerns, Leader. Also there is a -- a practicum requirement, supervised clinical training and assessment in -- in pathophysiology and supervised treatment of patients with mental disorders, all under the supervision of a medical doctor. The -- the opposition raised by the National Alliance of {sic} (on) Mental Illness was published before we amended the bill. One of their biggest concerns was the lack of a collaborative agreement. We have addressed that concern. We have not received an update from NAMI on its position, but I am told they are reassessing it, given the amendment to the bill. I don't speak for them. I just want to make sure folks know the opposition letter came out before we amended the bill. I appreciate everyone's patience on this bill. I know you've been harangued in your offices and in the hallways by all sorts of stakeholders. Again, I used to oppose this bill. I am now the sponsor and a firm believer that this is a sensible way to expand access to mental health care for countless constituents who don't have it today. I wish that there were other things. I'm trying to do other things. I'm sponsoring a bill for

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

the psychiatrists on telemedicine, to allow them to -- to treat patients by -- by videoconferencing. The problem is, even that bill doesn't add any hours to the day, and psychiatrists -- the twelve hundred psychiatrists in the State of Illinois will tell you, they're booked from morning until night. They just don't have the capacity. This is a sensible extension, based on a sound, proven model used for years by advanced practice nurses and other practitioners to safely prescribe medicine for those people who need it. I want to thank all of you who spoke in favor of the bill and my cosponsors. In particular, I want to thank Senator Syverson, who's been a -- a committed leader on this issue and been incredibly helpful in our negotiations. I'm proud to have you as a partner in this effort and I'm very grateful for your support. I ask all of you to join us in voting Aye.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2187 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 10 Nays, 4 voting Present. Senate Bill 2187, having received the required constitutional majority, is declared passed. Senate Bill 2191. Senator Jacobs. Senator Jacobs. Out of the record. Senate Bill 2226. Senator Steans. Out of the record. Senate Bill 2240. Leader Sullivan. Out of the record. Senate Bill 2258. Leader Harmon. Out of the record. We'll skip over Senate Bill 2305. Senate Bill 2312. Senator Luechtefeld. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2312.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld, on your bill.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. Senate Bill 2312, as amended, allows employers whose business purpose and objective is to treat patients who have a cancerous condition the flexibility to consider tobacco use in the hiring process and to lawfully allow such organizations to choose not to hire tobacco users. This, by the way, is done in twenty-two states, many of them much more restrictive than -- than this particular bill is. It is not a mandate, but rather gives oncology care centers the option to consider tobacco use in their hiring policies. I would be happy to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. I would just like to bring it to the attention of the Body that, this bill, the Senator agreed to hold the bill and not move the bill on 3rd until he had an amendment, until we had -- the -- brought it back to the committee. So, that was the agreement. I'd ask everybody to honor the time-honored agreement in this Chamber and vote No.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, if there's anything I -- I want to do is honor my

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

agreements, but, Senator, if you'll remember, I was back to your committee twice with an amendment, which, basically, I think, solved some of the problems, but not all the problems. I -- I don't ever remember saying that I was -- I -- if I didn't get this amendment through, I would not call the bill. At the time, there were not -- the votes were not there, obviously. There were people absent. We thought we had enough votes, but there were people absent and time ran out. So, again, if there's anything I would like to do is keep the integrity of what I say, and I do not remember saying I will not call this bill if my amendment doesn't get passed.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR HUNTER:

I concur with Senator Mulroe. Senator Luechtefeld, you did agree to hold this bill in committee and not move it any further until an agreement was made. And I ask everyone in this Chamber to vote No if he decides not to withdraw this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, last year, this bill had twenty votes in this Chamber. Many of you who are now speaking out against it were -- were even cosponsors of the bill. And -- and, again, I -- if -- if I said -- again, I'd -- I'd like to -- I'd like to clarify. I

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

said I will bring an amendment to the committee. I did that twice. On both occasions -- one, there were only five members present, and -- and we thought we had the votes. Again, I did not say -- for instance, let's say I brought the amendment to the -- to the bill to -- and it -- and it was defeated, did that mean I couldn't call the bill? I did not say that it -- that bill -- that amendment had to pass if I was going to call the bill. Obviously, the amendment hasn't passed. We're hoping to do something in the House if we can get this bill out. You know, this is an issue that had fifty votes last time. And I think, you know, it's an issue dealing with -- you know, if you've ever had cancer, you understand that this is a tough time in life. You would like to have every opportunity to survive that cancer. You know, I've -- I've had cancer twice, and -- and -- and it certainly makes you sweat. I -- on treatment of cancer, for instance, I understand that they are extremely sensitive to any kind of -- any kind of smoke on clothes. You know, even if, for instance, a person comes into the hospital who does smoke, who does work there, many times those people leave the hospital, maybe on their break, step off grounds and smoke, come back into the hospital. So I would hope that we can get enough votes to get this out and -- and then, hopefully, in the -- in the House, put an amendment on it that would make it certainly more -- more likeable to some of the -- some of the people who had some opposition to the bill. Thank you. Any other...

PRESIDING OFFICER: (SENATOR LINK)

Senator Steans, for what purpose do you rise?

SENATOR STEANS:

Yeah, question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

He indicates he will yield.

SENATOR STEANS:

And also, I -- I want to, first, really thank the sponsor for really working on this bill. I think you really have been working to narrow it so it's only tailored around workers who are really directly working with oncology patients. And I know there have been some real concerns about the invasive nature of the test. And that you've been really working on an amendment to try to make it a much less invasive process. I was one of those people. I feel very badly. I would have voted for that amendment had I been in committee and, for a personal reason, I was not there. So, I just want to acknowledge that. I would have supported that amendment. My question is, it sounds like you would be willing to -- and I guess want to -- I just want to verify, if it goes over to the House, you'd be willing to really work on that amendment and try to get it passed, and that we could then bring it back with that. And with that, I would certainly be supporting the bill.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, Senator Luechtefeld, to close.

SENATOR LUECHTEFELD:

Well, thank you, Senator Steans. You know, I -- I -- there's no question that we would have to pass that amendment in the House, if it has any chance of passing the House. And, you know, we will do everything we can to make that happen. Otherwise, I don't think this thing's going to -- going to fly in the House. So, hopefully, you could support the bill and -- and come up with something in the House that would make it certainly more acceptable. Thank

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

you.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2312 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 18 Nays, 5 voting Present. Senate Bill 2312, having not received the required constitutional majority, is declared passed -- or, defeated. I'm sorry. Senate Bill 2321. Senator Bertino-Tarrant. Out of the record. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Point of parliamentary inquiry.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR ROSE:

What is the impact of that?

PRESIDING OFFICER: (SENATOR LINK)

The bill was declared failed and that was the end of it.

SENATOR ROSE:

Fair enough.

PRESIDING OFFICER: (SENATOR LINK)

Senate Bill 2337. Senator McGuire. Out of the record. Senate Bill 2340. Senator Steans. Out of the record. Senate Bill 2345. Senator Jacobs. Out of the record. Senate Bill 2350. Senator Collins. Senator Collins seeks leave of the Body to return Senate Bill 2350 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 2350. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Floor Amendment No. 3, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins, to address your amendment.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. 3 extends the on-bill financing program to electric and gas customers that own multifamily residential or mixed-use buildings with no more than fifty residential units.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor -- Senator Rezin, are you on the amendment? Okay. All those in favor will say Aye. Opposed. 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 LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2350. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2350.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins, on your bill.

SENATOR COLLINS:

Thank you, Mr. President. Utilities are currently required to offer this program called on-bill financing to single family

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

homes, duplexes, condominiums and other residential buildings with four or less units. This just expands it to include multifamily residential or mixed-use buildings with no more than fifty residential units.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR REZIN:

To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR REZIN:

Thank you. I'd like to commend the sponsor. We had asked for a couple changes. We had some concerns with it. She was gracious to work with us in bringing the amendments back. And so I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 2350 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 2350, having received the required constitutional majority, is declared passed. Senate Bill 2362. Leader Clayborne. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2362.

(Secretary reads title of bill)

3rd -- 3rd Reading of the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR LINK)

Leader Clayborne, on your bill.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. The Illinois Conservation Police and the local law enforcement are noticing an upswing in Illinois residents owning amphibians and reptiles. Currently, there is little guidance. So, therefore, Senate Bill 2362 creates the Herptiles-Herps Act of 2013, which will be administered by the -- by DNR. This bill will consolidate all herptile legislation into one Code and create a Section regarding special use reptiles and the legal requirements to possess, transport, and hold these reptiles. I know of no opposition. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Wonder if the sponsor will possibly yield, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Reluctantly, he said he will for you.

SENATOR RIGHTER:

Senator Clayborne, did you lose a bet?

PRESIDING OFFICER: (SENATOR LINK)

Leader Clayborne.

SENATOR CLAYBORNE:

No, I'm just trying to ensure public safety.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

That's a serious answer. I -- I'm relatively certain I have

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

a feel for what a herptile is, Senator Clayborne. But what's a herp?

PRESIDING OFFICER: (SENATOR LINK)

Leader Clayborne.

SENATOR CLAYBORNE:

It involves all amphibians and reptiles.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter. Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

I'd like to speak to the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR McCARTER:

We -- we had a -- a long discussion about this in the committee, but I think it was all made very clear that this has been narrowed down for the best protection of the people, and at the same time, not infringing on those that are in the business of raising and distributing these -- these type of herptiles. So, I -- I rise in support of the bill and encourage an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Leader Clayborne, to close.

SENATOR CLAYBORNE:

And I appreciate all my colleagues for not questioning me on this bill. I ask you for your favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2362 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?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 2362, having received the required constitutional majority, is declared passed. Senate Bill 2363. Leader Martinez. Out of the record. Senate Bill 2366. Leader Harmon. Out of the record. Senate Bill 2375. Senator Haine. Out of the record. Senate Bill 2393. Senator Manar. Out of the record. With leave of the Body, we'll go back to Senate Bill 494. Senator Tom Cullerton. Tom -- Senator Cullerton seeks leave of the Body to return Senate Bill 494 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 494. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Tom Cullerton.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, on your amendment.

SENATOR T. CULLERTON:

Floor Amendment No. 3 is now the -- the actual text of the bill and I'll be more than happy to go through it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 494. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SECRETARY ANDERSON:

Senate Bill 494.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, on your bill.

SENATOR T. CULLERTON:

Senate Bill 494 is actually a bipartisan effort that will focus on reducing the amounts of local units of government. In Illinois, there are close to seven thousand units of local government. Through my colleagues out of DuPage County, both Democrat and Republican, we are going to utilize DuPage County as sort of a test program. And we are going to - in the manner in which we have taken in this bill - reduce, hopefully, thirteen units of local government. So I will be more than happy to take questions. We also have -- per the amendment, this will be protecting the fire districts and also, in -- in Leader Radogno's request, we have put a backdoor referendum opportunity on there. So if there is a unit of local government that does not want to be, I guess, consolidated, the -- the voters will have an opportunity to speak to that. So I'll be more than happy to take questions.

PRESIDING OFFICER: (SENATOR LINK)

Leader Radogno, for what purpose do you rise?

SENATOR RADOGNO:

Thank you, Mr. President. I rise in support of the bill. I give Chairman Dan Cronin a lot of credit for trying to be creative in reducing the number of units of local government that we have. Also want to thank the sponsor for adopting the referendum

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

language. Our concern was, many of these districts that he wants to consolidate were created by referendum, and so it's a dangerous precedent for us to just take that power away from people -- override the votes of the people and the backdoor referendum addresses that. So I would urge an Aye vote on this. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon, for what purpose do you rise?

SENATOR HARMON:

Thank you, Mr. President. I'd -- will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR HARMON:

Senator, I'm pleased that you've taken the laboring oar on the first major initiative of the DuPage County Caucus, and thank you for all your work on this. I do have one question. I know you've amended this bill and we want to make sure that the legislative intent behind that is clear. So, in regard to the fire districts, the legislation states that the trustee-in-dissolution or the governing body of the special service area cannot reduce the levy that is in place at the time of dissolution of the district for fire or emergency medical services. But couldn't the trustee or the governing board get around the levy requirement by simply abating the taxes?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR T. CULLERTON:

Thank you, Leader. The intent of the legislation is to allow the dissolution of fire protection districts that do not employ

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

any full-time firefighters. We intended to maintain the same level of service the residents received before the dissolution of the district and prohibit any increase in the average response time to the residents. In order to maintain the level of service that residents currently receive and current response times, we cannot decrease the -- the levy currently in place. Therefore, I would like to state for the purpose of the legislative intent, any rebating or abating of taxes which would lead to an increase in the average response time or a decrease in the level of service provided for fire or emergency medical services is strictly prohibited.

PRESIDING OFFICER: (SENATOR LINK)

Leader -- no. Is there any further discussion? Senator Cullerton, to close.

SENATOR T. CULLERTON:

We talk a lot about consolidating government, streamlining and being more efficient. We are hoping -- this initiative initially came out of me being Mayor of the Village of Villa Park, towards a sanitary district that we felt the Village could run better and -- and produce better results and be more efficient for our constituents. We would like to see this bill passed. I am very pleased to have Senator Dillard, Senator Harmon, Senator Kotowski and Senator Connelly as chief cosponsors on this bill. And I think if we can provide a true model for reducing the amounts of units of local government - as, again, Illinois stands at seven -- almost seven thousand - I think we can make some good headway on this and move forward with the next session of -- of another group of units. And I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

The question is, shall Senate Bill 494 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are there are 51 Ayes, no Nays, none voting Present. Senate Bill 494, having received the required constitutional majority, is declared passed. Senate Bill 338. Senator Hutchinson. Senator Hutchinson seeks leave of the Body to return Senate Bill... Senate Bill 338. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 338.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hutchinson, on your bill.

SENATOR HUTCHINSON:

Thank you, Mr. President, Members of the Body. Senate Floor Amendment No. 1 replaces all and becomes the bill. It amends the Cigarette Tax Act, Cigarette Use Tax Act, and the Tobacco Products Tax Act. This is a negotiated piece of legislation that the Department of Revenue has initiated. The main focus of the amendment is to define little cigars and bring clarity to the rate and enforcement of the taxes paid on those products.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates she will yield.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SENATOR ROSE:

What is a little cigar?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hutchinson.

SENATOR HUTCHINSON:

"Little cigar" means and includes any roll, made wholly or in part of tobacco, where such roll has an integrated cellulose acetate filter and weighs less than four pounds per thousand and the wrapper or cover of which is made in whole or in part of tobacco.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR ROSE:

What does that mean?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hutchinson.

SENATOR HUTCHINSON:

Seeing as this is not my first bill, it's smaller.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR ROSE:

Will -- will they receive a smaller tax hit then, or will it be a bigger tax hit?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hutchinson.

SENATOR HUTCHINSON:

They will receive the tax that is in line with the Cigarette Tax Act, as we originally intended for it to pass.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Senator Rose.

SENATOR ROSE:

So, is that more or less than what they would be taxed at now?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hutchinson.

SENATOR HUTCHINSON:

It's the same.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR ROSE:

Then what are we doing?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hutchinson.

SENATOR HUTCHINSON:

We're defining it for clarity's purposes.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR ROSE:

So will they pay more or less tax?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hutchinson.

SENATOR HUTCHINSON:

This will set the tax rate for little cigars at ninety-nine mills per little cigar sold. That rate will stay consistent with the rate of tax imposed in the Cigarette Tax Act.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR ROSE:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

I'm not going to waste any more time. I -- I just -- I don't understand if this is going to be more or less expensive.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hutchinson.

SENATOR HUTCHINSON:

It is the same. It's just about the manner with which we collect it. It's the same. There's no -- no change in the tax rate.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR COLLINS:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates she will yield.

SENATOR COLLINS:

I'm looking at the analysis and maybe -- is the Illinois Lung Association -- still in opposition, and -- and why? Just explain to me why they're opposing it.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hutchinson.

SENATOR HUTCHINSON:

They would like -- my understanding is, is it's the amount of cigarettes that they're allowed to sell. The Lung Association would prefer that they not be able to sell them in packs of two. So this is the larger issue about the effect of smoking on the general public and they have to be opposed to that. They don't want the -- the individual people to buy one at a time or two at a time. So -- but this is really just to bring it in line with

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

the Cigarette Tax Act that we passed and to make sure that we can -- we are able to collect the revenues that are due the State.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR HUTCHINSON:

Thank you, Members of the Senate. This bill really is just a clarification bill and I would ask for your support.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 338 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 6 Nays, none voting Present. Senate Bill 338, having received the required constitutional majority, is declared passed. Senator Harmon in the Chair.

PRESIDING OFFICER: (SENATOR HARMON)

On page 7 of your printed Calendar, near the middle of the page, is Senate Bill 1043. Senator Hutchinson, do you wish to proceed? Senator Hutchinson, you ready to go? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1043.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President. Senate Bill 1043 deals with the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Manufactured Home Landlord and Tenant Rights Act to establish a procedure for reimbursement of displaced home owners of manufactured homes when a manufactured home community ceases operation. Happy to entertain any questions. Look for your support.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR McCARTER:

I'd like to ask a few questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she will yield. Senator McCarter.

SENATOR McCARTER:

Senator, we've -- we've talked about this in the last couple of days. I'd like, if you could, to explain to me what are the responsibilities of the mobile home park owner, the property owner, to the tenants under this agreement, please.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Right. They must provide a notice to the owner if they're going to close the park. This establishes a fund where the residents pay a dollar per unit per pad. In the event of a closure, then the -- the owners and the residents will split the cost of what it would take to relocate a property owner.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

So this dollar per pad, how do you know or how did you figure

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

out that that's sufficient to cover the number of tenants that will be displaced and the number of parks that will close?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

The bill was brought to me by the Mobile Home Owners Association of Illinois. And Illinois is slightly different than other states because of the number of pads that we have here. They wanted to make sure that that was -- that creates a fund that's worth -- that will be worth about ten million dollars - it's capped at ten million dollars - to -- to provide for the actual relocation expenses of people, who are in this -- that are in this position. When it happens, it's absolutely devastating.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

So -- so, really, no one but the Association came up with -- with formulating these numbers. I mean, we didn't do these numbers ourself to know whether a dollar is sufficient. We took somebody else's numbers? Is that right?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

The original estimate of those numbers, my understanding, worked with IHDA, our housing association, as well as significant input from people who actually live in these communities, have experienced closures. There are ways to look at basically how much it costs to move a unit once something like this happens. And as you are aware, the further south you go in the State,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

sometimes it takes up to a hundred miles to find another community that you could relocate to. So you're talking about a population of folks that typically are on fixed incomes, and this is only when a community closes due to no fault to the owner who owns the unit on top of land they do not own. So, really, I think this is looking at harmonizing landlord/tenant rights in this situation, a lot like we do in other situations.

PRESIDING OFFICER: (SENATOR HARMON)

McCarter -- Senator McCarter. Senator McCarter.

SENATOR McCARTER:

I'd like to speak to the bill, please.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR McCARTER:

Ladies and Gentlemen, I think it was about three years ago, we had a -- we had set up a task force to look at this issue. A number of those parks that were being closed at the time were within my district. The Rock Springs park was one of them. The -- just to let you know, without this legislation, both of those parks were closed in a way that was fair to both parties. The community came together with the tenants, agreed that they would take care of them, move them out, make sure they were provided for, and we did it without legislation. We did it without a task force, believe it or not. Now I'm not saying that the task force wouldn't have provided some good information for us, and maybe even made this legislation better with a lot more input over time. But I submit to you that no one knows whether this fund is sustainable. No one knows how many of these mobile home parks will close over the next ten years. No one really knows whether

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

this money will be safe, or will not be swept. This -- we -- we -- you know, sometimes you have to just lean on faith in people that they will be responsible. No one has -- no one -- there's -- nothing has happened here to cause this to -- this legislation to come about and have to be in place. Reasonable, responsible, compassionate people took care of the situation in the last two situations. They'll do it again. We don't need this legislation. The -- the fund is not sustainable and I would encourage a -- a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RADOGNO:

Thank you, Mr. President. To the bill: I've had a lot of experience with this particular issue over a long time. Actually, my previous district had a number of mobile home parks in them and the closure and displacement of people, who really have a difficult time because they can't move the home. They don't have a lot of resources. The idea of helping them along has been kicked around for a long, long time. What I found over, probably, the past sixteen years is there's been a lot of delay on this issue, task force after task force, and typically it gets shoved to the side. This idea has been talked about for a long time. It's a good idea. It's working in other states. I think the solution that the sponsor and the homeowners has come up with, whereby they pay a dollar per pad and then the park owners only pay if and when they close, is really a very creative and novel idea and a good way to get this thing off the ground. Obviously, we'll have to monitor it to see how it's working, but I think not having another task

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

force and finally moving to help these people that really do need it when these parks close is a good idea, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR HUTCHINSON:

Thank you. I appreciate the comments. I appreciate the assistance of Leader Radogno on this matter. And would -- that we all would be able to rely on the faith and charity of people in situations when we need it the most, that is something I think we all aspire to. That's an excellent example of when it works well. Unfortunately, we don't legislate for when it works well. We legislate for the people who need some other assistance. And as Leader Radogno mentioned, this has been kicked around for a long time. And at the moment, when a community is closed and the people have no ability to move the home to a new location, or may be in a situation where they're still having to handle a mortgage on a piece of property where they don't have any control on the land underneath it, this screams for a legislative solution. This is actually talking about landlord and tenant rights. It's an area of the law that we don't have a lot of case law and statutory evidence to -- to look at this particular part of it. So, I would appreciate it if you all really thought about any of these communities in your district, what happens to people who choose to live in these communities, especially on fixed incomes, and extend them a bit of our own faith and charity in this, especially when they're working to do a solution on their own. They are contributing to this fund, so -- while we'll monitor it. I urge

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The question is, shall Senate Bill 1043 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 voting Aye, 12 voting No, none voting Present. And Senate Bill 1043, having received the required constitutional majority, is declared passed. With leave of the Body, we're going to turn to page 9 of your printed Calendar. Senate Bill 1640. President Cullerton, do you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1640.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR J. CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is a recommendation of the National Multiple Sclerosis Society, the Greater Illinois Chapter. Creates a sixteen-member task force in the Department of Public Health to identify and concentrate on the unmet needs of individuals with MS. The Director of Public Health and the Secretary of Human Services, or their designees, would serve as ex officio members. And fourteen members in the bill would be appointed by the Director of Public Health and serve without compensation and not be reimbursed for expenses. I would be happy to answer any questions and ask for an Aye vote.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1640 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting No, none voting Present. Senate Bill 1640, having received the required constitutional majority, is declared passed. Senator Kotowski, for what purpose do you seek recognition?

SENATOR KOTOWSKI:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR KOTOWSKI:

For the purpose of an announcement: You know there are moments in this Chamber that are historic, bills that we pass, laws that get signed, but we have an opportunity to make history next Wednesday in another fashion, with the softball game that we'll be playing against the House. Those of you who've ever had a gripe against the House, any kind of major issue, please -- we can -- have an opportunity to take it out on the field with America's pastime. Those of you who used to be in the House, I'll expect you to play better. Those of you who are likely to eat a lot of cheeseburgers over the weekend, I recommend that you eat salads. You know who I'm talking about, Palatine. We need you at your A game. So the game will be next Wednesday, 5:30. Expecting people to get there at 5. Senator Manar has already committed to getting a field with lights to practice on Monday - practice on Monday - practice on Monday at -- at Lincoln Park. It'll be after

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

the Senate President's event. Get people together. We expect to have a -- a victory. This -- the last thing I want to leave -- leave you with is - I think it's really important - either we heal now as a team, or we're going to die as individuals. So let's win next Wednesday. God bless you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe, for what purpose do you rise?

SENATOR MULROE:

Thank you, Mr. President and Members of the Senate. Point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

State your point, Senator.

SENATOR MULROE:

I just wanted to -- I reflected on the comments that I made during the course of -- we were talking about Senate Bill 2312. I was sort of caught off guard, but I wanted to make clear that there -- I had no intention to ever impugn the integrity of Senator Luechtefeld. He's well respected, and -- and he's earned and deserves that respect. I've served with him on -- two years on the Education Committee, and I -- I would tell him personally and I did tell him personally, but I want everybody in this Chamber to understand, that he's earned my respect and he -- I have the utmost respect for him. So I never had any -- any intention to impugn his integrity.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR HARRIS:

Personal privilege.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR HARMON)

State your point, Senator.

SENATOR HARRIS:

To Senator Kotowski: Practice? You're talking about practice? Not legislative issues, but practice.

PRESIDING OFFICER: (SENATOR HARMON)

Did we transcribe that correctly, Mr. Secretary? Ladies and Gentlemen of the Senate, on page 9 of your printed Calendar, in the middle of the page, is Senate Bill 1680. Senator Link. Mr. Secretary, please read the bill. Senator Link seeks leave of the Body to return Senate Bill 1680 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1680. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link, to present your amendment.

SENATOR LINK:

It becomes -- the amendment becomes the bill. Be more than happy to answer {sic} it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link moves for the adoption of Floor Amendment No. 2 to Senate Bill 1680. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1680. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate -- Senate Bill 1680.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Now -- now it's the bill, sir. On 3rd Reading, this is -- clarifies that a member of the police department or sheriff's department may be a candidate or -- for or appointed to the Illinois General Assembly while a member of the department. Furthermore, if a police officer or sheriff's deputy is elected to the General Assembly, he or she shall be granted leave of absence without compensation during his or her term. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Link - and I know we've discussed this somewhat, but I want to make sure that I'm clear - this would require a law enforcement agency to hold the job for someone who's elected or - or appointed to serve in the General Assembly for however long

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

that person serves. Is that -- is that a fair characterization of what this would be?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

And, Senator Link, I mean, for the -- for the Body, articulate why you believe that it's appropriate for a Member of the General Assembly who comes from that background to have that job saved for them, as opposed to a Member of the General Assembly who leaves the practice of law or their insurance agency, or perhaps even, let's say, a nurse. A nurse who works for a hospital or works in a trauma unit and gets elected to the General Assembly, we're not -- her job is not being held for her. What's the distinction between, let's say, the police office and the nurse?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Thank you. Basically, what this is, is making them on the same playing field as the firefighters. We already grant that, and we are just codifying it in law to grant it for police and -- police and deputy sheriffs.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR RIGHTER:

You know -- thank you, Senator Link and Ladies and Gentlemen of the Senate. I appreciate this bill is probably going to blow out of here, but we're making a value judgment here. And the value judgment is, is that the General Assembly member who comes from a couple occupations should have their job saved for them, but a different occupation, like a daycare provider or a nurse or a doctor, that that job is not valuable enough to hold that slot open for that person. I'm just not sure that we're the ones who be -- should be making that call, because Members of the General Assembly serve at the pleasure of the voters or when they are appointed. They choose to take those jobs and we should -- I -- I like diversity when it comes to professions and this takes us down a road to saying we're going to treat some jobs or some Members of the General Assembly differently than others. And I'm not sure that's a path down which we want to go. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR MUÑOZ:

Thank you, Mr. President. To the bill: Ladies and Gentlemen of the Senate, this bill -- I think the intent of the bill from the sponsor, Senator Link, is just to put it on an even playing field, so to speak. Law enforcement, they're not trying to say we're holding the job just for an individual that comes to the General Assembly. I think in all fairness, when you talk about

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

someone who is an attorney or, say, if you do insurance work or a nurse, the difference is, the attorney gets to pick the cases and go to court whenever they can - and that's great; they're attorneys - you know, unless a judge requests you to be there. When we're here working, law enforcement or firemen, they're not on the same payroll at any given time. When you're here, you're here. When you go back home, that's when you do that. I think this should be fair, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR BIVINS:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR BIVINS:

I think -- I think this is a area where collective bargaining comes in. Many of the contracts do have leave of absence clauses in them, and also, for small departments, this becomes problematic if you have to let somebody off on leave. If you have a very small department, you have to cover shifts. Our agency had seven hundred and twenty-nine square miles and fourteen hundred miles of roads and -- for two deputies. And when you're trying to staff that twenty-four and seven year round, becomes very problematic. So, as you are forced to give a leave of absence and hold that position open, this is going to be a burden, I think, and a problem for small agencies. So I would urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Syverson.

SENATOR SYVERSON:

Senator, part of this is to help where -- where if you have a -- a firefighter or a police officer who has -- who has been elected and comes down here to Springfield, and in most cases -- in many cases, they work out an agreement with their local leaders about working with flexible hours to allow them to maintain part-time work there but still be able to do the legislative work when they're in Session time. But the concern could be, you could have a elected official, a mayor or a leader, who could then make this punitive and could block someone from being able to have that time if they run for office and be able to work out that. So, in -- without the passage of this, we're going to have some people allowed to qualify and then, without that, others would not be allowed to do that, even though they are in the same circumstance. Is that -- is that -- am I asking that question right?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

You're very correct on your statement, Senator.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson.

SENATOR SYVERSON:

So, again, the goal of this is just to allow -- allow those who can have flexible hours in the -- with -- with police and with

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

fire to be able to come down here and -- and serve and, yet, still be able to maintain that job back home, but working with those flexible hours around this legislative schedule, and then this would make it uniform throughout the State, as opposed to each municipality picking and choosing, which could become political in nature. This takes that out of the equation. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Again, Senator, one hundred percent on the button.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Seeing none, Senator Link, do you wish to close? Question is, shall Senate Bill 1680 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 voting Aye, 17 voting No, none voting Present. Senate Bill 1680, having received the required constitutional majority, is declared passed. With leave of the Body, we'll turn to page 11 of your printed Calendar. Senate Bill 2305. Senator Link. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2305.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. As amended, this amends the Public

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Community College Act. It allows a board of trustees of community colleges of -- in four-year college districts to enter in agreements with employers to -- concerning a new job training program and service. These services could -- would include new jobs training, adult basic education and job-related institution {sic} (instruction), vocational and skill-assessment services and testing, training facilities, equipment, and so forth. The -- this will be a pilot program specified to Black Hawk College in District 503, College of Lake County-District 532, Illinois Eastern Community College-District 529, and Southwest {sic} (Southwestern) Illinois College-District 522 in order to test the feasibility of statewide implementation. These community college districts shall develop and execute a pilot initiative and report the results to the State Board and to the General Assembly.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR McCARTER:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he'll yield. Senator McCarter.

SENATOR McCARTER:

Thank you. Senator, can you explain the process for how you're going to pay for this new program? And give us an example, if you would, of what the program is. A lot of times we throw out the word "jobs" and everybody gets excited, because we all have our own understanding of what jobs are. But can you kind of explain to us how this will take place, who will pay for it, and how that -- those payments will be approved?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Presently, today, what we do is, we, the General Assembly, fund these job programs in the college, but what it would do for these -- this Act that we're going to pass in Senate Bill 2305, is that it would allow them to bond those particular school -- or, districts to bond to pay for this.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

Okay, so you're -- so the -- the district is going to borrow the money for the program. Are they -- how -- are they going to ask the voters about this or are they just going to pass a resolution?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

The community colleges, the board, who is an elected board, would make that decision.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

Now the -- those will have to -- you know, those -- those bonds are going to have to be paid, but I noticed on page 6 of the bill, line 2, it has the -- uses the term "a standby tax". What is a standby tax?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SENATOR LINK:

Definition of "standby tax" - a standby tax would be required so that -- school bonds to do workforce training, there is a repayment mechanism should the primary -- bond payment fail. That's -- that's the description of it.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

One more question. Does -- does the board have -- have to ask the voters whether they can -- they can incur this debt? Do they have to ask them in any way?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

No. The board would work an agreement with them and the employers to work it out.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

To the bill, please.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR McCARTER:

Ladies and Gentlemen, this -- this is not good government at all. You're -- you're going to allow a taxing body to pass a resolution to incur debt on its taxpayers in the name of jobs. And now, we -- we've -- we got a -- I guarantee you, the definition for standby tax is -- is -- is probably months old. I don't think there's a historic definition for standby tax. I think this was

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

the tax that applies to this situation, where the board can vote to incur debt without asking the people who have the responsibility to pay it back. I mean, this is not good government. Why would we want to be part of this, even if it's a pilot, even if it has that sexy word "jobs"? You can't just add jobs to a bill and say it's good. This is a backdoor referendum. And if you want to -- if you want to represent your people and defend 'em, vote No.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR ROSE:

Question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he'll yield. Senator Rose.

SENATOR ROSE:

I -- I don't understand what a standby tax is. Can you explain that to me?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

I -- I thought we would -- explained it already. A standby tax would be required so that -- a college bonds to do workforce training, there is a repayment mechanism should be the primary bond payment -- if the primary bond payment fails.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Rose.

SENATOR ROSE:

So, at what point in time do the property taxpayers find out how much they're on the hook for?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

They have ten years for repayment.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Rose.

SENATOR ROSE:

So -- and, again, I -- I -- with absolute respect to the sponsor, I have supported all kinds of front-door referendums over the years, because I believe that local people know what's in the best interests of their area. And if they want to support something, that's -- that's for them to support. This is not that. This doesn't give them that opportunity on the front end to stop this, and you're talking about making a decision that's going to affect the property tax bill for -- for ten years. What's the amount on the cap that you can hit with these bonds?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

I -- I missed your -- the -- the actual question out of that statement, Senator.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Rose, could you repeat your question?

SENATOR ROSE:

Absolutely. What's the cap on the amount of the bonds to be issued?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

There isn't a current cap in place right at this moment.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Rose.

SENATOR ROSE:

So -- so, and I'm not suggesting anyone would do this, but in -- in theory, these local community colleges could issue any amount of debt and back bill the taxpayers for it. That's a question.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

The costs of the on-the-job training employees must not exceed fifty percent of the annual gross payroll costs for up to one year of the new jobs. So there is a -- a -- a type of cap in -- in process right in the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Rose.

SENATOR ROSE:

But it -- but it -- it's -- it's not a hard cap. It's not set at one million dollars or two million dollars.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Well, it's based basically on the success of the program, if you have a hugely successful program, I meant naming these four community colleges. I don't think we're going to get in excess of a hundred thousand people applying for these positions in those areas.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Rose.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

SENATOR ROSE:

To the bill, Mr. President. I am...

PRESIDING OFFICER: (SENATOR HARMON)

...the bill, Senator.

SENATOR ROSE:

Again, I -- I have supported in the past, and even this year, front-door referendums, where we put a question before the local voters and say, "Do you want this?" That's democracy. I -- I have extreme concern about an open-ended ability to bond, and I -- I -- I appreciate the fact that, in some theoretical level, there probably is an end point where you -- where you would have diminishing return, but still there's no hard cap in this bill and it's a ten-year duration, so you're putting a local homeowner on the hook for a very long time. I would urge a -- a No vote on this. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Link, I want to apologize in advance, because I know that when I ask this question, you're going to roll your eyes to some extent and say, okay, I feel like I've answered that. So, just want to offer that right now. I heard Senator McCarter and I heard Senator Rose ask you to tell us exactly what a standby tax is. I didn't hear the first time you answered it. The second

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

time I heard you answer it, I heard you use the words "standby tax" or the words "standby tax" in the answer and you usually don't get to use the phrase that you're asking to be defined in the answer defining it. So, I'm going to give you another shot at that. What exactly is a "standby tax", as opposed to a tax that's not standing by?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

I -- you know, I -- I've never heard you repeat a question, Senator, so I would never roll my eyes at what you said. But it would require so that -- a college bonds to do workforce training, there is a repayment mechanism should the primary bond payment fail. So, in essence, what they have to do is have something in place if the agreement on the bonds were to fail. So that would be the standby tax.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Let me try a different phraseology. It's a tax increase to pay back borrowed money. Am I close?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

I think that's why it got the definition of standby. If they fail to pay back the bonds in the way the mechanism they have set up with employers, with the college, that's a standby alternative in which they could have. And I think any bonding company would want to make sure that they have this standby tax ability in place

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

so that they can sell the bonds.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

And, Senator Link, I think you're right about that. And I think that's the reason there'll be a tax increase, 'cause the bond houses won't float the bonds without some kind of revenue stream to pay it off. But let's move on to another issue. There is no limit under the bill on how much money can be borrowed simply by board resolution. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

And I'll -- I'll repeat this one, too, again. Cost of on-job training for employees must not exceed fifty percent of the annual gross payroll costs for up to one year of the new job. So if a person was - and we'll use an example - making ten thousand dollars, it could not exceed five thousand dollars.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Senator Link, and I listened very carefully to that, and I - - nowhere did I hear words such as "in no case shall the borrowing not exceed, and then a number", which is typically how we, in bills and in statute, cap borrowing authority. We just kind of write it in there and say you can't borrow more than this. I think what you're talking about is an expenditure of funds that may be borrowed. What I'm asking about is, is there a cap on how much can be borrowed by this board resolution that's not subject to a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

voter referendum?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

If you want this answer, I'll give you two of 'em. And you pick which one you want to accept. In the bill, there is no defined dollar amount, but the -- the board shall determine if revenues are sufficient to secure the faithful performance of an obligation in the agreement.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Okay. And I appreciate that. Last area - is there a limit in the bill on how high the taxes can be increased in order to pay off the borrowing?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

No, there is not, but the intent of this is to work out the agreement with the employers to use that money to pay. This is not spelling out that they would be using property tax dollars.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. To the bill.

SENATOR RIGHTER:

Thank you, Mr. President, for your indulgence. Ladies and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Gentlemen of the Senate, I think we just heard the magic words that we hear oftentimes on this Floor when something that is written in a bill, maybe we know doesn't look right, so we kind of want to talk about, well, this is what we're really trying to do, as opposed to what's in the bill. The bill has no limit on the amount that can be borrowed without a voter referendum. It has no limit on how high the taxes can be increased, the property taxes - the property taxes that we all love to complain about back home, that our voters and constituents complain nonstop back home about, as they should. This bill does not ask for voter permission to borrow as much money as they want to borrow and raise taxes as high as they want to borrow. This is -- by any definition, whether it's a standby tax increase or whatever definition you want to use, it's a bad, bad idea and I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR LINK:

I -- I just want to say that, you know, we keep talking about competition with other states and how we want to, you know, bring businesses back into Illinois and we want to have the workforce. Maybe one of the reasons we keep on losing is states like Missouri and Iowa have instituted this exact same program, the exact same way, and they are pulling our businesses out of Illinois because we don't have the training for a lot of these businesses. You have an opportunity and a pilot program to see if this'll work in four different regions of the State of Illinois. I think it's time that we start getting the equal playing field with the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

competition of the other states, and I'd ask for an affirmative vote on this particular bill.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Link. The question is, shall Senate Bill 2305 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 voting Aye, 20 voting No, none voting Present. Senate Bill 2305, having received the required constitutional majority, is declared passed. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR ROSE:

Ladies and Gentlemen, in the gallery behind us is St. John's {sic} (John) Lutheran School - hang on, kids, don't leave yet - from Champaign, Illinois. And on behalf of Senator Frerichs and myself, can we give 'em a big welcome to the Illinois State Senate?

PRESIDING OFFICER: (SENATOR HARMON)

Will our guests in the gallery please rise and be welcomed to the Illinois State Senate? With leave of the Body, we're going to return to -- I'm sorry, Senator Murphy. I didn't see you seeking recognition. I'm glad your colleagues called it to my attention. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Well, you know, I've started on that salad diet that the coach inspired me toward, so maybe that's why you missed me. I request a verification of the roll on the last bill, Senate -- Senate Bill

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

2305, please.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy, we generally request the verification request to be made immediately after the vote. Your colleague, Senator Rose, sought recognition for a point of personal privilege. Let me consult with the Parliamentarian to see how we handle a belated request for a verification. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

...you. While you're up there with our esteemed counsel, up on the Podium, and Parliamentarian, I just want to verify - and I'm not saying this for the sake of my Republican team - before you recognized Representative -- or, Senator Rose for purposes of his -- his introduction, Senator Murphy's light was blinking.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Dillard. We did not see his light blinking and Senator Rose was enthusiastically seeking recognition, as I know your colleagues are capable of doing as they did when I started to move on to -- to other business. So if you'll bear with us, we're just consulting the Parliamentarian on the nuances of the rule book. Thank you. Senator Murphy, for what purpose are you seeking recognition?

SENATOR MURPHY:

Waiting.

PRESIDING OFFICER: (SENATOR HARMON)

For what are you waiting?

SENATOR MURPHY:

Well, a ruling on my -- on my request to verify the roll call. I don't know if it'd be appropriate to put the timer on for -- for

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

that to be considered.

PRESIDING OFFICER: (SENATOR HARMON)

Did you make an inquiry, or did you request a ruling?

SENATOR MURPHY:

Well, first, I requested a verification. This time, since you were gracious enough to ask, I thought it'd be good to get around to a ruling on the previous request.

PRESIDING OFFICER: (SENATOR HARMON)

We are taking that under advisement and we will be back to you very soon. Senator Murphy has requested a verification. Will all Members be in their seats? Mr. Secretary, please ring the bell. The Secretary will read the affirmative votes.

SECRETARY ANDERSON:

The following Members voted in the affirmative: Bertino-Tarrant, Bush, Clayborne, Collins, Cunningham, Delgado, Haine, Harmon, Harris, Hastings, Holmes, Hunter, Hutchinson, Jones, Koehler, Kotowski, Link, Manar, Martinez, McGuire, Morrison, Mulroe, Muñoz, Noland, Raoul, Silverstein, Stadelman, Steans, Sullivan, Van Pelt, President Cullerton.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR MURPHY:

Mr. President, you -- you didn't do it as colorfully as Senator Hendon used to do, but you did do it as effectively in dragging out the clock. I do not challenge the presence of anybody.

PRESIDING OFFICER: (SENATOR HARMON)

On a verified roll call, there are 31 Ayes, 20 Nays, none

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

voting Present. Having received the required constitutional majority, Senate Bill 2305 is declared passed. With leave of the Body, we're going to turn to page 5 of your printed Calendar. Near the middle of the page is Senate Bill 206. Senator Link, do you like -- wish to try your luck again? Mr. Secretary, please read the bill. Senator Link seeks leave of the Body to return Senate Bill 206 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 206. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link, to present Floor Amendment No. 1.

SENATOR LINK:

Thank you, Mr. President. The -- the amendment is just permissive. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Seeing no discussion, Senator Murphy, do you wish to discuss the amendment?

SENATOR MURPHY:

Sorry.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Link moves to adopt Floor Amendment No. 1 to Senate Bill 206. All in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 206. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 206.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link, to present the bill.

SENATOR LINK:

Senate Bill 206 is the Secretary of State initiative that makes the approval of the leave of absence of Secretary of State employees permissive and -- when employees are elected to public office. The leave of absence is granted for as long as the requester holds public office or a period of five years, or -- whichever is shorter. I hate to break this news, but there is no opposition to the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Senator Murphy, are you seeking recognition? Seeing none, the question is, shall Senate Bill 206 pass. All in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 voting Aye, 5 voting No, none voting Present. Senate Bill 206, having received the required constitutional majority, is declared passed. President Cullerton, for what purpose do you rise?

SENATOR J. CULLERTON:

Thank you, Mr. President, Members of the Senate. This is --

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

I rise to a question of privilege affecting the Senate. Last year, nearly sixty-seven thousand Illinois residents heard the words, "you have cancer" and over twenty-five thousand lost their lives to the disease. Cancer touches families across the State of Illinois and it's our responsibility to show them they're not alone in the fight. So the American Cancer Society Cancer Action Network has a first ever Suits, Sneakers and Cancer Prevention at the Capitol, which will be held on Wednesday, May 1st, where we will be joined by basketball coaches from across Illinois, who are lacing up their sneakers for a common cause, to promote awareness for the fight against cancer and to provide the opportunity to become directly involved in cancer research by enrolling in the American Cancer Society's Cancer Prevention Study. They have approached Senates throughout the United States. I think there's about twenty Senates that are participating and I would encourage those of you who are eligible to enroll in the study. So that on May 1st, there will be an exception to the Senate dress code for that day alone. It's obviously voluntary. If you want to allow yourself and staff to wear sneakers with your suits, you can show support for the American Cancer Society and their Cancer Action Network's efforts to promote enrollment in their cancer prevention program. So, that is scheduled to be on May 1st next week. It's up to you, whatever you want to do. And as a result, we will have an exception for our dress code for that day. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

The Senate accedes to the Senate President's request. As the Senate has acceded to the Senate President's request, I do wish to immediately disabuse folks of a notion that this relaxation of the dress code applies to anything but footwear. That is suits and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

shoes. So wear your shoes with your suits, please. WAMP-TV seeks -- WAND seeks leave to videotape the proceeding. Is there any objection? Seeing no objection, leave is granted. With leave of the Body, we're going to turn to the Order of House Bills 3rd Reading and pick up just a couple of House bills that are requiring action. On page 14 of your printed Calendar, we are going to turn first to House Bill 2275. Senator Steans. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2275.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Yes, thank you, Mr. President, Members of the Senate. This is first of two bills that we're going to be considering today to help adjust the Community Care Program. This Community Care, CCP, Program has incurred liabilities above what we appropriated it for this fiscal year. And you may have been hearing from a lot of your providers that recently a notice was sent out that they'd get no more payments. Now, this has been a fast-growing program. This is the program, I'll remind you, that takes care of folks, elderly residents in their homes, rather than institutions. And rather than just plain doing a supplemental, we sat down with both Chambers, both sides of the aisle to make some reforms to the program first, as well as do a supplemental. I will note that one of the reasons that this happened, the liability above what -- what we appropriated, was, in the SMART Act, we'd intended to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

increase the eligibility requirements by increasing the determination of need, or DON, scores. The federal government turned us down for that. So I just want to give some explanation of why we got ourselves in this situation. So what we've done, this bill sets in place a number of reforms to both reduce liability and help increase federal match dollars for the program. We're establishing electronic visit verification, which will have 38.4 million in savings. So this is like a GPS system to make sure that we're only actually paying folks for the care, that they're actually on time there with the seniors that they're providing the care to. We are also doing task based service parameters. Requirement already went out to the folks that establish care plans for seniors, and make more specific recommendations on what can be included in those care plans, for seventeen million in savings. We're also reducing the amount of rounding that you can do for -- for making payments from fifteen minutes down to seven minutes. And we're increasing the use of managed care for the program. So, total liability reduction is a little over sixty-six million dollars. We're also doing -- making reforms to it to ensure that they're getting better job of matching federal revenues, the Medicaid match for the dollars. We have already applied to the federal government for a Balancing Incentive Program, or BIP, which should increase our federal matching dollars for this program by two percent. And we are -- making sure upfront we're improving our Medicaid enrollment processing and better match -- getting the claims that are Medicaid eligible to the feds to actually get the match dollars for them. So we expect to also increase federal match for eighty-one million dollars. At the urging -- and I really want to thank Senators Rose and Connelly

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

for their participation and help in looking at this program. At some of their urging, too, we've also included Section 25 reform to ensure that next year's Fiscal Year '14 we don't do the same thing by just incurring liabilities above the appropriation in the program. I would certainly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR ROSE:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR ROSE:

Want to thank Leader Steans for her reaching out to us on this issue. This is a -- I believe, a very significant reform of this program. Moving these bills of Section 25 in and of itself is worth voting for. I will note - frankly, it's a little irritating and we -- we brought this up with the Governor's Office - many of the reforms, although not all, but many of the reforms we're voting on here today, frankly, could have been done through better management of this program from the beginning by the -- the Executive Office. But, neither here nor there, there are significant reforms. And you're going to have about forty million dollars just in fraud cut out of this program - forty million dollars just in fraud. The rounding issue is going to save six million dollars by itself. And Section 25, again, I think from a transparency in government perspective, is -- is absolutely important that we not allow these bills to just sort of accumulate under the radar. They need to be out there, they need to be paid,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

and in an efficient manner. So I thank Leader Steans for her leadership on this. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Rose. Is there any further discussion? Senator Steans, do you wish to close? Question is, shall House Bill 2275 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting No, none voting Present. House Bill 2275, having received the required constitutional majority, is declared passed. We're going to turn back to page 12 of your printed Calendar. Near the bottom of the page is House Bill 207. Senator Steans, you ready to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 207.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Thank you very much, Mr. President, Members of the Senate. So this is the companion bill, the appropriation bill, now. It does two things. We -- we did keep this a very clean supplemental bill. It appropriates a hundred and seventy-three million dollars in General Revenue funds for the Department of Aging for the cost associated with the Community Care Program. This is to -- sheerly to pay down backlog of bills that have already been incurred by our community care providers. The second item in here is

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

depositing a hundred and fifty-one million General Revenue funds into the Healthcare Provider Relief Fund. This is not new. This is always in the original budget plan. Dollars have been set aside for this. We just never actually appropriated these dollars. And it's going to pay Medicaid bills. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall House Bill 207 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting No, none voting Present. House Bill 207, having received the required constitutional majority, is declared passed. On page 13 of your printed Calendar, near the bottom of the page, is House Bill 1292. Senator Koehler. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1292.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. House Bill 1292 authorizes the Department of Natural Resources to return land referred to as Wildlife Prairie State Park to the Forest Park Foundation, a not-for-profit Illinois corporation, and the Peoria Park District upon payment of the sum of thirty dollars to the State. This is a very timely issue. We have a -- a group of -- of local business leaders and community residents that are ready

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

to take on the responsibilities of providing funds for this park. Last year, we passed this bill. This is very important to Senator LaHood and I because of its -- its impact on the Peoria area. Last year, we passed this bill. It got held up in the House. This year we took a different tactic. We said pass it in the House first and we'll bring it over to the Senate. So, I know Senator LaHood wants to talk about this as well. But I would certainly appreciate an Aye vote on this.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR LaHOOD:

Mr. President, to the bill, please.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR LaHOOD:

Thank you, Mr. President. And I echo the comments of Senator Koehler. This bill was presented here last year, got unanimous support in this Body. This is a compilation of work by a good group of people in Peoria, Illinois, that have come together to take ownership of this park and move it in the right direction. It's a wonderful piece of property that has enormous potential for the Peoria area, and would ask for an Aye vote today. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any further discussion? Seeing none, Senator Koehler, do you wish to close? The question is, shall House Bill 1292 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

On that question, there are 53 voting Aye, none voting No, none voting Present. House Bill 1292, having received the required constitutional majority, is declared passed. Turning to page 14 of your printed Calendar, very close to the bottom of the page is House Bill 2381. Senator McCarter. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2381.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

Ladies and Gentlemen, this Senate Bill -- or, I'm sorry, House Bill 2381 simply changes the effective date. What happened is, the Mt. Vernon Readiness Center opened in July of 2011. That left open the Salem Armory. The Salem Armory was -- the ownership was transferred to the City of Salem, and now they have a -- a buyer for that facility and this will allow them to initiate the transaction immediately. I want to say thank you to the Senate President for allowing me to call this bill today. I know the people of Salem appreciate this being able to move forward now. And I, as well, am grateful. So I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall House Bill 2381 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting No, none voting

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Present. House Bill 2381, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, we're going to turn to page 19 of your printed Calendar. In the middle of the page is the Order of Secretary's Desks -- Secretary's Desk, Resolutions. Senate Resolution 157. Senator Hutchinson. Senate Resolution 218. Senator Manar. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 218, offered by Senator Manar.

PRESIDING OFFICER: (SENATOR HARMON)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Manar.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Manar moves for the adoption of Floor Amendment No. 1 to Senate Resolution 157 {sic}. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, can we make sure that the board reflects the measure we're considering? Senator Manar, on the resolution.

SENATOR MANAR:

Thank you, Mr. President. Senate Resolution 218 designates today, April 25th, as World Autism Awareness Day in Illinois. Autism has risen to one in every eighty-eight births in the United States and almost one in fifty-four boys. And -- every day, sixty American families are told they have a child with autism. And while autism costs our country an estimated ninety billion dollars annually, the cost of lifelong care can be reduced by two-thirds with early diagnosis and intervention. The Autism Program of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

Illinois serves and supports persons with autism and their families with an emphasis on services to children through a coordinated network of providers, parents, and university programs, while developing, utilizing, and sharing best and promising practices. Mr. President, if I would have a bit of leeway, I would like to introduce two individuals who are just above the rostrum. The young man, who I know is going to waive his hand as soon as I say his name, is Logan Hanner, with his father, Luke. Logan lives down the street from me in Bunker Hill, and I invited him today to recognize the importance of raising awareness of autism, not just in our State, but in our country and -- as well. He is a phenomenal young man, who has a wonderful smile, who I always enjoy seeing. So, welcome to the Senate. And I ask for adoption of the resolution, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Will our guests in the gallery please rise to be welcomed to the Illinois State Senate? Senator Manar has moved for the adoption of Senate Resolution 218. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Mr. Secretary, Resolutions Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ANDERSON:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall the resolutions on the Consent Calendar be adopted. All those in

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

4/25/2013

favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the resolutions are adopted. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 12 noon on the 30th day of April, 2013, pursuant to the Senate Joint Resolution 34. The Senate stands adjourned.