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REGULAR SESSION
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56th Legislative Day

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PRESIDING OFFICER: (SENATOR HARMON)

The regular Session of the 98th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Chance Newingham from Athens Christian Church in Athens, Illinois. Welcome, Pastor.

PASTOR CHANCE NEWINGHAM:

(Prayer by Pastor Chance Newingham)

PRESIDING OFFICER: (SENATOR HARMON)

Please remain standing for the Pledge of Allegiance. Senator Jacobs, would you please lead us?

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, Reading and Approval of the Journal.

ACTING SECRETARY KAISER:

Senate Journal of Wednesday, May 22nd, 2013.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter moves to approve the Journals just -- moves to postpone the reading and approval of the Journals, pending arrival of the printed transcript. There being no objection, so ordered. Mr. Secretary, Resolutions.

ACTING SECRETARY KAISER:

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Senate Resolution 329, offered by Senator LaHood.

It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, Introduction of Bills.

ACTING SECRETARY KAISER:

Senate Bill 2584, offered by Senator Link.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, we're going to turn momentarily to the Order of House Bills 2nd Reading. I would remind all Members within the sound of my voice that today is the last day to advance a bill from 2nd Reading to 3rd Reading. Today is the last day, the last opportunity to advance your bills from 2nd Reading to 3rd Reading. If you are within the sound of my voice and have a bill on 2nd Reading, I encourage you to be at your desk. Ladies and Gentlemen of the Senate, on page 10 of your printed Calendar is the Order of House Bills 2nd Reading. House Bill 1063. Senator Collins. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 1063.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. House Bill 1516. Senator Silverstein. Senator Silverstein. House Bill 1573. Senator Muñoz. House Bill 1584. Senator Althoff. At the top of page 11 of your printed Calendar, still on the Order of House Bills 2nd Reading, House Bill 1849. Senator Manar. House Bill 2213. Senator Lightford. House Bill 2498. Senator Delgado. House Bill 2350. Senator McConnaughay. House Bill 2574. Senator Sullivan. House Bill 2755. Senator Rose. House Bill 2943. Senator Morrison. House Bill 3075. Senator Silverstein. House Bill 3112. Senator Link. House Bill 3232. Senator Koehler. And House Bill 3349. Senator Althoff. Mr. Secretary, we have House Bill 3349. Would you please read that for a second time?

ACTING SECRETARY KAISER:

House Bill 3349.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government and Veterans Affairs adopted Amendments 1 and 2 {sic} (2 and 3).

PRESIDING OFFICER: (SENATOR HARMON)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Again, Ladies and Gentlemen of the Senate, that is the entirety of our Order on House Bills 2nd Reading. Today is the last day to advance a bill from 2nd Reading to 3rd Reading. If you wish to advance one of your bills, please -- please be at your desk. Senator Rose, did you wish to advance Senate {sic}

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Bill 2755? Senator Rose, for what purpose do you seek recognition?

SENATOR ROSE:

Mr. President, I wanted to introduce my Page for a Day on a point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR HARMON)

Please make your introduction, Senator.

SENATOR ROSE:

Thank you. Ladies and Gentlemen, we're very happy and honored today to have with us Tim Glumac, who's a fifth grader in Mahomet-Seymour, where I'm from. His mother, Patti, is in the gallery and is a good friend of my wife. Tim likes to play football and basketball. Says his favorite subject is math. He likes to tinker with computers and cars, and hopes someday to be a mechanical engineer. So let's welcome him to Springfield, if we could.

PRESIDING OFFICER: (SENATOR HARMON)

Tim, welcome to the Illinois State Senate, and hope mom can stand up in the gallery and be recognized as well. Welcome to the Illinois State Senate. We have succeeded in getting some more Members to the Floor for the Order of House Bills 2nd Reading. We're going to turn to a few of these, with leave of the Body. Mr. Secretary, House Bill 1849. Would you please read that for a second time?

ACTING SECRETARY KAISER:

House Bill 1849.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Ladies and Gentlemen of the Senate, we're still

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on the Order of House Bills 2nd Reading. With leave of the Body, we're going to turn to House Bill 2530. Senator McConnaughay has indicated she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2530.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR HARMON)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes. Floor Amendment 1, offered by Senator McConnaughay.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McConnaughay, I understand you wish to withdraw Floor Amendment No. 1. Is that correct?

SENATOR McCONNAUGHAY:

That's correct.

PRESIDING OFFICER: (SENATOR HARMON)

Floor Amendment No. 1 is withdrawn by the sponsor. Have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Ladies and Gentlemen of the Senate, we're going to turn away from House Bills 2nd Reading. A reminder to all Members, today is the last day to advance a House bill from 2nd Reading to 3rd Reading. If you still have a bill on the Order of 2nd Reading, please -- please advise us so that we can turn back

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to that today. We're going to turn next to the Order of House Bills 3rd Reading, picking up where we left off yesterday. We are on page 9 of your printed Calendar. We left off yesterday near the top of page 9. We would turn next to House Bill 3120. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3120.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. Excuse me. This is an initiative of the Department of Natural Resources. The legislation authorizes DNR to -- excuse me, to exchange land in the Sanganois Conservation Area in Cass County and also allows for a transfer of a road at Delabar State Park in Oquawka Township up in Henderson County. I know of no opposition.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Sullivan. There is no one seeking recognition. I do want to emphasize, for all Members within the sound of my voice, this is final action. Mr. Secretary, could you please ring the bell? Senator Sullivan has presented House Bill 3120. Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 3120 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting No, 1 voting Present. House Bill 3120, having received the

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required constitutional majority, is declared passed. With leave of the Body, we will return to House Bill 3128 later. House Bill 3139. Senator Haine. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3129 -- excuse me, 3139.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this bill allows some insurance policies and endorsements to be posted on the insurer's website to be used by the insured. Simplifies matters in this current age of easy access to electronic devices, much as I...

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Haine. We're checking on our paperwork to determine whether we have a Floor amendment. We do? Senator, Floor Amendment No. 2 has been adopted, so if that's -- if you're ready to proceed in its current form, we can call the bill. Senator Haine.

SENATOR HAINE:

The underlying bill was as -- as I've stated. The Floor amendment, to remind people, gives immunity to law enforcement officers and court officials presented with evidence of insurance on an electronic device if it's inadvertently dropped and damaged by the officer.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Haine. Mr. Secretary, just confirming

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that amendment has been adopted. The bill is ready to go? Senator Dillard, for what purpose do you seek recognition?

SENATOR DILLARD:

Thank you, Mr. President. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Dillard.

SENATOR DILLARD:

Thank you, Senator Haine. One of my favorite commercials is the pig that is driving the automobile that gets pulled over by the police officer. I think that's the little green gecko insurance company. Would they be for this bill?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine.

SENATOR HAINE:

I think it's GEICO. But I don't know. I haven't asked 'em. I -- I really don't. I don't know. That's that Australian lizard. So I haven't asked the lizard or the duck if they're for this bill. I presume they are.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dillard, would you like Senator Haine to take the bill out of the record while he ascertains whether or not any of the various animals are for the bill?

SENATOR DILLARD:

No, we have -- we have a lot of schoolchildren here, but even adults like me get a kick out of having a pig pulled over and showing him his electronic mobile insurance verification. And, you know, the pig was profiled, obviously, racially by the police. You know, he said, "Did you pull me over because I'm a pig driving

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a motor vehicle?" So -- but, anyway, I rise in support of the gentleman's bill and I'm very impressed that people like myself and Senator Haine, at our advanced age, are worried about mobile verification of proof of insurance and things like that. So, Bill Haine and I are -- are -- are social media trendsetters. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine, for a response.

SENATOR HAINE:

I would say that I didn't know it, but this bill has the added attraction of having a little pork in it.

PRESIDING OFFICER: (SENATOR HARMON)

It's a good thing it's early. Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

Just question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates he will yield.

SENATOR SYVERSON:

Just on a more serious note since -- first, I guess, to explain to Senator Dillard that that's not a real commercial. But -- but -- but we had talked about this in committee about -- and I'm not going to -- obviously, this is a good piece of legislation. But the -- the concern about when an individual turns their phone over to a police officer and on that phone they'll have their insurance information and then that police officer then is allowed to take that phone and go back to his car and then he has full access to the phone and everything that's in that phone and the concern about if -- even though the -- I know there's language

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that says they can't access that, but -- but we don't know if they access it or not. That'll never be known. But if the police officer then drops that phone, which aren't cheap, that this legislation says that the -- the driver, who's done nothing wrong, but that driver then is liable for the full cost of replacing that phone. And that's what this legislation is saying, that if the officer drops that phone or damages that phone, it is the driver that is liable for the full cost to that phone. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine.

SENATOR HAINE:

Yes, sir, that -- that is correct.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson.

SENATOR SYVERSON:

And there's probably no way around correcting that. That -- I hope with technology changing in the near future that there would be a easier way that they could just electronically transfer or e-mail or -- or text that information to the police officer's own - own phone or own laptop, as opposed to giving up the phone or having that concern of being dropped. So, I just hope that we could look at that sometime in the future about that concern, 'cause I think we're all going to get a phone call at some point with somebody's -- who's got their phone dropped and they have a three-/four-hundred-dollar cost for doing nothing but following the -- following the law. So, thank you for carrying the bill and allowing me to at least raise that concern.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine.

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SENATOR HAINE:

Mr. President, I -- I want to thank Senator Syverson. We had this exchange in -- in the committee. And this is a balancing test. First of all, the officer may not -- cannot -- there's no consent to look at anything other -- any other contents on the phone except for this proof of insurance, which he's -- which Senator Syverson did state. The balancing test comes in the safety of the officer. We've just had a tragic, terrible incident a few months ago involving an officer checking the -- this license and information on the highway. So we -- we don't want the officers to linger by the car. They expressed that concern, and that's the balance. There's a way around this and that is to -- for the -- the driver, if they're concerned about damage to the phone, they can maintain a paper format. The bill has the option of -- of -- of the insured being issued a paper or electronic format. And in the -- in the situation of a highway stop, the paper format would seem to be the way to go. So it's in the bill to avoid that.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, we spoke about this in committee, but I think it's worth repeating. It's the twenty-first century. We ought to be able to work with the -- with the -- with the police departments and the insurance industry to set up a -- a database, where nobody

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has to carry a card, where nobody has to carry an iPad back to their police car, or a cell phone, where they could just maybe get on the computer that would be interlocked with the rest of their devices. I just think that if you could write a letter or something to someone encouraging them to do that, I think that'd be a -- a good way to move forward.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine, do you wish to close?

SENATOR HAINE:

I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall House Bill 3139 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting No, none voting Present. House Bill 3139, having received the required constitutional majority, is declared passed. House Bill 3147. Senator Delgado. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3147.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. House Bill 3147 amends the Juvenile Court Act to allow a minor who is a ward of the court to file a motion to reinstate parental rights. Currently, only the Department of Children and Family Services may

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file a motion to reinstate parental rights. This bill also removes the Section which currently provides that the provision concerning a motion to reinstate parental rights is due to sunset on August 21st, 2013. And this would take effect immediately and I don't know of any opponents at this time. I would ask for your Aye...

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 3147 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. House Bill 3147, having received the required constitutional majority, is declared passed. Senator Biss, for what purpose do you seek recognition?

SENATOR BISS:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR BISS:

Members of the Senate, I wanted to alert you to the fact that May is Asian American Heritage Month. The Asian community is a - a large, vibrant, growing part of our cultural fabric in Illinois, and in celebration of this month, there'll be a reception being hosted at the Governor's Mansion tonight at 6 p.m. And I hope you can all join me there in celebration of this critical community for our State's cultural life. Thank you very much.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Continuing on the Order of House Bills 3rd Reading, House Bill 3157. Senator Sullivan. Mr. Secretary,

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please read the bill.

ACTING SECRETARY KAISER:

House Bill 3157.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. House Bill 3157 amends the Illinois Income Tax Act. It makes two changes. First of all, the bill modifies when the alternative allocation applies to businesses and, secondly, it eliminates two types of partnership returns. This is an initiative of the Department of Revenue. I know of no opposition.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 3157 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting No, none voting Present. House Bill 3157, having received the required constitutional majority, is declared passed. House Bill 3172. Senator Clayborne. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3172.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Clayborne.

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SENATOR CLAYBORNE:

Thank you, Mr. President. House Bill 312 {sic} is designed to prevent youth who may have made a mistake from having a criminal record. If they comply with certain conditions, then they can be -- they can be allowed to continue to have supervision -- continuance under supervision if the court is of the opinion that certain things have been met after a finding of delinquency, which is Senator Righter's request. I -- I know of no opposition. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR RIGHTER:

Thank you, Mr. President. Very briefly. I rise in support of the bill. I think this bill now, as it's presented to the Senate, strikes the right balance between the State's Attorney's ability to run his or her own case, but also allowing the judge to have the ultimate say over the case a little bit later in the proceedings. Juvenile court issues sometimes are always a little bit difficult because of the age of some of the people we're dealing with. But, again, I think the sponsor's done a nice job of striking that balance and would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

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SENATOR DILLARD:

Thank you. I rise in support of the Majority Leader's bill. I'm a cosponsor on here. And I just want to point out, yesterday I reluctantly had to get up and speak against, you know, a similar type bill, primarily just because of the concerns of the State Police, but there are those of us on this side of the aisle that truly believe in giving individuals, especially juveniles, a second chance. And, you know, many of us are for these kinds of bills if properly drafted and I apologize to Senator Lightford for speaking against her legislation yesterday. I was just echoing concerns the State Police had. But I want you to know that we're not always against these things, Senator Clayborne, and I appreciate you very much working with Senator Righter on our side of the aisle. It's a good bill and I commend the sponsor and urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Clayborne, do you wish to close? The question is, shall House Bill 3172 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting No, none voting Present. House Bill 3172, having received the required constitutional majority, is declared passed. WTTW, Chicago, requests permission to take still photographs of the proceedings. Is there any objection? Seeing none, leave is granted. Senator Manar, for what purpose do you rise?

SENATOR MANAR:

For a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

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Please state your point, Senator.

SENATOR MANAR:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I would like to introduce a young lady who's with me today, who is on her final few days of school, but she -- she broke free from Black Hawk Elementary in Springfield to be a Page for a Day. She is the daughter of my legislative assistant, Dominic Watson. Her name is L'Nyiah Watson. She's eight years old and she's a lovely young lady. And I would just like to rise and welcome her to the Senate. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

L'Nyiah, please stand up and be welcomed to the Illinois State Senate. Thank you for being here. Senator Kotowski, for what purpose do you rise?

SENATOR KOTOWSKI:

...you -- thank you very much, Mr. President, and good morning. It's great to be here in the Senate Chamber. I'm joined today by Isabella Brown. She's from my hometown of Park Ridge. Please stand up, Isabella. She's eleven. She goes to Franklin School. Her favorite thing to do in the whole world is read. So I asked her what her favorite book was and she said, Graceling, and I said, why? And she said, 'cause the message of the book is that don't be -- be afraid to be different. Don't be afraid to -- to stand out and be different and be yourself. So that's -- I thought that was a great message. She wants to be a fashion designer when she grows up. I think she was brought in to be a consultant for Senator Rose, which is great. Her favorite sports team is the Bears. And she's joined today by her parents. We have Natalie and Jeff, and their son, Harry. Please stand up. Could you please

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give Isabella and her family a great Springfield welcome?

PRESIDING OFFICER: (SENATOR HARMON)

Isabella and family, welcome to the Illinois State Senate. Great to have you here today. Senator McGuire, for what purpose do you rise?

SENATOR McGUIRE:

Point of personal privilege, Mr. President, please.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR McGUIRE:

Thank you. I'm honored to have three guests from the 43rd District today. On my far left is Tim Broderick. Tim and I grew up three houses away from each other and there must have been something in the water on the 1200 block of Oneida Street, because Tim also serves in public office, recently elected a commissioner of the Joliet Park District. So please give Tim Broderick a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR HARMON)

Welcome, Mr. Broderick.

SENATOR McGUIRE:

And immediately behind me are Doug and Dustin Trizzino, hardworking men of strong faith, strong backs, strong minds. They operate Trizzino Concrete in my district and made it through the recession and their firm is stronger than ever. So please give them a welcome.

PRESIDING OFFICER: (SENATOR HARMON)

Welcome to our guests from Will County. Thank you for being here. Senator Hunter, for what purpose do you seek recognition?

SENATOR HUNTER:

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Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR HUNTER:

In the -- the -- in the -- in the balcony upstairs, some of my constituents are here -- visiting here from the Englewood community in Chicago and they're from a program called Mercy House and I'd like to just welcome them to Springfield.

PRESIDING OFFICER: (SENATOR HARMON)

Our guests from Mercy House please rise and be welcomed to the Illinois State Senate. Let's continue on the Order of House Bills 3rd Reading. Next on our Order is House Bill 3175. Senator Hunter, do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3175.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

...you -- thank you, Mr. President. 3175 is -- is compromise -- it's a compromise by the Department of Public Health and the Illinois State Medical Society, where they are declaring that the -- that the Director of Public Health must provide for the planning and implementation of an education campaign to inform breast cancer patients, especially those in racial and ethnic minorities, who - - who -- who are anticipating surgery regarding the availability of coverage for breast reconstruction, prostheses, and other

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options. I know of no opposition and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Hunter. Is there any discussion at all? Seeing none, the question is, shall House Bill 3175 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting No, none voting Present. House Bill 3175, having received the required constitutional majority, is declared passed. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would like to introduce to you a young man, Nathaniel Piper. Nathaniel is -- he's going to be a senior at the University of Illinois Springfield. He is majoring in political science. Will also pursue a master's degree in that same field. He's here today to see how we do things in State government and hopes to work in this process one day. So if the Senate would please give Nathaniel a warm welcome. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Welcome, Mr. Piper. I hope you enjoy your day in the Senate. Senator LaHood, for what purpose do you seek recognition?

SENATOR LaHOOD:

Thank you, Mr. President. Point of personal privilege.

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PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR LaHOOD:

Mr. President, I'm joined here by a special guest here today, Sam Anderson. Sam lives in Moline and is a junior at Moline Senior High. His parents are Tim and Julie Anderson. His -- Sam's hobbies include running, reading, friends and family, and he enjoys politics. He -- his future plans -- include college and studying political science and he hopes to manage or run a large company one day. I'd like the Senate to give him a warm welcome. And his dad, Tim, is with him today and would ask them to welcome him also. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Sam, welcome to the Illinois State Senate. Dad in the gallery can rise and be welcomed as well. Let's continue on the Order of House Bills 3rd Reading. We have House Bill 3186. Mr. -- Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3186.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Frerichs.

SENATOR FRERICHS:

Mr. President, House Bill 3186 amends the Emergency Medical Services Systems Act to declare in outlining licensure testing requirements for honorably discharged members of the U.S. Armed Forces, DPH must make sure that an applicant's military emergency medical training, emergency medical curriculum finished, and

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clinical experience are recognized. Now we have a lot of young men and women who go off and get properly trained. They come back, want to work as EMTs in our State, and we make them start from scratch. I think this is something -- it would be good to do for our returning veterans. Would ask a favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 3186 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. House Bill 3186, having received the required constitutional majority, is declared passed. House Bill 3199. House Bill 3207. Senator Righter. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3207.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Bill 3207 amends the Emergency Telephone (System) Act and simply puts in place a default process for the terms of office for board members of a 9-1-1 system and a process by which they can be removed by the corporate, county or municipal authorities if it's necessary. The amendment in the law would only apply if the locals have not already put in place a system to deal with both of those

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issues. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 3207 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. House Bill 3207, having received the required constitutional majority, is declared passed. House Bill 3223. Senator Frerichs. House Bill 3227. Senator Koehler. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3227.

(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 3227, as amended, sets forth the governance and structure and responsibilities of a State-based health insurance exchange in order to facilitate the purchase of and sale of qualified health and dental plans to individuals and small businesses. The exchange in this bill must be operational and begin selling policies on October 1st of 2014. It creates an exchange board of eleven voting members appointed by the Governor with the advice and consent of the Senate. The exchange's executive director shall be appointed by a majority of the voting board -- members of the board. It requires that the Department of Insurance review the recommended

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health insurance plans for certification by the board as being able to be offered on the exchange. The board then must certify any health plan that meets the federal requirements and the Illinois Insurance Code. It also establishes a revenue-generating plan that must include an annual assessment on all entities licensed by the State that shall issue life, accident, and health insurance policies that are eligible for sale on the exchange. The exchange's budget must be approved by the General Assembly after being reviewed and recommended by the -- by COGFA. And no assessment shall be charged so long as an assessment is levied on insurers for the operation of the CHIP program. In addition, the bill also provides for the dissolution of the Comprehensive Health Insurance Program, which is CHIP. And this is a bill -- and let me just state as to how I think we got here to this place. And by no means is this the -- the -- the final product, but I think it's a -- a very good start that lays out what's important to us in moving ahead on the new health insurance plans that are going to take place starting this next January. It was important to me that in order for this to work that we, first of all, sit down with all the stakeholders - the advocates, the members of the administration, and people that represent the insurance industry, as well as business, both large and small. And through those conversations, and I think we all kind of came to the same conclusion that, in order for this to work, we all had to have a vested interest in why it should work. And so what this represents is a good compromise between all the parties that have participated in these discussions. And it's my belief that this is a very good start at trying to implement something that is very necessary for Illinois beginning in January of 2015. Just a little bit of

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background, there's going to be some phenomenal changes in the health care system that we know just in the past year that we've heard debates and -- and heard arguments when the ACA was passed, but it's now -- it's now here at our doorstep. In this first year, 2014, we know that the State of Illinois will engage in a State and federal partnership. We also know that it's important to everyone that I just mentioned that sat down and negotiated this that we do something to control our own destiny and that is to have a State-based exchange and to have that starting in -- in 2015. So with that, I -- I offer this as a -- as a compromise plan and something that I feel... So with that, I'd be happy to answer any questions on this.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR BRADY:

Thank you, Mr. President. To the -- speak to the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR BRADY:

I certainly respect Senator Koehler's interest in trying to advance the health care interests of the people of Illinois, but I rise in opposition to this piece of legislation and I -- I also know that he did a great deal he could to get everyone -- as many people as possible to support it. But I think it's important to note that the Illinois Chamber of Commerce and the Department of Insurance are neutral on the bill - they've withdrawn their support - and that the Illinois Insurance Association and Blue Cross Blue Shield has registered in opposition. In some cases, controlling

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our own destiny is a good thing, but I -- we don't believe in this case that it is; that the federal exchange may work better to keep the cost of insurance down, particularly through greater access to insurance. The fact that this is broad in its assessment language and it will assess insurers who aren't part of the exchange can create a conflict, can reduce access to insurance for Illinois citizens, and could increase costs. So I rise in opposition, with all due respect to the efforts of the sponsor, and would suggest that we would be better off maintaining a federal exchange, as opposed to an Illinois exchange that could work at the detriment of the people of Illinois.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR HAINE:

Thank -- thank you, Mr. President. Ladies and Gentlemen of the Senate, I rise in support of the gentleman's bill and I -- I must say, four months ago if you'd have told me that we'd be voting on an exchange bill or I'd be supporting one, I would have responded that the chances of that are the same as the Cubs winning the World Series. I'm just talking about the reality of life, not making any personal remarks about Cub fans. But Senator Koehler sat down with the industry and he -- his goal was to keep the exchange focused on the -- as Senator Brady eloquently said, focused on providing an access to affordable insurance and to keep Illinois consistent -- this exchange would be consistent with Illinois' free market insurance system, which is one of the best in the nation. We have a competitive environment and we want the exchange to assist that, not to obstruct it. It's better, in my

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view, to have an exchange that is market-oriented, run by the State, than one run by the federal government whose whims change from day to day. I -- I truly am impressed by Senator Koehler's work. And the Chamber of Commerce is neutral on the bill, although they testified in favor of this exchange in the Insurance Committee. And they said that it -- insurance exchanges predated the Affordable Care Act. They were adopted by a couple of states before the Affordable Care Act was passed and that's -- and their merits transcend any controversies over that Act. I would encourage an Aye vote to keep these -- these improvements going.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Haine. Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield. Senator Syverson.

SENATOR SYVERSON:

Senator, I want to join in with you -- with the others and say thank you for the openness in which you've worked on this and echo the comments of Senator Haine. A couple of questions in one specific area and that is the -- the CHIP area. In -- in this case, we've heard rumblings that this legislation, after we pass it here, will not be voted on in the -- in the House. If, in fact, this legislation does not pass, the federal exchange then goes into place. Our exchange wouldn't be beginning until '15 anyways, so there's not -- there's not a hurry from that standpoint. But what happens then -- if this bill is not passed, what happens to CHIP? CHIP would stay in place, would be my guess, but I think

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the law says that there -- there can't be assessments made against carriers for both subsidizing CHIP and for those who are going into the exchange. Clearly there would be a lot of individuals who are in CHIP that would then move to CHIP -- move to the -- into the exchange. So, how do you envision or what happens to CHIP if this legislation is not passed?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Thank you for your question. Yes, there's -- there's really no need for CHIP once the new system comes into place, because there, you know, is elimination of -- of preexisting condition as a -- as a reason not to be insured. So, quite frankly, what we'd have to do is we'd have to just have a separate piece of legislation to -- to dissolve it.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson.

SENATOR SYVERSON:

Then from a time frame standpoint to do that, is that -- when would we look at that as -- as something that we would do and is there -- from a timing standpoint, if we wouldn't be back until either the fall Veto Session or -- because just the timing issue and -- of -- of implementing a plan and when assessments go out to carriers, is that something that needs to be addressed as a backup this week or when do you see that -- the need to do that?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Senator, I -- I -- Senator, I -- I don't see that as a need

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this week. I guess I would argue that that's why it's important to vote for this piece of legislation, because we actually do dissolve CHIP in this -- in this bill. But I don't -- I don't want to just buy into the fact that people don't think this is going any place in the House. We've got a lot of support in the House. We want to send them the best bill that we can. I understand that this is not done as a finished product. And -- and there's going to be some discussions and I've already agreed to continue those discussions on some issues that, quite frankly, just -- we ran out of time in terms of resolving. But we have time coming back into Veto Session to do this. There needs to be a wind-down phase. We can't just chop this off, in my estimation. We need to make sure that the -- that we phase this out and into the new system; that people aren't left, you know, in between systems. So, we've got some time left to -- to deal with this.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, and -- and I'll just wrap it up with this. I -- I think the concern continues to be, not the work that you're doing here, but during that first year, people are concerned of, almost to a letter, everything that was promised initially in what was going to be the Affordable Care Act has not happened. Costs have been -- obviously are much higher; plans and deadlines haven't been met. The federal government has been changing deadlines. And I know people are concerned about should a state put their fingerprints on that until after we see that first year of the -- of government running this to see if it actually works. So I think that's some of the hesitation about people wanting to support this

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-- this State concept. But I certainly, again, appreciate what you've tried to do to make this the best of what is going to be, I think, a very difficult and problematic program going forward. But, again, I just wanted to raise the -- the issue, if, in fact, the House didn't act on it, what would happen to CHIP? But, again, we can look at that, I guess, if next week the House doesn't act on that. So, again, thank you for your time.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler, do you wish to close?

SENATOR KOEHLER:

Yes. Could you give me just one second?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Mr. President, we've got some people missing here. Right now, I'd like to pull this out of the record and come back on it.

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, we'll take the bill out of the record and return to it later. With leave of the Body, we'll return to House Bill 3236 as well. Top of page 10 of your printed Calendar, House Bill 3243. Senator Martinez. Senator Martinez. House Bill 3271. President Cullerton. House Bill 3319. Senator Koehler. Senator Koehler, do you want to try House Bill 3319? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3319.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Koehler.

SENATOR KOEHLER:

Yes, thank you, Mr. President, Members of the Senate. Now for something completely different. House Bill 3319 would allow farmers to bring materials to their land from off-site in order to compost without an Illinois EPA agency permit under specific conditions. The composting facility can only accept uncontaminated and source-separated crop residue or other agricultural plant residue generated from customary farming practices or plant-derived animal bedding, such as straw or sawdust. Composting additives cannot exceed ten percent of the total composting material at the facility at one time. I know of no opposition and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall House Bill 3319 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 55 voting Aye, none voting No, none voting Present. House Bill 3319, having received the required constitutional majority, is declared passed. House Bill 3346. Senator Althoff. Senator Althoff seeks leave of the Body to return House Bill 3346 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 3346. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Mr. President. Floor Amendment No. 1, offered by Senator Althoff.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff, on Floor Amendment No. 1.

SENATOR ALTHOFF:

...you -- excuse me. Thank you, Mr. President. Floor amendment becomes the bill and I'd be happy to explain it on 3rd.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff moves to adopt Floor Amendment No. 1 to House Bill 3346. 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?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3346. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3346.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, again, Mr. President. House Bill 3346 amends the Department of Veterans Affairs Act. It requires that the Illinois Discharged Servicemember Task Force, of which I am a member, to include the needs of women veterans with respect to issues including, but not limited to, compensation, rehabilitation, outreach, health care, and issues facing women veterans in the community, and it's to offer those recommendations in their end-

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of-the-year report in 2014. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall House Bill 3346 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting No, none voting Present. House Bill 3346, having received the required constitutional majority, is declared passed. House Bill 3359. Senator Dillard. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3359.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is a bill which passed the House unanimously and would establish a Precious Metals {sic} (Metal Purchasers) Task Force with representatives, a broad-based group of people including those from the industry, with respect to trying to figure out how, on a limited basis, you let law enforcement have access, particularly for the purposes of being able to track stolen gold and silver and jewelry. And I'd appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 3359 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 1 voting No, none voting Present. House Bill 3359, having received the required constitutional majority, is declared passed. House Bill 3367. Senator Tom Cullerton. Mr. Secretary, please read the bill.
ACTING SECRETARY KAISER:

House Bill 3367.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

SENATOR T. CULLERTON:

This bill just -- thank you, Mr. President and Members of the Senate. House Bill 3367 provides that the prohibition against two -- two-wheeled vehicles passing on another vehicle's right will not apply to human-powered vehicles.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 3367 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? Please take the record. On that question, there are 55 voting Aye, none voting No, none voting Present. House Bill 3367, having received the required constitutional majority, is declared passed. House Bill 3379. Senator Martinez. House Bill 3380. Senator Kotowski. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3380.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Mr. President. House Bill 3380 amends the Consumer Fraud and Deceptive Business Practice Act to allow a court-appointed guardian of a disabled person or a parent or guardian of a minor to request that a consumer reporting agency place a security freeze on that person/minor's credit report. This is an initiative of the Health Care Council, Illinois Department on Aging, TransUnion, Experian, AARP, and Cook County Public Guardian.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 3380 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. House Bill 3380, having received the required constitutional majority, is declared passed. And the final bill on Order of House Bills 3rd Reading is House Bill 3390. Senator Mulroe. Ladies and Gentlemen of the Senate, we are turning to the beginning of the Order of House Bills 3rd Reading, found on page 4 of your printed Calendar. House Bill 11. Senator Collins. House Bill 49. Senator Althoff. Senator Althoff seeks leave of the Body to return House Bill 49 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 49. Mr. Secretary, have there been any Floor amendments approved for consideration?

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ACTING SECRETARY KAISER:

Yes. Floor Amendment No. 1, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff, on Floor Amendment No. 1.

SENATOR ALTHOFF:

Floor Amendment No. 1 is -- is just a technical change in definitions and that's all it does, is to create the same phrase all throughout the legislation. It was just a drafting error. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff moves for the adoption of Floor Amendment No. 1. 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?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading, House Bill 49. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 49.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. House Bill 49 makes it a Class 3 felony for a person to knowingly sell, purchase, install, transfer, possess, use, or access any automated sales device,

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zapper, or phantom-ware for use in an electronic cash register or other point-of-sale system. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 49 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. House Bill 49, having received the required constitutional majority, is declared passed. House Bill 61. Senator Martinez. House Bill 71. Senator Mulroe. House Bill 84. Senator Althoff. Senator Althoff seeks leave of the Body to return House Bill 84 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 84. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes. Floor Amendment No. 2, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff, on Floor Amendment No. 2.

SENATOR ALTHOFF:

Thank you very much. Floor Amendment 2 makes it very clear that this legislation does not prohibit hospitals from exchanging drugs, when there is a drug shortage, between each other.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff moves for the adoption of Floor Amendment No. 2 to House Bill 84. 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?

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ACTING SECRETARY KAISER:

Floor Amendment No. 3, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff, on Floor Amendment No. 3.

SENATOR ALTHOFF:

I apologize to the Body. Floor Amendment No. 3 was the Floor amendment I explained previously. Floor Amendment 2 makes two changes. It establishes a system for reporting the reasonable suspicion and it also reports violations of this Act will be reported to the State's Attorney's Office and the -- and the Attorney General. I apologize. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Althoff. Is there any discussion? Seeing none, Senator Althoff moves to adopt Floor Amendment No. 3 to House Bill 84. 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?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 84. Senator Althoff.

SENATOR ALTHOFF:

Thank...

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, please read the bill, first.

ACTING SECRETARY KAISER:

House Bill 84.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

You're getting us all confused, Senator Althoff. Senator Althoff, to explain the bill.

SENATOR ALTHOFF:

I think this is my last bill of the day, so that's good. House Bill 84 makes it -- actually, it requires that any person that is engaged in the wholesale distribution of drugs in shortage must be licensed by the Department of Financial and Professional Regulations {sic} (Regulation). And it also makes it unlawful for any person to purchase or receive a drug in shortage from any person not licensed by the Department.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 84 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 1 voting No, none voting Present. House Bill 84, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return later to House Bill 105. House Bill 116. Senator Biss. Top of page 5 of your printed Calendar. House Bill 129. House Bill 183. Senator Raoul. House Bill 479. House Bill 490. Senator Hutchinson. House Bill 801. Senator Noland. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 801.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Senate -- or, excuse me, House Bill 801 is an initiative of the Illinois Nurses Association. It increases the offense of battery to aggravated battery when the victim is an on-duty nurse, thereby enhancing the penalty from Class A misdemeanor to a Class 3. I know of no opponents. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RAOUL:

To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR RAOUL:

While I voted in support and will support the gentleman's bill, I'd like to use it as a opportunity to caution that we have consistently added on to the classes of individuals that we create an automatic elevation of what would -- would otherwise be a simple battery, a Class A misdemeanor, to what will now be a Class 3 misdemeanor {sic} (felony). This was originally designed to be targeted towards law enforcement officers and expanded to a variety of -- classes of individuals, and if we keep on, on this pathway, we will -- we might as well just repeal the simple battery provision, which is, again, a Class A misdemeanor, and just say that battery to anybody is a Class 3 felony.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR BIVINS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR BIVINS:

I'd have to agree with Senator Raoul. I -- you know, I think we've -- we keep adding people to the -- to the statute and probably shouldn't have in the past. It -- it does cover people for -- for a variety of -- of areas of where they receive a battery, it becomes aggravated battery - permanent disfigurement in a public place. And I -- I think we are -- we do have to be very aware of that and I would urge a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Noland, do you wish to close?

SENATOR NOLAND:

I'd just like to advise the Body that this is just bringing nurses in line with other first responders and emergency personnel - police officers, firefighters. If we're willing to do this for cab drivers, government workers, postal workers, certainly we ought to protect our nurses, who oftentimes perform examinations and health care in private and are particularly vulnerable to attack at times. So I'm just -- I believe that this just brings us more in line with our current statutes and I -- I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall House Bill 801 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Aye, 9 voting No, none voting Present. House Bill 801, having received the required constitutional majority, is declared passed. House Bill 804. Senator Silverstein. Senator Silverstein seeks leave of the Body to return House Bill 804 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 804. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes. Floor Amendment 3, offered by Senator Silverstein.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein, on Floor Amendment No. 3.

SENATOR SILVERSTEIN:

I'll explain -- thank you, Mr. President. I'll explain Floor Amendment 3 on 3rd Reading.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein moves to adopt Floor Amendment No. 3. 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?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 804. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 804.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. 804 is agreed-upon language which changes the definition of predatory criminal assault -- sexual assault of a -- of a child to be more inclusive of the male victim. The amendment adopted the changing the definition of sexual penetration -- the amendment also {sic} alters the offense of predatory criminal (sexual) assault of a child to be more inclusive of male victims.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall House Bill 804 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. House Bill 804, having received the required constitutional majority, is declared passed. House Bill 821. Senator Raoul. Senator Raoul seeks leave of the Body to recall House Bill 821 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 821. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes. Floor Amendment No. 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul, on Floor Amendment No. 1.

SENATOR RAOUL:

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Floor Amendment 1 adds language from what -- which -- what was Senate Bill -- 1004, which passed the Senate earlier this year unanimously, which clarifies the process by which a person who has been granted a -- of -- certificate of innocence may have his or her criminal records expunged. This is a bill that Senator Trotter sponsored earlier this Session that got caught up in the House that passed the Senate unanimously.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 821 pass. All -- no? I apologize. We got ahead of ourselves. Senator Raoul moves for the adoption of Floor Amendment No. 1 to House Bill 821. 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?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading, House Bill 821. Senator Raoul. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 821.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill -- 821 amends the Code of -- Code of Corrections to

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provide that a court shall enter an order for a certificate of innocence if a conviction has been vacated as a result of a claim of actual innocence based on newly discovered evidence, thereby allowing the court to automatically enter an order, rather than requiring the -- the defendant to initiate a separate civil proceeding for a certificate of innocence.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall House Bill 821 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. House Bill 821, having received the required constitutional majority, is declared passed. Continuing on the Order of House Bills 3rd Reading, House Bill 922. Senator Holmes. House Bill 946. Senator Manar. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 946.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Manar.

SENATOR MANAR:

Thank you, Mr. President. House Bill 946, with the amendment, creates the Young Adults Heroin Use Task Force. The Task Force will be administered by the Department of Human Services and is to report its findings by June 30th, 2014. We had an extensive discussion on the bill in committee. I know of no opposition and

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be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator McCarter.

SENATOR McCARTER:

Senator -- Senator, for the benefit of the few that asked questions, why were there as many No votes in the House on this? Is there any -- something changed since it came from the House?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Manar. Senator Manar.

SENATOR MANAR:

Thank you. I'm not sure why there were No votes. I'll -- I'll offer this to you, Senator McCarter: The change that was made in an amendment for the bill in the Senate was to transfer the oversight of this Task Force from the State Board of Education to DHS, which I would argue is more suited for the -- for the task.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR MANAR:

Ask for an Aye vote, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Question is, shall House Bill 946 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. House Bill 946, having received the required constitutional majority, is declared passed. House Bill 948. Senator Haine. Senator Haine seeks leave of the Body to recall House Bill 948 to -- to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 948. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes. Floor Amendment No. 3, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine, on Floor Amendment No. 3.

SENATOR HAINE:

Floor Amendment No. 3, Mr. President and Ladies and Gentlemen, is a -- is a revision of -- it -- of some parts of Senate Floor Amendment No. 2, in a technical sense, but in a substantive sense, it also mandates that the Department of Agency -- of {sic} (on) Aging develop rules on how an individual accused of abuse can challenge a finding of abuse and placement on the registry. They're going to wait, because they have competing concepts now.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine moves to adopt Floor Amendment No. 3 to House Bill 948. 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?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

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3rd Reading. Now on the Order of 3rd Reading, House Bill 948. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 948.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is the result of concerns that were raised last year in a series of newspaper articles from the Belleville News-Democrat, who reported at least fifty-three adults with disabilities living in domestic settings died after calls were made reporting abuse to DHS and none of these were investigated by the DHS's Office of Inspector General. The -- as a response to that, the Governor's Office looked at several models and they found that the -- that placing adults with disabilities into a structure dominated and supervised by the area agencies on aging through the Department of -- of {sic} Aging was the way to -- to handle this. So it'd be removed from DHS and OIG, which didn't have a -- an expertise in this regard. The Department of -- of Public Health and DHS had separate historic missions, one involving nursing homes, the other involving group homes and other such, and didn't have a -- a -- really an expertise in this particular area, with the sad result that we saw. So this model they found, which is actually used in forty-four states, was the Adult Protective Services model. The Department on Aging has operated a similar program for thirty-some years, operated through partnerships with

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the area agencies on aging, who contract with many other service agencies in their areas. In my particular area, it's the Southwestern Illinois Visiting Nurses. They work with IMPACT, which is a developmentally -- I'm sorry, a -- an agency which deals with those who suffer disabilities, and LINC in this Belleville area. So this removes the adults with disabilities who are in a home setting under the general aegis of the Department on Aging and -- and they're -- they're going to develop the rules and they're going to work with their area agencies, as I indicated, to implement this and expand their mission, which historically has been the elderly, to the adults. Overlaying it will be the advice and general supervision of Equip for Equality, which is an old organization, venerable, that has dealt as an advocate for those with disabilities. They are going to offer advice on setting this thing up. The caregivers will use -- they will be subject to investigation by the Department on Aging and the area agencies. And they will use the registry of DPH, which has an historic registry established for caregivers in nursing homes who are -- have been accused and found to be -- those who perpetrate abuse and financial exploitation, and they will use that registry for the unpaid caregivers that will deal with this population. And those rules have to be -- be established. There are many moving parts, but the -- this is a strong -- this has the strong support of the Governor. This is the -- my director of area agency on aging is very enthusiastic about it. It will provide -- if properly funded, it will provide a way to offer services, counseling and, most important of all, some supervision over how people with disabilities who are adults, but not aged, are being given care in homes, domestic settings.

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PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 948 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting No, 1 voting Present. House Bill 948, having received the required constitutional majority, is declared passed. Senate {sic} Bill 983. Senator Althoff. Senate {sic} Bill 1017. Senator Steans. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1017.

(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. Currently, Illinois law does not allow electronic data sharing for mental health information in real time, so this bill is sort of updating the Mental Health and Developmental Disabilities (Confidentiality) Act to allow for that. And I would ask for an Aye vote. Been working with a lot of organizations. This is important to help for care coordination activities that have -- are going on, to be able to share that information. And we've been working with the IHA and the Office of Health Information Technology and a lot of community -- the Community Behavioral Healthcare Association on this bill, and would ask for your support.

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PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 1017 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting No, none voting Present. House Bill 1017, having received the required constitutional majority, is declared passed. With leave of the Body, we're going to skip back to the bill we just passed over. That's Senate {sic} Bill 983. Senator Althoff. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 983.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, again, for the courtesy. Senate Bill -- House Bill 983 changes the current thirty-day -- it's -- it deals with alternate revenue bonds. It amends the Local Government Debt Reform Act. It changes from, currently, thirty days to forty-five days for the electorate to petition to file for a backdoor referendum to authorize or reject the issuance of alternate revenue bonds. It also includes a specific definition of enterprise revenues. It includes an exemption for projects concerning public utilities, public streets and roads, public safety, and related infrastructure and equipment. And it also makes the effective date January 1st, 2014.

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PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 983 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. House Bill 983, having received the required constitutional majority, is declared passed. Continuing on the regular order, House Bill 1189. Senator Cunningham. House Bill 1238. Senator Dillard. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1238.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Members. This is an initiative of the H Foundation and the Lurie Comprehensive Cancer Center of Northwestern University and would create what I would call the Committed to a Cure license plate for cancer. And I would appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 1238 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 1 voting No, none voting Present. House Bill 1238, having received the

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required constitutional majority, is declared passed. On the top of page 6 of your printed Calendar, still on the Order of House Bills 3rd Reading, House Bill 1247. Senator Mulroe. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1247.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. House Bill 1247 will require a person who chooses to use their cell phone while driving their car to use the phone without having it in their hands. This bill will allow for one touch to receive or initiate calls. It will also allow you to dial your phone if you're in neutral or in park and in emergency situations. This bill without a doubt will provide safer roads, uniformity amongst -- in our State, and will also be good policy. We all know of examples, either watching videos or YouTube or personal examples, of people getting injured or dying as a result of using their -- their cell phones while -- or someone's using their cell phone. Senator Hastings had parents come in, who testified during committee, and -- where a daughter was driving through an intersection and a gentleman was using his cell phone, or dialing it, ran through a stop sign, T-boned her and killed her. Representative Fine's husband was -- lost his arm as a result of a -- a semi-truck driver going in one direction, crossing the median, striking his car, and he lost his arm. I just recently came down to Springfield and saw

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a girl with her -- her phone in her right hand and twirling her hair in her left hand, so she was driving with her knees, while -- while on the phone. And recently in the State Journal {sic} (Journal-Register) - it was May 7th, 2013 - it recounted a story of a seventeen-year-old girl, Kelly {sic} (Kelsey) Raffaele's last words on -- while on her cell phone to a friend, was "I'm going to crash! She -- she clipped a snow bank, spun out of control, was T-boned by an SUV, and died. So it's definitely going to make the roads safer. It'll also provide uniformity amongst our State. There are seventy-two municipalities currently that have ordinances requiring some form of hands-free. In Evanston, statistically, their crash rate has gone down seventeen percent from 2009 to '12. It's -- this is also going to be good policy, because right now we do not allow texting. We do not allow our commercial drivers, professionally trained drivers, to operate a phone while in their hand while driving. We also have no phones in school or construction zones. And there's many other reasons that this is a good bill and I'd ask that everyone vote Yes. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Murphy.

SENATOR MURPHY:

Senator, you know, I appreciate your efforts at trying to make the roads safer and I understand where you're going with this,

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but I -- I guess I -- I look at this and I think of the people who are sitting in traffic on our Chicago highways for extended periods of time and maybe they don't have -- you know, they don't have the money to have the Bluetooth or, you know, the synced in with the car. They are going to lose the ability to have that time sitting there, most of which is under five miles an hour on the Kennedy, be useful time. Isn't that the case? Or is there something in your bill that says that you can -- that -- that there's exceptions for that?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Thank you for the question, Senator Murphy. First of all, in Chicago, currently, you cannot operate your phone while driving when it's in your hands. So that would be a violation of the City ordinance, one of the things we're trying to make uniform. Secondly, in the bill, on page 2, Section {sic} (subsection) 6, it provides "a driver using an electronic communication device when the vehicle is stopped due to normal traffic being obstructed and the driver has the motor vehicle transmission in neutral or park". So if the traffic is completely stopped, you put it in neutral and dial out, and you're free to operate your phone provided it's not in your hands.

PRESIDING OFFICER: (SENATOR LINK)

Senator Murphy.

SENATOR MURPHY:

But, I mean, let's say you're on the Jane Addams, so you're

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not quite into Chicago yet, and you've got stop-and-go traffic that you don't get to the point of being in park, but you're really never getting above five to ten miles an hour. You are going to lose the freedom if you didn't -- if you weren't fortunate enough to have a car that had hands-free, you're going to lose the freedom to use your phone, when the guy in the Lexis right next to you, who has the hands-free, is going to be able to do that. I mean, doesn't this bill create that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

No. I have a -- Senator Murphy, I got a phone that's probably about fifteen years old and all I have to do is hit speaker and I'm free to talk with it out -- without using -- or having -- holding the phone in my hands.

PRESIDING OFFICER: (SENATOR LINK)

Senator Murphy.

SENATOR MURPHY:

Is there a meaningful difference between hands-free and holding the phone in terms of the data on safety?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

I think the statistics show that both are -- whether you're holding the phone in your hands or talking on a phone without holding it in your hand, both have statistically been proven to be distracted -- distracting while you drive. But if you're holding a phone in your hand, first of all, the -- your -- both your hands are not on the wheel. If you needed to change lanes, you can't

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signal unless you drive with your knees, and if you were holding the -- the phone in your hands, you can't observe what's to your -- it -- it blocks your peripheral vision. So if you're going to change lanes, you may crash into the person next to you if you do that. So there -- I believe there is a significant difference. Not to mention, what if you drop your phone? Then your -- your eyes will be on your phone instead of your eyes being on the road, which is where they should be. And, statistically, if you're driving fifty-five miles an hour and you take your eyes off the road for about four seconds, you'll have traveled the length of a football field without looking -- keeping your eyes on the road, which, in my opinion, could be worse than drinking and driving. It's -- it'd be like driving with a blindfold.

PRESIDING OFFICER: (SENATOR LINK)

Senator Murphy.

SENATOR MURPHY:

But the statistics don't bear out a meaningful difference between hand-held phone -- having a hand-held versus just speaking on a phone, which I guess begs the question, when is the bill coming that's says you can't talk on your phone at all?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

You know, we -- both are distracted. We're just trying to take -- trying to reduce the -- I -- what I believe is the higher level of distraction, is when you hold your phone in your -- your hand. And the Evanston ordinance and their statistics -- and probably the statistics are not real good in -- in gathering these, so you may have a point, but Evanston provided me with statistics

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that showed their crash rates went down from 2009 to 2012 by seventeen percent after instituting or enacting an ordinance that prohibited use of your phone in your hands while driving.

PRESIDING OFFICER: (SENATOR LINK)

Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President. John, I -- I appreciate what you're trying to do here. I have the utmost respect for you and -- and -- and the House sponsor, who's with us, as well. The -- the -- the problem that I see with this is this is just one more step towards us losing sort of essential freedoms in the interest of safety. And, you know, I don't know, frankly, that I am any more distracted with the -- with the hands-free, with the phone to my ear, than I am when I have somebody in the passenger seat and I'm having a lively conversation about that sixty-seven percent income tax hike that you guys passed. So, I guess, where do we draw...

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR MURPHY:

...the line -- where do we draw the line on what these distractions are? How do we differentiate? How do we define? I can be way more distracted by a kid crying in the backyard -- or, backseat. I mean, how many times on vacation as a kid, did you get from your dad that "so help me God, if I have to pull this car over", 'cause you and your brother are screwing around in the backseat, and you're trying to find the furthest corner of the '76 LTD backseat that you can to avoid his arm? I mean, that's more distracting to me than this, but there's no bill on that. And I

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guess the question becomes, at what point do we acknowledge that people are going to be responsible for their conduct or they're not? And we can't legislate this. You're not necessarily going to get the type of compliance. I think you're driving us to -- down a direction where we're taking more liberty and I question seriously whether or not this makes us any safer. I urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR SYVERSON:

Senator, how does this work then with -- are GPSs allowed to -- are you allowed to have a GPS unit in your car?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Thank you, Senator Syverson. Yes. In -- in subsection (a), it provides that it does not include a global positioning system, or a GPS, or navigation system.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

So a GPS that looks just like a phone that you're trying to type in an address that you're trying to look where you're going, which is probably more distracting than even a phone, so a -- a

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GPS, typing that in, is allowed, just not -- just not on a cell phone?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

It -- it doesn't specify that, Senator Syverson, but I would hope before you engage in your travels, you're going to enter the coordinates of your GPS or where your destination is, so you're not actually looking at your phone and monkeying around with your phone and trying to put in addresses that probably will take you ten seconds while you're driving. Your eyes should be on the road. That's the most important thing. If you can communicate with your phone and put in an address voice-wise, while your eyes are on the road, it's okay. The bill doesn't say that you -- it says you can use your GPS system while you're driving. I would hope you don't use it or have to dial it in while you're driving, though, 'cause that means your eyes are off the road.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

Well, unfortunately, with -- hoping doesn't change what this -- or doesn't really implement what this law does and the irresponsible ones are probably the ones who are going to be doing that with their GPS. Is the same true for an iPod as well or any other music instrument that has units that you can type in songs and do things with those?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

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Senator Syverson, I believe that's already illegal under the -- the bill that we passed a few years ago on no texting. It included those types of devices.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

Then the next question is that the -- under the law, you're allowed to push one button on the phone, but you're not allowed to dial on the phone. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Well, you can initiate a call with -- if you can do it with one touch or you can receive a call if you can do it with one touch. I mean, just -- just listen to what we're saying here. And we heard this as well in committee, and then we had a lively debate in committee. It was a very good debate. But if you are trying to dial your phone, you go to your contacts, then you scroll down to the contact, then you hit it again. How many seconds have passed when you are looking at your phone instead of looking at the road? And, you know, there -- there's -- it can wait. Get to a safe place, dial your phone, get into traffic, then you -- where you can keep your eyes on the road instead of on your phone.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

Again, I'm not arguing that. I'm just trying to argue how we enforce that. If you're allowed to push one button as opposed to allowed to push four or five, if I'm driving at forty or fifty

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miles an hour, how is that police officer going to know if I'm pushing one button or if I'm pushing four or five? When I'm going fifty-five miles an hour past that police officer, how is he going to know which of those I'm doing if he's going to stop and give me a ticket?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Like any trial, I mean, you're going -- the police officer is going to have to provide testimony of what he observed. If he sees one touch, that's it. He won't be able to testify to anything else. I -- my example, coming here to Springfield two weeks ago, I rolled up on the right side of the -- the -- the lane because -- this -- this young lady in the car went from the right lane to the -- to the passing lane with her phone held in her right hand. I -- I went into the right lane because she wasn't -- she was probably going below the speed limit. I watched her. That's the testimony that if I was the police officer, would provide in court. Judge, I saw this woman for a period of over fifteen seconds with her hand holding her phone to her right ear. She didn't even know I was there and then later I -- I went by her and then she had -- was twirling her hair with her left hand, so she was driving with her knees.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

Thank you. 'Cause -- but my question was not about seeing a person holding a phone up to the ear, the question is, I'm driving fifty-five miles an hour and you're sitting there as a law officer,

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now have I done it once or have I pushed seven times? How on earth is a police officer going to honestly stand there or sit there in court and say, "I saw them go past me at fifty-five miles an hour and I saw them dialing seven times, not one time"? How is that possibly going to happen?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Senator, if it's impossible for him to testify that he observed someone punching in seven times, then he -- it's an impossibility. He won't be able to testify to that. So your answer is he can't charge someone or ticket someone if they don't see him. That's how it should work, unless he's going to make his case up. That's it. I mean, he -- just like I observed that young lady, he would have to observe this young lady or a young man or whoever it is dialing the phone or holding it to their ear.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

Now it's not me, so I'll just use -- I'll use Senator Murphy's car for example. Some of these guys that have these newer vehicles that have the phone touch pads on their console, where you can do your OnStar and you do your -- your XM radio and you also have your dial pad on there - are you allowed to dial and make phone calls using that pad that is installed as part of the vehicle, as opposed to a cell phone? Is that allowed under this legislation?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

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Not unless you can do it with one touch, but I assume that a device like that that's already in the car has the ability to get activated by voice. So, "call Dave Syverson", then it would do it. You don't have to touch anything and it'll make the call. That -- what you just described is higher on the technology scale than my fifteen-year-old phone that I can operate and comply with this law.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

I guess I'll just wrap up with this. I -- I certainly appreciate what you're trying to do to make roads safer, but I think this is going too far and it's going to make a lot of criminals of individuals that are -- are conscientious drivers. We're not addressing, you know, GPS issues. We're not addressing people eating in cars, reading newspapers in cars, adjusting radios in cars. This is about teaching drivers to be better, conscientious drivers than opposed to making it difficult for law-abiding citizens who are responsible in trying to do things. So, I understand what you're trying to do and -- but I hope that others will join us in voting No on something that is really becoming too intrusive. Thank you for answering my questions, and -- and for your time, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

A few questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

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SENATOR McCARTER:

Senator, I -- I'm a little concerned about the number of touches here. And -- and I -- and let me just preface this with I've got -- I've got my Bluetooth here in my hand. I -- I bought this, not this exact one, but -- since I think I washed two before this, but I bought one right after I was coming to the Senate last year, a mile and a half away from my house, and there was a head-on collision in front of me and the young lady on her phone - everyone knew that, because the people following her for five miles before that, had seen her on her phone - head-oned a truck. When I came upon the accident, the car was on fire, the four-year-old had been broken out of the backseat, and I sat there and thought I was going to have to watch her burn to death. She ended up losing both her legs, the baby died on-site, and I went to the Bluetooth. Now, I -- I've got -- I don't know if I could ever use a phone that's fifteen years old, but - I don't think I've used one more than a year and a half old - but I run my businesses on this and it does a lot of things. Now I think that's one of the things we're looking at. What has changed since -- you know -- you know, from fifteen years ago? The phone does a lot more things today than it used to do. I mean, there's not much I can't do with this, and I will submit to you, too, that individual GPS devices are probably going to go away, because the GPS on a phone is so much better. But, I'm concerned -- so -- so I want to do what's -- I want to do what's right. I want to do what makes it safe, but I'm concerned about the touches. I mean, as much as I want on my own to do what's right, it's hard for me not to make four touches on this just to call my wife. I mean, I've got to turn it on; I've got to go to the home screen, because I typically

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wasn't there; I've got to go to phone; I've got to swipe two times and then touch my wife's number. You know, pushing this button on the side of the Bluetooth and saying, "call home", doesn't always work. It's obviously not going to work for people that can't afford this. Is -- does that concern you at all that it's not realistic to have a one-touch operation here?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Senator McCarter, I -- I understand your concerns. I'm going to have to change my behavior as well. But what I'm more concerned with today is not the touches, but I'm concerned with people dying on the roads, the texting with "O". We've seen all the -- they end up underneath the back of a semi-truck with their head cut off. They end up hitting a tree off the road. They end up in the other -- oncoming traffic and causing a collision and killing or maiming someone. I'm not only concerned with the people that are actually -- die as a result of you using your phone and end up in an accident. It's going to ruin your life if you end up in an accident and -- and maim someone or kill someone. This is all about keeping your eyes on the road. Keeping the roads safer. And -- and think about it, when -- how long have cell phones been around? It can wait. I -- I have a -- a colleague who said she pined for the -- the olden days when we didn't have phones. It can wait. Get to a safe place. If you really, really need to make that phone call, get to a safe place to make it. You're going -- you may save your life, which is very important to your family, but your -- you may ruin your life if you kill someone else. So this is totally about keeping our roads safer and I -- I think

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this is an effective way to do it, and I believe we will have to change our behavior a little bit and -- to make sure that we drive safer.

PRESIDING OFFICER: (SENATOR LINK)

Can we keep the noise down on the Floor, please? This is a very important subject matter. Senator McCarter.

SENATOR McCARTER:

Senator, I -- I -- I agree with you. I mean, I just gave you an example of how it -- it changed me. Okay? I don't think there's not anyone in here that doesn't want the roads to be safer and doesn't want to protect lives, but we are looking -- I mean, the reality of this is a bill that has words in it and words have meanings and they -- and we need to get those words right before we go forward. We can't just go forward with an average set of -- of -- of meanings because we care. So, I think we all care. It's really a question of how do we go forth and make it safer, but be realistic about the law that we're going to put in place, because -- I would ask you the other question, I mean, a fine of seventy-five dollars, does that -- is there a similar fine for the twirling of hair, for the putting on of makeup, the eating food, I mean, the other typical distractions which I don't think are specifically listed in law?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

I'm not -- I'm not aware of what the fine structure is regarding those other distracted driving things as well, but we all -- I mean, it's -- we're not trying to take away the use of our phone. We're just trying to make it safer to use them. And

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that's what I'm -- that's what my goal is here.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

You mentioned Chicago and that, by ordinance, you can't use the phone while driving. Now, how long ago was that, that that ordinance went in place?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Senator, I -- I'm just giving you an estimate. I'm not sure. I think about four or five years.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

So, four or five years ago. Have there been any studies in Chicago to show that there have been fewer accidents since that ordinance has been put in place?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

I don't have that information with me. I'm not sure whether there has been a study. But I can point to a study that was done by Evanston. And remember, there -- there's seventy other municipalities that require this and there's, I think, eleven states that also require hands-free while -- while using your phone. Evanston statistically states that the crash rates went down seventeen percent as a result of their -- while their ordinance was enacted from '09 to '12, crash rates went down

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seventeen percent.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Well, I -- I would -- you know, you would -- you would think that there -- in four or five years, there would be some evidence. That -- that concerns me that we -- how can you -- how can you sit here and say, well, it's been in Chicago, but we -- by the way, we have no evidence that it really made a difference. Have you talked to -- have you discussed with any of the opponents about any kind of a phase-in to this, to where -- because let's face it, we're -- we're changing culture here. I mean, we really are. I mean, there is -- there was a time -- if I would take -- if I would light up a cigarette right here on this Floor, it -- it would be the same as me stripping off my clothes. I mean, you'd think what -- what's wrong with this guy, smoking a cigarette out on the Floor? 'Cause we know that's no allowed here. There were times in -- in -- you know, in -- in Chambers that people smoked a lot and we've had Leaders from this Body that smoked a lot around other people, but culture has changed and we just think that's -- that's wrong now. Littering - there are people who used to throw out big bags of trash. If you did that passing by the front door today, we'd all think that you were, you know, crazy. Seatbelts - at some point, you know, you had to buy the seatbelts and have somebody weld them into the car. Now, you don't -- you can't get in the car without your kids saying, "Dad, I'm not leaving until you put your seatbelt on." Now our kids are teaching us, so that doesn't happen overnight. Have we made any attempts to phase this in to where those that maybe can't afford this Bluetooth right now will

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understand that we are moving to a, you know, policy and a -- and a law of no phone use while driving? Have you done that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

That was -- that was a long question. I was -- I -- first of all -- and I -- if I don't answer it, just ask what I missed. First, there is no opposition to the bill. People are neutral or support it. There is additional statistical data that is done by a number of entities. Texting, which would be similar to dialing while you're driving, increases the crash rate -- or risk eight to twenty-three times. It's -- this was done by Focus Driving {sic} (on the Drive)/NSC. Another statistic done by Monash University: Drivers who use hand-held devices are four times more likely to get into crashes serious enough to injure themselves. And finally, this is by the University of Utah: Using a cell phone while driving delays a driver's reactions as much as having blood alcohol concentration at the legal limit of .8 {sic} (.08) percent. And just to get back, you don't need a Bluetooth. All you need is a phone that has -- you're able to insert a piece and plug your ears in, and you're driving hands-free, your eyes are on the road. So we don't need -- where our technology is changing, we have to change with it. This is -- everyone probably knows another example where someone has been injured as a result of using a cell phone, if not killed. So I -- I think this is a -- it makes sense to -- to move forward in the direction we're moving.

PRESIDING OFFICER: (SENATOR LINK)

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

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SENATOR JONES:

Question to the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR JONES:

Senator Mulroe, does this bill mirror the -- the law, the -- or the ordinance in Chicago?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

It does a little bit, actually, but Chicago is actually, I believe, more restricted. It doesn't even allow the one touch and it's a higher fine.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jones.

SENATOR JONES:

In Chicago, you're allowed to dial a telephone number, correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

No, the -- the Chicago ordinance says that, except as otherwise provided in subsection (b), no person shall drive a motor vehicle while using a mobile, cellular, analog wireless or digital telephone. It doesn't provide an exception for dialing that I'm aware of.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jones.

SENATOR JONES:

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But it -- but it doesn't say you can't dial, correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Well, it says you can't use it, so I'm -- if you can't dial it, you probably can't use it.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jones.

SENATOR JONES:

My understanding of the Chicago ordinance, you are able to dial a number; you just can't hold the phone up to your ear.

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

I'm not aware of it, but the plain language of their ordinance does not allow you to dial your phone.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jones.

SENATOR JONES:

Senator, I don't think they make any phone where you can just do a one touch call. Only if you're receiving a call, is a one touch, 'cause you just answer it. You know, I think I have one of the newest phones in the Chamber and I have to go through several obstacles just to get to the voice dialer. So do you -- do you think this -- this bill is reasonable and -- and our constituents are able to follow it? Because us, as lawmakers, we can't even follow this law.

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe, I think there was a question there.

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SENATOR MULROE:

Senator Jones, I think it is reasonable. There are one touches to receive, like you said. Initiating a phone call, I think there's technology that allows you to do that by voice or by one touch. But more importantly, Senator Jones, I want you around here. I'm going to have to change my behavior. You're going to have to change your behavior. I don't want you to end up underneath a semi-truck and your head cut off or ending up in -- you know, crashing into a tree or in oncoming traffic. If you need to make that phone call and it's so important for you to make that phone call at that moment, get somewhere safe to dial it and then get back on the road and travel -- travel safely.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jones.

SENATOR JONES:

To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR JONES:

Today, these new phones that we have -- this is a Galaxy X3 -- S3 and to be able to unlock the phone, you have to push a button. So after that, to unlock my phone, I have to swipe and put in a code, so that means I'm breaking the law after I do that. So, I believe this law is -- is -- we cannot -- our constituents cannot follow it. I think it's unreasonable. I'm highly in favor of safe driving, but I believe we should allow more than just one touch. At least allow people to dial a number, because there's many other distractions, radio, GPS, air conditioning. There's many other distractions in a vehicle while you're driving. I

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believe that a one touch is a little bit overbearing. So I urge a No vote. No -- no disrespect to the sponsor. I have utmost respect for him, but I certainly urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bivins, for what purpose do you rise?

SENATOR BIVINS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR BIVINS:

I actually want to support this bill, because, Senator, you are correct. This -- this phone does -- is a distraction. It does cut your peripheral vision off and -- which is really important when you're doing things like changing lanes and you're -- you're pulling away from a stop sign. I've had people do it to me. I'm sure people in here have had same thing happen. You're cutting off peripheral vision and that's -- and that's very important while you're driving in certain functions. However, I -- I'm a little uncomfortable with some of the language and some of the -- the objections that's -- that -- some folks have in here. I was wondering if you wouldn't pull this from the record. We could work on -- I'd be happy to work on this with you and -- and maybe correct some of that or maybe an amendment. So I would -- I would offer that and I would like to support it, but as it's written, I don't think I can.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

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PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR RIGHTER:

Senator, I want to ask about a couple exemptions that you've placed in the bill to which this prohibition won't apply. One - and I'm going to take 'em in reverse order - one, is enumerated as number ten. I'm going to read it and then I want you to tell me what this is. "A driver using an electronic communication device capable of performing multiple functions, other than a hand-held wireless telephone or hand-held personal digital assistant, for example, a fleet management system, dispatching device, citizens band radio or music player, for a purpose that is not otherwise prohibited by this Section." What is that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

I think this is language that was -- we -- we put in there as a result of federal language and the trucking industry was actually suggesting that be put in there to be consistent with our federal laws governing travel on our interstates.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

And I appreciate that you got this from federal law, but that's not what I asked. What is it? I mean, how does someone back home - and, again, sometimes we don't appreciate enough the clarity that needs to be in these bills so that the people who are now required to abide by these prohibitions have any idea what the rules are - someone back home who reads that and says, "Okay, I

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don't have any idea if I own one of those or not. I don't know what that is." So tell me what it is.

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Well, I can tell you the -- in the bill itself, it provides examples of a -- a fleet management system, dispatching devices, citizens band radio, or -- or a music player. So that's what it is.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

So if someone has an iPhone and has iTunes on it, which is obviously a music player, are they then exempt from this ban on a hand-held device?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Based on what you said, it's probably a fair interpretation of the -- the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

I'm -- I'm sorry, Mr. -- could you repeat the answer? I didn't hear you, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Based on what -- the way you phrased it, I would say it's

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fair to interpret that to be a music player, which is exempt.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

So I could -- under your interpretation of your language, I can flip through my iTunes on my phone while I'm driving. I can download music. I can play music. I can skip from song to song, all of that in my hand, but I can't have a phone conversation with a school official, who's called me because my child is sick?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

I actually think that, you know, it goes back to another previous question, that I believe that use, as the way you described it, is banned under the -- the no texting law that we enacted. I would not encourage anyone to do the -- what you described, because that's exactly what we're trying to discourage, people from looking through phones, looking through players and -- we're not covering everything here. There's many distractions that we brought up. Trying to be very specific as to phone usage that we know directly, statistically, increases the risk of crash.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

And -- and I understand that, Senator, but -- but in bills like this there's two issues: what it is we're choosing to ban or not ban and how any can one -- whether there's clarity on whether or not we're banning something or not. And I would suggest to you on that iTunes example right there, there's not clarity on that.

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But I would like to, in the interest of time, Mr. President, move to exemption number seven, which is this prohibition will not apply to a citizens band radio. Am I reading that correctly? So a CB that's used in a -- in a semi-tractor trailer, example, is that -- am I reading that correctly? That's what that refers to?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

That is correct. Commonly used by truck drivers as they travel through our -- the United States.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

I'm going to ask you a question here, Senator Mulroe, and I don't know if you're going to know the answer to it. I don't know the answer to it. But do you know the difference in the weight and destructive capacity between an eighteen-wheeler and a Honda {sic} Prius?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

I do not, but I can tell you, we passed a law last year that prohibits professionally trained commercial drivers from using phones while they're in their hands.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Did that prohibition last year include CBs?

PRESIDING OFFICER: (SENATOR LINK)

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Senator Mulroe.

SENATOR MULROE:

No.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Well, I guess the point, Senator, is, is that you want to make sure that the girl, who was twirling her hair with one hand and had the phone in the other hand, that you described earlier, or anyone else in a car, to not use a hand-held device and you do so in the interest of safety on the roads, but we're going to be okay with someone barreling down the interstate in an eighteen-wheeler occupying their hand with a CB. And I'm just curious about why such a huge carve-out for people who are driving vehicles, which we'd all have to agree -- I mean, if the Honda {sic} Prius jumps the median and goes on the other side of the road, there'd probably be some destruction, but, man, if one of those eighteen-wheelers did, you know that's going to happen. So, in the interest of safety, why that carve-out?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

I don't have the exact answer to that, Senator Righter, but it's all about a balance of -- balance between safety and also providing truck drivers -- interstate -- our interstate commerce, to increase that, and that was an important concern of them -- theirs. They wanted it in there; that's why we put it in there. And they are -- they're professionally trained drivers.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Righter.

SENATOR RIGHTER:

I have to believe that in this day and age, Senator Mulroe, that if we're going to be serious about safety on the roads, we can surely, surely, devise a system. And I suspect that there already is one here, there's already one in place where an earphone could be used for people who are driving eighteen-wheelers. Why this General Assembly would make a -- I don't understand why this General Assembly would make a statement that we're going to be less concerned about the use of a hand by someone who's driving such a large vehicle - and we have in place a laundry list of -- regulations for truck drivers out -- out of concern for the size of the vehicle that they're driving - and not do the same thing for people who are driving smaller cars.

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Senator Righter, you know better than anyone, there -- in negotiating a bill, there's give and takes. There's balancing and everything. They requested it. In my opinion, I would -- I would think professionally trained drivers have better technology than people in passenger cars. They are able to activate their CDs -- or CB radios without touching with earphones and the like. This was important to them. That's why we put it in there.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LINK)

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To the bill.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Senate, I think that Senator Mulroe, there at the end, probably finally said what we all realize here. There's a carve-out in here for people who are driving eighteen-wheelers. And so maybe the pedestal on which we want to stand if we want to vote for this, about being for safety on the roads, ought to be a little bit lower than some of us are pretending we should stand on. If we're going to be for safety on the roads, then let's be for safety on the roads. The technology exists, and is in play in some areas, to allow for an earpiece for someone who's driving an eighteen-wheeler. And God forbid that this becomes -- this pass and become law and one day one of us is asked by the parent of someone who was killed in a crash with an eighteen-wheeler because the driver was using a hand-held CB, "Why is it that you thought it wasn't good for me or my daughter or my son or for me to take a call on a hand-held from school about a sick kid, that that shouldn't be permitted by law in the name of safety, but it was okay to let these eighteen-wheelers continue to barrel down the interstates with a hand-held CB?" That's just not the right thing to do. If we're going to be for safety on the roads, let's be for safety on the roads, and this bill falls short of that. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Couple quick questions of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

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SENATOR JACOBS:

Senator, where do you get one of these hands-free devices?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Walmart, Kmart, any of the phone companies, or Targets, any -- eBay, you can buy them over the Internet. I'm not -- maybe you need -- I'd ask you to rephrase the question.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

Well, some folks may not be able to afford these hand-held devices. And so what I'm concerned about is that the rich folks, who've got hand-free devices built into their cars, they probably going to love this bill, but how about those folks who can't afford those hand-free devices? Where -- what should they do? Is there a government program to help them buy the hands-free device in order to comply with -- with State law?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

That's a -- a good question, Senator Jacobs, and I anticipated that question, so I went on the Internet and tried to find out how much do earpieces cost for somebody who might have a phone such as mine that's not, you know, the most current technology, and they were as cheap as three dollars and ninety-nine cents, up to nineteen ninety-nine, four or five earpieces. Then I thought, the cost of an earpiece, how do I balance that with respect to someone's life that we can save by spending three dollars and

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ninety-nine cents on an earpiece, and I thought it's worth spending that much money on it.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

I believe your statement. What I'm having trouble with, though, is that I'm looking on the -- the innergoogles here and on this spacebook and I'm finding out that hands-free is no safer than someone with a phone pressed against their ear. So how do you -- making that distinction between letting the rich folks have those hands-free devices and those poor folks not being able to use their phone at all or else going to Walmart and buying what they need to buy to get so they can become hands-free?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

I -- I think I brought this up before, Senator Jacobs. The Evanston ordinance, it -- since it's been enacted, crashes have gone down seventeen percent. And I brought up those other -- those other documents or studies that showed actually using your phone, hand-held, does increase the risk of a crash.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

I think your bill makes a lot of sense in theory, but in reality, I think it's very difficult to enforce. I think it's difficult to implement. I think that the best thing for people to do in their cars, if they want to be safe, is not to drive, because that would solve anybody getting hurt on the roads. But it does

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seem to me, at the end, is that -- last year, Senator Sandoval had a bill here that said you couldn't have your dog on the -- in -- in the front seat of the car jumping on your lap, but it's okay to have hands-free Internet talking just as long as the dog is on your lap -- or I'm just confused. I think what you're doing here is -- is a good idea. I think in principle, I -- I support it, but in theory, I think this comes down to a personal choice. People have to make decisions in their lives. Anyone that texts on their phone and drives is a fool and anybody who talks while they're driving is an idiot. But that doesn't mean we should have a law to say so. Thank you, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Van Pelt, for what purpose do you rise?

SENATOR VAN PELT:

To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR VAN PELT:

Well, I'm in support of this bill and the reason why I am is because I believe we have a responsibility. We know that there's more accidents as a result of people using cell phones, driving and texting. We know that. It's clear. It's been -- it's been studied enough for us to know that and I think we have a responsibility to do something about this. Now I know one of the Senators spoke about the fact that the eighteen-wheelers can go barreling down the road with a CB, but we cannot solve all the problems with one bill. I've seen people distracted and driving on the cell phone, texting, calling, all kinds of things, and I think that it needs to stop. In Chicago, you -- you will get a

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ticket for holding a phone in your hand without dialing it, without dialing the phone. If you have it in your hand, you will get a seventy-five-dollar fine. So this is far less than that and I believe that it's -- it's a necessary bill. And I support Mulroe and -- and everybody else that's -- that's been pushing this kind of thing. We need this kind of change and we need it -- we need to be proactive as State legislators to be sure that we're protecting as many people as possible. It's not like you cannot take a phone call from your -- your daughter's school or your son's school. You just have to pull over to the side of the road. That's it. Just pull over and stop and hear what they have to say and then you can drive again. It's not like you've got to wait till you get home. You can do it at the same -- the same time, as soon as you get somewhere that's safe for you to pull over. So I encourage an Aye vote on this bill and I hope that we stand -- stand up and -- and push this through, because it's important for the safety of our children and our families and all of our lives.

PRESIDING OFFICER: (SENATOR LINK)

Leader Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR SULLIVAN:

Thank you, Ladies and Gentlemen, and actually I was going to ask some questions to the sponsor, but I think they've been asked and -- and answered multiple times. I rise in opposition to this legislation. And, really, it seems to me, it comes down to the issue of -- of -- of whether you can hold a phone to your ear or,

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to me, whether you can use, as I do, a device like this to speak on. And I think -- I think holding -- I think having both hands on the wheel is important, but as the sponsor and I have discussed in private, my -- my BlackBerry here is not a one-touch device. I spend a lot of time -- I represent eleven counties in downstate Illinois. I spend a lot of time on the road and I use that time to correspond with my constituents and to make phone calls and to talk to them, and this is time that I can really utilize. Under this legislation, that would not be allowed with my phone. I think that one of the beneficiaries of this will be the cell phone companies that will be able to require us to buy phones - right? - that are one-touch phones. My BlackBerry wouldn't work, my wife's phone wouldn't work, my mother-in-law's phone wouldn't work. So I rise in opposition to it. I have great respect for the sponsor, but I rise in opposition and I certainly ask for a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Leader Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

To -- to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR SILVERSTEIN:

It's been an interesting debate. You know, I've been down here for fifteen years and the Legislature, which it does, always, sometimes, most often, acts -- acts after the fact. Someone got -- someone gets hurt or, God forbid, gets killed, we find a loophole, we close the loophole. And how many times we've had bills named after people that have been hurt or have been

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tragically killed? The sponsor and Representative D'Amico are being proactive. That's what we're supposed to do. Now Senator McCarter, which brought -- brings up the seatbelt argument. Now I wasn't around for the seatbelt argument and I'm sure President Cullerton can enlighten us what happened there, but he was able to get that bill through because seatbelts saves lives, and I'm sure there was a lot of opposition. I think this is a good bill. I understand that people have some objections, but our job here is to save lives and to protect the public. I don't want to put any Jewish guilt on anybody, but I just think this is the right thing to do this time. Thank you very much.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

To -- to the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR RAOUL:

I have to say that, you know, I respect all of the arguments that have been made in opposition to this bill, because I used to be one who would make all of those very arguments. In fact, when I first came into the General Assembly, it was one of the aldermen from my district, Alderman Natarus, who introduced the ordinance banning the use of phones within the City and who approached me about introducing such of a -- such a bill in the General Assembly. And I said, "No. No, I'm not for that. I'm not for that." But I evolved and, you know, I've even spoken against bills in the past with regards to texting and so forth, and I evolved based on personal experience. And I can say I've even evolved with regards

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to - seatbelts have been mentioned - my use of seatbelts. And -- and as a Senator from the other side of the aisle mentioned, my children have helped me in that evolution, 'cause they constantly remind me, as well as that ding, ding sound in my car. But -- but I'm reminded of the fact that it's all about saving lives. And we've all had the experience where we've had a car swerve in front of us, almost hit us or hit us, and then we pull up next to that car and we see that person dialing their phone or on their phone, focused on their phone and not the road. We've had testimony too often in the Criminal Law Committee of real-life incidents of people being killed as a result of the distracted driving from phone use. And I'm one that, you know, I really don't want, you know -- my sentiment generally is I really don't want Uncle Sam coming inside of my car and telling me what to do, but after what I've personally witnessed, personally getting peed off when somebody pulls in front of me and -- and puts my life and the life of my children at risk, I think we should all evolve to the point that I have been able to do, where we take this measure and -- and support it. And I believe, just as we've been able to appreciate the use of seatbelts, we'll come to a point in time where, you know, as the Senator mentioned, where this is a no-brainer, that this is a no-brainer. And with regards to the argument of the affordability of -- of a earpiece, you know, with all due respect to my colleague, that's a nonsense argument. The earpiece comes with the phone. These earpieces you can get for -- for -- for close to nothing. And as the Senator pointed out, balancing that to the lives that would be saved as a result, that -- that should be an easy decision for fifty-nine Members of this Body to make. Vote in favor of saving lives.

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PRESIDING OFFICER: (SENATOR LINK)

Senator McCann, for what purpose do you rise?

SENATOR McCANN:

Will the sponsor yield for a question, Mr. President?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR McCANN:

Senator Mulroe, in committee, how many insurance companies showed up to testify in favor of this legislation, saying that they believed it would make the roads safer, it would make life better, and that the world would generally be better if this piece of legislation were to become law?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

Senator McCann, they -- they did not show up. I'm assuming they didn't show up because they were convinced, as well as I, that this will save lives and it'll actually have a positive effect on the roads. And you know what? This is going to save everybody money too, in their insurance premiums. We decrease the accidents, we decrease the deaths on the road, it will -- it should directly decrease the premiums that you pay for insuring your car.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCann.

SENATOR McCANN:

Is an infringement of this -- this violation -- if you were to commit this violation, were it to become law, would it be a moving violation?

PRESIDING OFFICER: (SENATOR LINK)

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Senator Mulroe.

SENATOR MULROE:

Actually, this came up during committee, and as -- an accommodation to Senator Dillard, who -- raised that as an issue, we amended it. So our amendment states that the first violation is not a moving violation and we reduced the fine to seventy-five dollars. The second violation will be a moving offense.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCann.

SENATOR McCANN:

So a second offense would be a moving violation, so at that point, your insurance premium would go up?

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

And you know what? Yours should. If you violate it - probably got a warning the first time, ticketed the second time for a petty offense and they went into your pocket to pay seventy-five dollars - and now you're doing it second or third time, I would argue it makes sense to increase the insurance on a person who does that, because they don't get it and they are a bigger risk to driving on the road than someone who complies with the law.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCann.

SENATOR McCANN:

While the insurance companies didn't show up, I believe there was a major -- a national -- or international cell phone carrier that did show up to testify in favor. Would -- would you refresh my memory as to who that cell phone carrier was?

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PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe.

SENATOR MULROE:

I think Verizon Wireless showed up, along with, I think, Jay Shattuck was -- no, no, Jay Keller was there.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCann.

SENATOR McCANN:

...bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR McCANN:

Senator Mulroe is one of my very dearest friends here in this -- in this Chamber. He and I went through orientation together. I love him to death and I -- and I respect where he's coming from and I see some of the merits to the argument. But at the end of the day, we -- we didn't have any insurance companies show up to testify in favor of the bill. I sit in the -- on the Transportation Committee. I have to tell you, the entire day leading up to that committee hearing, I anticipated -- out of all the folks that could have showed up, quite frankly, I anticipated several, but not even one showed up to testify, for or against it for that matter. But Verizon did show up, a company that would stand to gain -- that would stand to gain quite substantially from the sale of all this new technology. They showed up to testify for it. I -- I guess I am like many of those folks in this Chamber who have spoken against the bill. I -- I'm thinking of the old adages: How do you eat an elephant? One bite at a time. How do you feed someone an entire loaf of bread? One slice at a time. Where does it stop?

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At some point -- I understand the arguments that we need to come here and be proactive to make society better, but I'm one of those people who believe that the people -- that the people are perfectly capable of taking care of themselves, that we cannot legislate every minute of their lives. And so I would request a No vote. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Mike Brooks from WICS requests permission to video and photo. Seeing no objection, permission granted. Senator Bush, for what purpose do you rise?

SENATOR BUSH:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR BUSH:

Yeah, you know, I signed as a -- a cosponsor on this bill. I had a -- a young gentleman that was here with me on the Floor a few weeks back that's working on his Eagle badge and this was a project of his, to try and get cell phone hands-free in -- in the State of Illinois. And I have a couple of things, and -- and not to make you feel guilty, but I -- I do have a personal story of when it would have been a good idea if somebody didn't have a phone to her ear. I have some friends that live in Grayslake. Her daughter -- their daughter was driving - young college student - she was driving, talking on the cell phone, had the cell phone to her ear, talking to her father as she hit black ice, and if her - - both of her hands had been on the wheel, maybe she'd still be alive today. They don't -- when they teach you to drive, they don't say ten, they don't say two, they say ten and two. That

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means both hands on the wheel. So you're always a safer driver with both hands on the wheel. I understand that we want to preserve our personal freedoms, but not when we can do something that saves lives, that really doesn't limit us. We can still talk on the telephone. It's not very difficult to use the speaker on your phone and I'm one of the worst people driving down the road. I mean, I'm using that phone too. And I have to tell you, I know I'm distracted. I know I'm not the safest driver out there, and we're not riding a bicycle, folks. We're -- we're driving down the road with things that weigh thousands of pounds. And -- and, really, they're a weapon when we're distracted. So, I'd like to give you some numbers too, and -- and this is -- this is a fact. A third of all accidents caused in the United States, people are talking on their cell phone. Now are they distracted if -- if you're using a hands-free device? Yeah, you're still distracted - there's plenty to show that - but I think a good first step. And I'm not going to say that maybe another step down the road, we might not look at changing technologies and say maybe we shouldn't be talking on the phone. But people die. Young people die. Elderly people die. The fact is, people die because we're distracted when we're driving, and if we can change -- if we can save a couple of hundred lives a year, that's probably worth it to me to remember to use my speaker phone or to remember to -- maybe I can make that call later, because most times I'm just kind of filling time. It's not that important. Somebody else's life, maybe even my own, is more important than taking away a little boredom. So, anyway, I would urge an Aye vote and thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator LaHood, for what purpose do you rise?

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SENATOR LaHOOD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR LaHOOD:

Mr. President -- and I thank the -- Senator Mulroe for bringing this bill. And I have to admit, I've been pretty conflicted listening to the debate back and forth on this bill, and I've come to the conclusion that the enforcement is going to be very, very difficult on this bill. I also have not been convinced by the statistics in other jurisdictions and what they've done. But I guess from my perspective, from a public policy standpoint, looking at kids sixteen to twenty-six and changing behavior is really what this is about. And I think you mentioned that earlier, and that's -- in the risk analysis, at looking at changing behavior with young people from sixteen to twenty-six and what that will do to save lives, improve safety on our roadways, I think the benefits outweigh the negatives on that. I'm going to support this bill and I urge a Yes vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe, to close.

SENATOR MULROE:

Thank you, Mr. President. This bill, it's all about just making the roads safer. Thank you, everyone that has participated in the discussion. We had a lively debate in committee. It came out of committee, I believe, thirteen to two. I appreciate all the comments, both for and against. I would also like to recognize our Secretary of Transportation, Ray LaHood. Actually, at many conferences of which our House -- the House sponsor was at. Is -

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- recognizes the distractions and that this is a -- an epidemic nationwide and we need to address it. And there's some consideration of actually banning cell phone use at all in the car. I'm not asking that today. I'm not asking to take away your car. I'm just asking you to drive it safer. Don't -- don't be drunk while driving your car - seems to make sense. Make sure your eyes are on the road instead of on your phone - seems to make sense. I just want you to use your phone more responsibly. I'm not saying it -- it's time to take away your phones or take away your cars. I just want everyone to drive safer. This is going to be a benefit to you when you -- you're driving your car, and, God forbid, you end up underneath a semi-truck or in -- into a tree or that you cause someone else to die. It's either going to -- you may lose your life or you're going to ruin your life if you -- you kill someone else. You know, the -- the argument about convenience and, yeah, I want to -- I want to make calls to people - and -- and that's okay; we're not taking your ability to do that -- you know, take that away - but it's an inconvenience, but there's sometimes costs that occur with inconvenience and someone's life by that -- you know, causing an inconvenience to you far outweighs the expense or the cost of someone's life. This is -- this is just an easy way to try to make our roads safer. I'd ask everyone to vote Yes.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 1247 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 34 Ayes, 20 Nays, none voting Present. House Bill 1247, having received the required

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constitutional majority, is declared passed. Mr. Secretary,
Messages from the House.

SECRETARY ANDERSON:

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

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

Senate Bill 1197.

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

House Amendment 1 to Senate Bill 1197.

We have received like Messages on Senate Bill 1358, with House Amendment 2; Senate Bill 1474, with House Amendment 1; Senate Bill 1530, with House Amendment 1; Senate Bill 1565, with House Amendment 1; Senate Bill 1621, with House Amendment 1; and Senate Bill 1775, with House Amendment 1. Passed the House, as amended, May 23rd, 2013. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Thank you, Mr. President. If we could maybe split the introductions, we have guests here today. One of my guests is a good friend of mine from law school, and undergraduate, Steve Derue. He is an Assistant Lake County State's Attorney and is -- also happens to be the nephew of Representative JoAnn Osmond. And I will say, I think correctly so, Steve got me through ComLaw, but I think he -- I helped him out in real estate, so it worked out well. And I'll leave it to Mr. President to introduce our other

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guest.

PRESIDING OFFICER: (SENATOR LINK)

And our other guest is our newly elected State's Attorney from Lake County, and I welcome 'em both to the Illinois Senate. And I hope you -- Mr. Nerheim, I hope you do not hold that against Mr. Derue for being any kind of connection to Senator Rose. Welcome to Springfield, both of you. Senator McCann, for what purpose do you rise?

SENATOR McCANN:

For a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR McCANN:

To my left, I have Miss Hannah Maberry. Hannah is graduating tomorrow from Winchester High School in Scott County. Hannah is the reigning Miss Western Illinois Fair Queen. She is -- her -- we are joined, excuse me, by her mother, Patricia, here behind me. Hannah has had fourteen years of dance, and that entrepreneurial spirit is strong in west central Illinois, Mr. President, because Hannah would like to -- to go into business for herself and have her own dance studio. She plans to attend Lincoln Land Community College when she graduates and I hope you'll join me in welcoming her to Springfield.

PRESIDING OFFICER: (SENATOR LINK)

Welcome to Springfield. With leave of the Body, we're going to go to House Bill 3227. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3227.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. We've already had some good debate on this. I'll not reread what I presented at -- at first. I'll just ask for any questions and I'll make some concluding comments at closing.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR SYVERSON:

Thank you, Mr. President. Just as a reminder on our side that this is a issue that's already been debated and it's the -- it's the State's expansion of the Obamacare and there's still some questions I think that are -- still need to be addressed. And so, just alerting everybody, this is the bill we debated earlier today. 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 discussion. As I mentioned before, this is not, you know, an end product, but it's a -- it's a very good start. And when we began and sat down with all the parties involved in this, you know, I knew that the only way that this would work is to make sure that everybody had a reason to want it to work. And we -- we know that we're on the brink of having some phenomenal changes in our health care system. I think what's important is that we be able to -- in

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year 2015, that we be able to control that destiny by having a State-based exchange. I think that's something the industry certainly shares with -- with -- with me on that and -- and a lot of other advocate groups as well. So, with that, I'd just ask for an affirmative vote. I understand the politics of this. I -- I wish this would be a bipartisan vote. I'm not expecting it. The reason we pulled it from the record -- the one thing I've learned in my six and a half years in the Senate is you had better learn to count to thirty. So, thank you for all the comments and appreciate your support.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 3227 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 37 Ayes, 19 Nays, none voting Present. House Bill 3227, having received the required constitutional majority, is declared passed. Now on the Order -- back to the Order of 3rd Readings, House Bill 1295. Senator Sandoval. Senator Sandoval. Out of the record. House Bill 1330. Senator Sandoval. Out of the record. House Bill 1335. Senator Mulroe. Out of the record. House Bill 1346. Leader Harmon. Out of the record. House Bill 1375. Senator Kotowski. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1375.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Kotowski, on your bill.

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SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1375 amends the Downstate or -- Firefighter Article of the Illinois Pension Code and equalizes the pension a deceased firefighter's child receives.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 1375 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 55 Ayes, no Nays, none voting Present. House Bill 1375, having received the required constitutional majority, is declared passed. House Bill 1443. Senator Kotowski. Out of the record. House Bill 1453. Leader Harmon. Out of the record. House Bill 1457. Leader Clayborne. Out of the record. House Bill 1544. Senator Manar. Out of the record. House Bill 1683. Senator Dillard. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1683.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard, on your bill.

SENATOR DILLARD:

Thank you, Mr. President and Members. This legislation actually comes from an expert in the human services area, my State Representative, Patricia Bellock. And it requires the Department of Human Services, when a State mental health facility is closed, that the money from that closure shall go to the appropriate line

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item providing appropriations for the -- authority for the new venue of care for those patients. So if you're going to close a mental health facility, the money needs to stay for the purposes of mental health. Make sure that the money goes with the patient, which is what we care about, making sure that those who truly need our help get that assistance. I do not know of any opposition. We've worked closely with the administration on this and I'd appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 1683 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, none voting Present. House Bill 1683, having received the required constitutional majority, is declared passed. House Bill 1810. Senator Sandoval. Out of the record. House Bill 2317. Leader Harmon. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2317.

(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. Is there an amendment pending on this bill?

PRESIDING OFFICER: (SENATOR LINK)

Amendment that -- 1 was already adopted.

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SENATOR HARMON:

Then I'd like to take the bill out of the record. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

House Bill 2418. Leader Harmon. Out of the record. House Bill 2423. Leader Hunter. Out of the record. House Bill 2427. Leader Harmon. Out of the record. House Bill 2494. Senator Jacobs. Out of the record. House Bill 2518. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2518.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez, on your bill.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. House Bill 2518 amends the Department of Revenue Law of the Civil Administrative Code. It makes a couple of different changes. First, it will give the Department of Revenue the ability to adopt rules and regulations that would allow them to accept credit card payments as long as the Department doesn't pay a discount fee to the credit card user {sic} (issuer). The bill also changes the interest rate that the Department pays to taxpayers on refunds and taxpayers pay to the Department on late payments. The bill also creates a minimum penalty amount for failing to file a sales tax return for titled personal property. And, finally, the bill increases the maximum balance that can be in evidence -- in evidence from -- fund from five thousand to twenty-five thousand.

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And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is -- oop! Late light. Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will yield.

SENATOR McCARTER:

Senator, I know in the -- the committee there was no votes in opposition, but there are thirty-four in the House. Is there any difference in what was voted on in the House and what is here that might reassure some on my side that this is still a good bill?

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Senator McCarter. This is a great bill. I'm presenting you to this bill. But, in reality, it is -- there was a misunderstanding on what some of the things the bill did and I think after that, that's why there is no opposition. There was -- no opposition here in the Senate. And there was no one testifying against the bill. So..

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Senator McCarter.

SENATOR McCARTER:

Senator, there -- there -- there is a -- there is -- within the bill, there is a penalty of a hundred dollars. Can you explain who that applies to and why?

PRESIDING OFFICER: (SENATOR LINK)

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Senator Martinez.

SENATOR MARTINEZ:

Give me one second.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

Thank you. The -- the reason why that penalty is in there, that's for folks who are failing to actually file.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

To the bill. Yes, Senator, you're correct and I -- and I -- I just learned that as well, but I think the -- the issue is when there is nothing really owed and then you don't file, you can't take a percentage of zero, so that -- that's why the hundred dollars was added. So I -- I appreciate you clarifying that. I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, Senator Martinez, to close. The question is, shall House Bill 2518 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, none voting Present. House Bill 2518, having received the required constitutional majority, is declared passed. House Bill 2520. Leader Muñoz. Out of the record. House Bill 2535. Senator Steans. Out of the record. House Bill 2583. Leader Muñoz. Out of the record. House Bill 2614. Senator Martinez. Out of the record. House Bill 2716. Out of the record.

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House Bill 2747. Leader Harmon. Out of the record. House Bill 2715. Senator Bush. Out of the record. House Bill 2753. Senator Biss. Out of the record. House Bill 2764. Leader Muñoz. Out of the record. House Bill 2767. Senator Tom Cullerton. Out of the record. House Bill 2773. Leader Sullivan. Out of the record. House Bill 2777. Leader Sullivan. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2777.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Leader Sullivan, on your bill.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. House Bill 2777 amends the Emergency Medical Services Systems Act to give the Department of Public Health the authority to execute license renewals for emergency and non-emergency vehicles at -- at intervals designated by the Department, but not less than every four years. It also maintains annual inspections for emergency and non-emergency vehicles. I'll be more than happy to answer any questions. I know of no opposition.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 2777 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. House Bill 2777, having received the required constitutional majority,

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is declared passed. House Bill 2812. Senator Steans. Out of the record. House Bill 2869. Senator Steans. Out of the record. House Bill 2905. Leader Harmon. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill...

PRESIDING OFFICER: (SENATOR LINK)

Senator -- Senator Harmon seeks leave of the Body to return House Bill 2905 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 2905. Mr. Secretary, are there any Floor amendments 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. The amendment makes the bill more consistent with the CLEAR Commission recommendations for the Criminal Code. I move for its adoption.

PRESIDING OFFICER: (SENATOR LINK)

Any discussion? Senator Rose, on the amendment? Okay. Seeing no -- no discussion, 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?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is House Bill

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2905. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2905.

(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. House Bill 2905 is an initiative of our former colleague in the House and now Cook County Recorder, Karen Yarbrough. It enhances the -- the -- or it makes intentional clouding of a real estate title a Class 4 felony if -- if it either is a second offense or exceeds ten thousand dollars in value. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Just a question of Leader Harmon, if I may, on the bill.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR ROSE:

Thank you, Leader. I'm unfamiliar with this statute. Could you explain to me how -- how you get to a criminal offense of clouded title? Is there a mens rea requirement for that?

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President. Yes, the underlying statute, which

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we're -- we are amending, is an -- an intentionality requirement. Any person who intentionally records or files or causes to be recorded or filed any document in the recorder's office that is a cloud on the title of the land, knowing that the theory under which the purported cloud is not based is -- is based is not recognized as a legitimate legal theory, creates -- commits the offense of clouding of title.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR ROSE:

And -- and, Leader Harmon, what -- what's the rationale from going from the Class A to the Class 4? And I'm -- I'm glad to hear that you have the -- there is a mens rea requirement. It requires that knowing that what you filed is not legally valid, but what's the rationale for -- for making this a Class 4?

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon.

SENATOR HARMON:

Well, the Recorder in her experience in the office has discovered that there are several types of folks who are intentionally clouding title. Her office responded to a similar inquiry from me and I can summarize very briefly for you. They encounter four areas of problem. The sovereign citizens - we've debated in other context - people who are using government documents to -- to try to create an alternative legal status. More common are foreclosure rescue scams - people coming to homeowners and saying, I can stall your foreclosure, and then using the clouding of title in part to do so. Retaliatory filers - people who file against judges or prosecutors or -- or people in

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government offices as a means of harassment. And then perhaps the most insidious are intentional forgeries. The neighbor across the street is an elderly woman. She may or may not be here for many more days. Someone files clouds on the title to attempt to take advantage of that situation. So those are the things. So, again, if it's of significant value or if it's a recurring offense, the Recorder believes that law enforcement needs more tools to redress that.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR ROSE:

I just appreciate your answers to the question. I -- I was unfamiliar with this and -- and thank you for the indulgence.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Leader Harmon, to close? The question is, shall House Bill 2905 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 2905, having received the required constitutional majority, is declared passed. House Bill 2925. Senator Biss. Out of the record. We'll skip 2955. House Bill 2977. Leader Harmon. Out of the record. House Bill 2993. Senator Biss. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2993.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Biss, on your bill.

SENATOR BISS:

Thank you, Mr. President and Members of the Senate. This bill has, as its primary purpose, putting, from Article 1 into Article 15 of the Pension Code, the provisions of the Tier 2 benefit package for the State University {sic} (Universities) Retirement System. It has, I think it's fair to say, literally no substantive impact, but it's really, from a whole bunch of points of view, pretty sloppy and convoluted to have Tier 2 drafted the way it is and this improves upon that. Happy to take any questions and I urge your support.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 2993 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 55 Ayes, no Nays, none voting Present. House Bill 2993, having received the required constitutional majority, is declared passed. House Bill 3006. Senator Hunter. Out of the record. House Bill 3010. Senator Holmes. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3010.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Holmes, on your bill.

SENATOR HOLMES:

Thank you so much, Mr. President. House Bill 3010 is an

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initiative of the Kendall County State's Attorney, Eric Weis, and it was sponsored in the House by Tom Cross and it passed with bipartisan support. It basically creates a Second Chance Probation, which is a twenty-four-month minimum post-trial program that provides for first-time nonviolent offenders to avoid a felony conviction upon completion of the probation. The court, with consent of the State's Attorney and the defendant, may, without judgment, sentence the defendant to probation. Then there are a series of provisions within the program. They have to perform a minimum of thirty hours of community service; submit to periodic drug testing in a time and manner ordered by the court, but not less than three times during the twenty-four-month probation, at the defendant's cost; require restitution to the victim or property owner. And if the defendant violates any of the provisions, the probation is ended and the sentencing guidelines that are in current law will be applied. Anyway, basically what this does is it allows nonviolent offenders the chance to prove they can change their lives for the better. It does not change any of the sealing or expungement laws that are currently on the books. I'd be happy to answer any questions.

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)

Indicates she will.

SENATOR RIGHTER:

Thank you. Senator Holmes, something you said there at the

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very end caught my attention. You said, it doesn't change any laws with regards to sealing or expungement. Now, do you mean it doesn't change any of the procedures that one has to go through in order for sealing and expungement, as opposed to expanding the list of crimes for which sealing or expungement may be eligible? 'Cause those are -- those are two different issues.

PRESIDING OFFICER: (SENATOR LINK)

Senator Holmes.

SENATOR HOLMES:

It -- it does not change any of the procedures. It does allow those who have completed this program, obviously, to be eligible to go through the procedure.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Then, Senator Holmes, can you go through - and if you -- if you did in your opening, I apologize - I'm going to ask you to go through the complete list of offenses that we are adding to the list that -- for which expungement or sealing could be possible underneath this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Holmes.

SENATOR HOLMES:

A probational felony offense of possession of a controlled substance that's punishable as a Class 4 felony - so it is not possession with the intent to deliver or sell; possession of methamphetamine that's punishable as a Class 4 felony; theft that's punishable as a Class 3 felony based on the value of the property or a Class 4; retail theft that's punishable as a Class 3 felony;

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criminal damage to property that's punishable as a Class 4 felony; criminal damage to government-supported property that's punishable as a Class 4 felony; or possession of cannabis which is punishable as a Class 4 felony. I know when I brought this before committee, there were a few other offenses in there that you were not comfortable with and we talked about and, to be quite honest, neither was I, which were eliminated from this program, which was deceptive practices, forgery, possession or use of another's credit or debit card. Those are no longer a part of this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Now let's go to the other side of this, Senator Holmes, and that is the eligibility to get into Second Chance Probation. If someone has already committed a felony of any kind, regardless of how long ago it was, can someone apply for and receive this Second Chance Probation for one of the offenses you've listed?

PRESIDING OFFICER: (SENATOR LINK)

Senator Holmes.

SENATOR HOLMES:

No, they cannot. Oh, I -- I was going to say, I can also continue to say a person's not eligible for the program if the offense at issue is a violent offense or if the offender has been previously convicted of a violent offense or a DUI. And then there's obviously all the terms of the probation that have to be met.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

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You said if they've been convicted of a violent offense. Does that include a -- a misdemeanor?

PRESIDING OFFICER: (SENATOR LINK)

Senator Holmes.

SENATOR HOLMES:

I believe it does, but let me verify that before I give you a definite answer. Any -- any sexual offense or any offense that bodily harm was inflicted upon means they're not eligible for this program.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter. Is there any further discussion? Senator Holmes, do you want to close?

SENATOR HOLMES:

I -- I would just ask for an Aye vote. This, I think, is a -- a compassionate way of trying to get somebody who has hopefully committed a not-so-serious crime from -- getting their life on the right track and becoming a contributing member of society.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 3010 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 51 Ayes, 2 Nays, none voting Present. House Bill 3010, having received the required constitutional majority, is declared passed. House Bill 3021. Leader Silverstein. Out of the record. House Bill 3035. Senator Jacobs. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3035.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs, on your bill.

SENATOR JACOBS:

Thank you, Mr. President. This bill passed 98 to 0 out of the House and there's no opponents that I know of. House Bill 3035 changes the name of Disaster Relief Fund to Disaster Response and Recovery Fund, so that they can reassign some donations and sponsorships to the Emergency Planning (and) Training Fund.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3035 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3035, having received the required constitutional majority, is declared passed. House Bill 3043. Senator Manar. Out of the record. House Bill 3081. Senator Haine. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3081.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill which establishes a minimum of fifty dollars for the -- for littering the highways and byways of the State of

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Illinois.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion on the bill? Seeing none, the question is, shall House Bill -- Senator Duffy, for what purpose do you rise?

SENATOR DUFFY:

Thank you, Mr. President. I was late on the switch. Question for the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR DUFFY:

Senator, I'm just curious. How did you come up with the fifty dollars? Why is it fifty and not a hundred or not ten dollars?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

I'm sure in the House they did just what you did. Ten is too low, a hundred's too high, and fifty seems like Goldilocks.

PRESIDING OFFICER: (SENATOR LINK)

Senator Duffy.

SENATOR DUFFY:

Now doesn't this take away local control from municipalities and law enforcement? Why -- why is the State coming in and mandating what the littering fine will be?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

No -- no, sir. Local jurisdiction can establish its own fines on this matter, as in many others. We already have a Litter

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Control Act and it doesn't do anything but add a minimum fine under that Act.

PRESIDING OFFICER: (SENATOR LINK)

Senator Duffy.

SENATOR DUFFY:

So I -- so I guess I'm confused then. If we already have laws in place to take care of this and if municipalities can take care of this themselves, then why are you proposing this law?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

The -- the -- the current law establishes a Class B misdemeanor - a -- six months in jail, a fifteen-hundred-dollar fine; Class A misdemeanor - one day less than a year in jail, the -- the county jail, and twenty-five-hundred-dollar fine; and so on. All this does is set a minimum fine, fifty bucks. So we're not doing violence to the scheme that the Legislature has set up over the decades.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall House Bill 3081 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 43 Ayes, 11 Nays, none voting Present. House Bill 3081, having received the required constitutional majority, is declared passed. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Thank you, Mr. President. Under Senate Rule 7-4, sub (5), I

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would move to table House Bill 2755 at this time.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose, for clarification, do you want to table the amendment or the bill?

SENATOR ROSE:

Both. I'm the principal sponsor.

PRESIDING OFFICER: (SENATOR LINK)

With leave of the Body, Senate -- House Bill 2755 is tabled. House Bill 3088. Senator Martinez. Out of the record. With leave of the Body, we'll pick up a couple bills that we skipped over. House Bill 3128. Leader Harmon. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3128.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Several years ago, I -- I passed a law that would preclude a convicted rapist from attempting to exercise parental rights. This bill takes that a step farther and would allow a -- a mother, in a civil proceeding, with clear and convincing evidence, to prove that the father of -- of the child should be denied rights because the child was conceived through nonconsensual relations. Not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall

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House Bill 3128 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3128, having received the required constitutional majority, is declared passed. House Bill 3223. Senator Frerichs. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3223.

(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. House Bill 3223 amends the Illinois Prevailing Wage Act to improve complaint investigation enforcement. This bill promotes efficient government and expedites the payment of back wages to workers who are underpaid by contractors. The problem we have is currently there's no consistency in the reporting of certified payroll records because many different forms are used. This forces the Illinois Department of Labor to take the added step of pursuing and sometimes subpoenaing information that should have been filed with the public body at the outset. This delay means that workers must wait even longer to receive their full wages and forces Department of Labor staff to utilize limited financial resources to seek necessary information. So the solution is this bill offers a solution by standardizing the information that contractors must include on their monthly certified payroll submissions; requires

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contractors to file all of the information IDOL needs to determine whether prevailing wages and benefits have been paid.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

Questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR McCARTER:

Senator, who does this bill apply to and who does it not apply to?

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs.

SENATOR FRERICHS:

It applies to contractors working on prevailing wage on public works.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

And why -- and why the change?

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs.

SENATOR FRERICHS:

Currently, this information is already part of the prevailing wage. We're just changing the reporting. And as I said in my opening, the idea here is to have all that information forward to speed up investigation complaints and that's -- helps the workers get paid in a timely manner and would help the Department dismiss frivolous complaints in a more quick -- quick manner as well.

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PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Senator Frerichs, can -- can you explain to me why on page 7, line 15, it says a contractor or subcontractor who remits contributions to fringe benefit funds that are jointly managed {sic} and jointly governed by one or more employers and one or more labor organizations in accordance with the federal Labor Management Relations Act shall make and keep certified payroll records that include information required under the -- the -- the next items. Why -- why is that clarification in there?

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs.

SENATOR FRERICHS:

I want to thank the Senator for his good question. It's a little complicated, but I think ultimately fairly easy, if you'll humor me. Jointly administered plans are exempt from the enhanced reporting requirements in this bill for two reasons. They have vigorous self-policing standards and they have greater oversight by the U.S. Department of Labor to ensure that all contributions are made. The plans that would have to report benefit information under this bill do not have this same level of oversight. Trustees of jointly administered plans have a fiduciary duty to ensure that participating contractors make all required payments to the fringe benefit plans. They send collection letters to contractors who underpay or are late in their payments. If this is unsuccessful, the jointly administered plans are obligated to sue that contractor in federal court to seek payment. Furthermore, the trustees of those funds are personally liable for any damages if the fund does

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not take reasonable, diligent and systematic efforts to collect fringe benefit contributions. The U.S. Department of Labor can assess penalties on the trustees as individuals and seek an injunction to force the collection of benefit contributions. The workers who earn these benefits can also sue the trustees as individuals for damages and injunctive relief. And lastly, trustees of jointly administered plans also have a fiduciary duty to conduct audits of contributing employers. U.S. Department of Labor's suggestion is that every contributing employer be audited at least once in a rolling five-year period. Funds are also subject to random compliance audits -- audits by the U.S. Department of Labor and funds must keep their monthly remittance forms for seven years. So there are different requirement patterns and there is different self-policing and that explains the difference in this legislation.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

To the bill. Ladies and Gentlemen, you -- you just got a good answer for one we should have gotten in committee. So, congratulations, and you did your homework. But let me explain what he said. Again, we are carving out what union contractors have to do and what nonunion contractors have to do. To say that a union contractor has a greater sense of oversight than say the 401(k) in a nonunion company is ridiculous. In a 401(k), you have the same fiduciary responsibilities as that which was explained by the sponsor just now. There's no difference. This idea that those in -- that are -- have a -- a -- the -- the way it's -- those are -- a jointly managed -- or maintained and jointly governed plan is

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any better than any other company's 401(k) is ridiculous. Again, we are setting aside and making special provisions for union contractors and putting more burden on nonunion contractors so it pushes them out. Now, folks, just -- just remember, only about thirteen percent are the people that you're protecting here. The balance, the eighty-seven, are the people that are your constituents, shopping at Lowe's, shopping at Home Depot. Again, the other side of the aisle is protecting big business and penalizing the little guy. If that's what you want to do, vote for this bill. It's wrong. Vote No.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis, for what purpose do you rise?

SENATOR OBERWEIS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR OBERWEIS:

Senator, would you agree that we want to attract entrepreneurs and small businesses to Illinois and keep those who are in Illinois here?

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs.

SENATOR FRERICHS:

Uncertain exactly how this compares -- pertains to the bill, but, yes, I would agree with that. I would disagree with the last statement, when he said that my interest is to protect big business. My interest is in protecting working people in the State of Illinois.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Oberweis.

SENATOR OBERWEIS:

Senator, would you consider this to be a business-friendly bill?

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs.

SENATOR FRERICHS:

We made -- we made changes. We worked with contractors. Changing the reporting date from the 10th of the month to the 15th, that was something they wanted to see happen. And I think, quite frankly, we go through a Department of Labor process that can take two to four years. This should speed that process up. I think that should ultimately be good for business.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis.

SENATOR OBERWEIS:

I'm afraid I certainly have to disagree with that, but let's keep going. It appears to me that this bill clearly - and let's -- let's put aside the union versus nonunion - it clearly favors big companies over entrepreneurial companies, because it adds that much more difficulty in doing business and regulation, which typically big companies have staff people that can deal with that and -- and small companies don't. I mean, I've been there, where I started a company and I had to do everything myself, and this kind of regulation just makes it very difficult, and at times, when you go to bed at night, you just want to throw your hands up in the air and say, "Is it really worth it?" Would you agree that this clearly makes it -- it's clearly to the advantage of big companies, rather than small companies, or at least is a greater

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burden on small companies than large companies?

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs.

SENATOR FRERICHS:

No. Just as you disagree with me on my assertion, I'll disagree with you on yours. All companies are treated the same. They have to keep the same information. Senator Althoff asked a good question in committee, asked about the numbers. She wanted to know the number of complaints out there and I have that information for her and for this Body. From 2009-2012, on average, there are about eleven hundred/twelve hundred complaints received per year. On average, four hundred are in violation of the Act in one way or another. A hundred to two hundred first notices of violation are issued annually, and about five to ten second notices of violation that could result in debarment on public work projects are issued annually. I think that small companies, also, if they have to go through a round of complaints from the Department of Labor, that can drag out for a long time. That can be bad for them. I think, with this, we're also moving towards electronic reporting, which should make things easier for people in the long run. I think it brings transparency to something that's already required in the law and that's why I'm supportive of this and why I would disagree with the statement that it -- the assertion that it treats different-sized companies differently.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis.

SENATOR OBERWEIS:

Well, Senator, as I just explained, the -- the reasoning behind that, if -- if you've been in business, you understand,

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that when you're small, you can't afford to hire people to do all those things. When you're a big company, you already have people on the staff, so it's -- and I don't think you can legitimately make that argument. That -- that just won't stand the test of time. But let me ask one last thing here. And I'm going to ask you to -- without reading this off, to tell me in your own words why this might be a good bill, without coaching from the staff. I'm really asking for your opinion as to why you think this might be a reasonable or a good bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs, I think.

SENATOR FRERICHS:

All right. Staff was talking about something different. I'm sorry I didn't give you my full one hundred percent attention there, but to suggest that I'm taking coaching to answer your questions is -- is, quite frankly, offensive. But if you'd like to repeat your question, I will give you a hundred percent of my attention.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis.

SENATOR OBERWEIS:

Thank you. I was just asking why, in your own words, without reading it off from prepared topic, why you think this is a good bill, why you think this does something good, and what it might -- good. I -- I'm sorry, I didn't mean to -- to be offensive. I just really want to understand if -- if -- if there's something in your heart that says this is a good bill or if you're doing it for somebody else.

PRESIDING OFFICER: (SENATOR LINK)

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I think there's a question in there. Senator Frerichs.

SENATOR FRERICHS:

I think there is a question and I think there is a slight of my -- on my -- what my motivations of this bill, and I will answer this and I will look at the question in -- in his eyes. I have already told my motivations for doing this bill. I don't know if you were paying attention to me when I spoke, but I said what we're trying to do is bring increased transparency here, we're trying to bring greater efficiency, so the people who are owed wages, under current laws, get paid them in a timely manner. That is my answer.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis, to the bill.

SENATOR OBERWEIS:

Ladies and Gentlemen, this is one more - and I'm getting tired of doing this on a regular basis - one more slap in the face of entrepreneurs who want to start businesses, who want to be in Illinois. We're doing everything we can to send a message, "We don't want you. Go to Indiana, or go to Florida, or go to Texas, or go to some place that does want you." I would strongly ask -- and -- and -- and it's particularly a slap in the face of small businesses and entrepreneurial-driven businesses, who, by the way, happen to be the ones that create jobs. And it's those jobs that create revenues and it's those revenues that we get to spend while we're here in the Legislature. If we don't have the revenues, there's nothing to spend. I'd like to keep those businesses in Illinois. And for that reason, I ask you to vote against this.

PRESIDING OFFICER: (SENATOR LINK)

There any further discussion? Seeing none, Senator Frerichs, to close.

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SENATOR FRERICHS:

I think there's been a long debate on this today. This is a similar bill that this Body passed out last year. I'd request a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 3223 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 -- the record. On that question, there are 37 Ayes, 19 Nays, none voting Present. House Bill 3223, having received the required constitutional majority, is declared passed. Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

I'd like to ask for a roll call verification.

PRESIDING OFFICER: (SENATOR LINK)

There's been a call for a verification on the roll call. Senator McCarter requests a verification. Will all Members please be in their seat? The Secretary will read the affirmative votes.

SECRETARY ANDERSON:

Bertino-Tarrant, Biss, Bush, Clayborne, Collins, Tom Cullerton, Cunningham, Delgado, Forby, Frerichs, Haine, Harmon, Hastings, Holmes, Hunter, Hutchinson, Jacobs, Jones, Koehler, Kotowski, Landek, Link, Manar, Martinez, McGuire, Mulroe, Muñoz, Noland, Raoul, Sandoval, Silverstein, Stadelman, Steans, Sullivan, Trotter, Van Pelt, President Cullerton.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR McCARTER:

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Senator Sandoval.

PRESIDING OFFICER: (SENATOR LINK)

Is Senator Sandoval in the Chamber? Is Senator Sandoval in the Chamber? Mr. Secretary, strike Senator Sandoval's name.

SENATOR McCARTER:

Muñoz.

PRESIDING OFFICER: (SENATOR LINK)

Leader Muñoz.

SENATOR McCARTER:

Muñoz.

PRESIDING OFFICER: (SENATOR LINK)

Are you in the Chamber? Leader Muñoz, are you in the Chamber? Mr. Secretary, strike the name.

SENATOR McCARTER:

No others. We're satisfied. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

On a verified roll call, there are 35 Ayes, 19 Nays, none voting Present. House Bill 3223, receiving the required constitutional majority, is declared passed. House Bill 3236. Leader Harmon. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3236.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

...Harmon, on your bill.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3236 merely extends the reporting deadline for the

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Eradicate Domestic Violence Task Force by one year, to April of 2014. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3236 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 55 Ayes, no Nays, none voting Present. House Bill 3236, having received the required constitutional majority, is declared passed. House Bill 3243. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3243.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez, on your bill.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 3243 amends the Litter Control Act to add cigarettes to the list of items that constitute litter. Currently, under the Litter Control Act, litter includes, but is not limited to, any garbage, trash, refuse, debris, rubbish, and grass clippings. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3243 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

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question, there are 55 Ayes, no Nays, none voting Present. House Bill 3243, having received the required constitutional majority, is declared passed. House Bill 3379. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3379.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez, on your bill.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 3379 requires school boards, including Chicago Public Schools, to adopt a teen dating violence policy for students in grades seven through twelve. Currently, they are from eighth through twelfth. It -- it's there and we want to add seventh graders. I know that when we see so much violence going on when it comes to teen dating, I think that seventh graders who -- we always wish they would not be dating or thinking about dating at that age - it is happening in our schools. And I would ask for a Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. You know, there were a number of No votes on this in committee. Keep in mind that this is once again -- you know, all of us say we -- we certainly don't want to pass along more mandates to -- to the schools. We give 'em less money and more mandates. This is

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another one. I'm not real sure, you know, why we -- you know, schools, I would think, would try to -- try to take care of this themselves. I think they probably already do in most cases. Plus -- plus, where in the world are the parents? I -- I -- I just keep saying, where are they? Why -- isn't this an issue that should be a private issue, handled by parents, rather than by school officials? And -- so I just wanted to bring that to your attention that, you know, again, another mandate that I really don't think is a good idea. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall House Bill 3379 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 33 Ayes, 20 Nays, none voting Present. House Bill 3379, having received the required constitutional majority, is passed. House Bill 61. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 61.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. This is a recommendation of the AIDS Foundation of Chicago. It repeals Section 2(a) of the Communicable Disease Prevention Act, which requires the Illinois Department of Public Health to notify school

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principals of the names of HIV/AIDS-positive students. The repeal of this Section brings Illinois in line with forty-nine other states. House Bill 61 endeavors to protect students from HIV/AIDS stigma, bullying, and discrimination. Since there is an increasing epidemic of HIV/AIDS among teens, H -- House Bill 61 would encourage them to be tested for the HIV/AIDS. Current law deters teens from being tested for HIV and thus increases the -- the risk of future -- further transmission of the disease. This is something that's being supported by many folks, many proponents. I think it's just important that we take away the stigma that exists with this -- with this -- only -- this is the only communicable disease that's out there that has to be reported to a school principal and I think it's time that we repeal this Act.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill -- Senator Righter, you've got to get a little quicker or I'm not going to recognize you. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates she will.

SENATOR RIGHTER:

Thank you. Senator Martinez, you made a -- a comment in your opening that we need to remove the stigma that surrounds this issue and I'm curious about what you see as the connection between the stigma and ensuring that a teacher knows if there is a young person in the class who may be HIV positive.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Martinez.

SENATOR MARTINEZ:

Thank you. Thank you, Senator, for that question. Let me just say that this Act was enacted back in 1984 {sic}, when there wasn't a whole lot of information about HIV and AIDS. Today, we finally have, you know, many, many young persons out there that have lived with -- that have lived with it and probably have never reported it or, if they have reported it, have always felt threatened that someone will know. I have a -- a couple of articles here about things that happened in the school -- in some schools and some places where -- where the principal was told about the information. Somehow staff was able to obtain the information and we had children that -- they were exposed. They were actually stigmatized by the information, because they were told by -- to -- it spread like -- like wildfire in the -- in the schools that they had HIV and AIDS. So I think it's important that something that we know so much more about right now that we're able to remove that by having this particular communicable disease, which is the only one out there, actually removed from having to be told to the principal.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

I'm curious, Senator, how -- how many parents of children who go to the public schools have you talked to about this and asked them the question of whether or not they want the teacher in their child's classroom to have this information or not?

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

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SENATOR MARTINEZ:

I haven't talked to anyone particular, but the AIDS Foundation was the one that brought it to us. They have done a lot of study. They have had, you know, this situation, I guess, brought up to them and that's why they feel that right now, with -- with so much precautions that are in place, there has been no known cases of HIVs in the schools, as far as, you know, a communicable disease that has been spread. I think it's important that we look at this one communicable disease - it's the only one that has to be actually reported - and -- and repeal it, 'cause right now there is a lot of information out there that -- that actually prevents this.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Following up on your answer to my question, Senator, if you haven't talked to any parents about this issue, but the AIDS Foundation has done studies, can you cite for me an AIDS Foundation study where they surveyed the parents of children, particularly younger children, who go to school and whether or not they want the teachers in those classrooms to have this information or not? Maybe they have some information.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

Again, this is -- this is a bill that was brought to us by the AIDS Foundation of Chicago and one of the things that -- we also learned that in -- that the -- the proponents of the current Illinois law -- it's a violation of the federal American {sic}

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(Americans) with Disabilities and encourages lawsuits against school districts and teachers. A 2008 amendment to the American with Disability {sic} Act made it clear that naming children with HIV/AIDS while excluding children with other diseases, it violates the ADA and Rehabilitation Acts. Right now, we -- there are forty-nine states that have -- that have repealed this one thing from their laws and I think it's time that Illinois also joined and be the fiftieth State to do it.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Senator, are you aware -- you -- you mentioned that -- the possibility of lawsuits, and I want to nail that down a little further. Are you aware of any school districts that have been sued in any of the one hundred and two counties based on this information being communicated to a classroom teacher?

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

No. We don't know of any lawsuits at this -- at this time.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR McCARTER:

Senator, I -- I understand your concern and -- and I have the same, you know, concern, that we don't portray anyone as an outcast

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or have a stigma in any way. And -- and I -- as some of you know, I mean, I deal with this exact issue overseas with a number of children that my -- my wife and I's foundation take care of kids that have AIDS. But as a teacher, I mean -- I talked to my wife about this. I think teachers should be able to know this. I don't think you should in any way -- any -- any -- ever assume that a teacher is not there for the good of those kids as a whole, and that the only reason they would want to know that is to protect. And so, to me, that seems -- I -- I guess I make that assumption, not just with my wife as a teacher, but for all teachers. I think they're there in the classroom to nurture, to protect, and they would never want to -- there to be a stigma for -- for -- for such a disease. So I still think it makes common sense for us to allow that teacher to know. I don't think they're going to abuse having that information. So for -- for that reason, respectfully, I would ask for a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis, for what purpose do you rise?

SENATOR OBERWEIS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will yield.

SENATOR OBERWEIS:

Senator, in -- in the committee hearings, I believe the question was asked of the Department how many people this would have affected in the last year. Do you remember the answer?

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

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He didn't have the information and I don't have the information.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis.

SENATOR OBERWEIS:

Perhaps my memory is wrong, but I thought they gave the answer of three. Is that not correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

That's not correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis.

SENATOR OBERWEIS:

Okay, then I -- I apologize. My memory -- I'm -- I am getting a little old, you know, and -- and I can forget these things, but, boy, that sure stuck in my mind as -- as being the answer. To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR OBERWEIS:

All of us are very concerned about our children. It seems to me that it's in the best interest of our children to allow that additional information for the teacher and the principal of a school in order to protect all of our children, not just a few of our children. And I do believe that number was three that the Department publicized. Therefore, I urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Steans, for what purpose do you rise?

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SENATOR STEANS:

To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR STEANS:

You know, I just want to say, you know, I find it a little surprising that folks generally who support privacy, who support not putting on mandates are against this bill. You know, right now, this is the only thing that's mandated to share -- to have to tell, which I find very unbelievable. The number of -- in Illinois, we are experiencing an increase in adolescent HIV transmission. And between 2003 and 2009, the number of thirteen- to nineteen-year-olds diagnosed with HIV increased fifty percent. You know, this is -- and they're only going to be less inclined, folks, they're going to be less inclined to get tested and know -- and know to prevent that they -- if they have it, to prevent transmission if they're afraid that it's going to be disclosed and there'll be stigma associated with that. You know, that -- I think we have cases. The AIDS Legal Foundation {sic} (Council), in fact, has cases of this happening, where it's been notified to the school and it's been disclosed. The kids are, in fact, stigmatized, feeling outcast. There's not been a lawsuit only because parents choose not to sue, because they're concerned of increasing the stigma to it. Think it's very important to be passing this bill, very overdue, and I'm very pleased that the sponsor has done the work on this to bring it to this -- to this Chamber. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Van Pelt, for what purpose do you rise?

SENATOR VAN PELT:

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To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR VAN PELT:

I rise in -- in support of the bill. Many years ago when this mandate was likely put in place, we knew very little about HIV and AIDS and at a time we thought you could even transmit AIDS by touching someone. We've learned since then that it's not as easily transmitted as -- as we originally thought. I mean, other communicable diseases are not being reported, like hepatitis and tuberculosis. Those are all communicable diseases and there's no notification to the principal. We've learned a lot about AIDS and HIV and I believe it's time for us to join the other forty-nine states that have figured out that it's not necessary to report this to a wide variety of people and allow these children to have -- have -- to be able to attend school without being stigmatized and -- and without being pointed out for something that -- that they've contracted. So I rise in support of the bill and I urge your Aye vote of our partners here today so we can join the other forty-nine states and be a part of the United States of America on this bill. Thanks.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you, Mr. President. Let me just add to -- to the other -- what the other speakers have said. It says here that we didn't know much about HIV back, you know, back then. We know today that HIV cannot be transmitted through biting, fighting, and sports and all other settings -- school settings. In fact, according to the

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CDC, there has never been a single case of HIV transmitted in school in this country. So you know what -- and let me just talk also a little bit about the fact that we have -- I -- I want to tell you a quick story here. Tina acquired HIV from her mother during childbirth. Her grandparents, who raised Tina after her mother passed away, told Tina the truth about her diagnosis and how to handle the burden. But at the age of five, Tina learned that she had HIV from an adult recess monitor on the playground. There's two other sisters, named -- Sarah and Jesse. They are two sisters that are living with HIV. At their high school, student volunteer in a principal's office stumbled upon a list of school students living with HIV, including Sarah and Jesse. Before the sisters knew what had happened, the news spread all over the school. While their names above have been changed, the stories are the same. These children have had their privacy violated as the direct result of an outdated law that is found in only one state in our country and that's right here in Illinois. So you know what? We have learned a lot about this in the past twenty-five years and HIV -- appears that there's no legitimate reason for us keeping this law in the books. I urge an Aye -- a Yes vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 61 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 38 Ayes, 13 Nays, none voting Present. House Bill 61, having received the required constitutional majority, is declared passed. Mr. Secretary, House Bills 2nd Reading. House Bill 1516. Senator Silverstein. Mr. Secretary, read -- please read the bill. Out of the record. House

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Bill 1573. Leader Muñoz. Out of the record. House Bill 1584. Senator Althoff. Out of the record. House Bill -- House Bill 2213. Senator Lightford. Out of the record. House Bill 2498. Senator Delgado. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2498.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 2574. Leader Sullivan. Leader Sullivan. Out of the record. We'll skip over House Bill 2943. House Bill 3075. Leader Silverstein. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3075.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. With leave of the Body, we'll come back to 3112. House Bill 3232. Senator Koehler. Out of the record. Senator Silverstein in the Chair.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

With leave of the Body, House -- 2nd Reading, House Bill 3112. Senator Link. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3112.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Senator Link back in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

With leave of the Body, we'll go back to House Bills 3rd Reading. House Bill 479. Leader Muñoz. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 479.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Leader Muñoz, on your bill.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The bill amends the Illinois Medical District Act by changing auditing requirements for the Illinois Medical District Commission. Under current law, the Medical District Commission shall enter into an intergovernmental agreement with the Auditor General to audit all records and accounts of the Commission pertaining to operation of the Medical District on a biennial basis. The bill would change the audit requirement so the audit of the District records and accounts occur annually. In addition, the audit would no longer occur by the Auditor General. It would be done by a certified public accountant. The Commission will provide the General Assembly with audits and will post a copy on the website. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR LINK)

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Is there any discussion? Seeing none, the question is, shall House Bill 479 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 55 Ayes, no Nays, none voting Present. House Bill 479, having received the required constitutional majority, is declared passed. With leave of the Body, we'll go to Secretary's Desk on Resolutions. Senate Resolution 328. Leader Muñoz. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 328, offered by Senator Muñoz.

PRESIDING OFFICER: (SENATOR LINK)

Leader Muñoz, on your resolution.

SENATOR MUÑOZ:

Thank you, Mr. President. The resolution urges that the President of the United States and the U.S. Congress enact comprehensive immigration reform that includes practical and inclusive paths to citizenship. I know of no opposition.

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 resolution is adopted. Senator Silverstein back in the Chair.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

With leave of the Body, we're going to go to House Joint Resolution No. 6. Senator Link.

SENATOR LINK:

Thank you, Mr. Secretary {sic}. This is naming a bridge for a Medal of Honor winner.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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We have to read the resolution first, Senator Link. Mr. Secretary, resolution.

SECRETARY ANDERSON:

House Joint Resolution 6, offered by Senator Link.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Link, on the resolution.

SENATOR LINK:

Thank you, Mr. President. This is naming a bridge in the Village of Gurnee after Medal of Honor winner Allen J. Lynch. We have passed this -- a similar one over to the House, but now we have the House resolution on it. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Any discussion? Senator Murphy, what -- what purpose do you rise?

SENATOR MURPHY:

To the -- to the resolution, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Murphy, to the resolution.

SENATOR MURPHY:

Senator, thank you for carrying this. I've had the privilege of meeting Mr. Lynch, an incredible man in the sense of what he did as a hero in Vietnam to win - you don't win this award - to be honored with a Medal of Honor. And he's such a classic American story. A regular American goes off to war and shows the true metal of -- of an American hero. What you're doing today is probably - and right now is, frankly, probably the most important thing we've done in this building all day. So, thank you for this.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Link, to close.

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SENATOR LINK:

I would just ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

As this resolution requires expenditure of State funds, a roll call will be required. The voting is open. All -- have all who -- voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that motion -- on that question, there are 57 Aye, no voting No. And the -- the -- the joint resolution, having received the constitutional majority, is declared adopted. Senator Righter, what purpose do you rise?

SENATOR RIGHTER:

On a point of personal privilege, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

You might. State your point.

SENATOR RIGHTER:

I know usually we try to limit introductions to people from our districts or Pages or whatnot, but I have a -- there's a large, large group here, Mr. President, from just outside of my district lines, and that is a gallery full of sixth graders from Bell Elementary in Chicago, Illinois. So I'd ask the whole group from Bell Elementary to please rise and enjoy a warm Senate welcome. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Welcome to Springfield from the -- Bell School. Leave of the Body, we're going to House Joint Resolution No. 9. Senator Tom Cullerton. Mr. Secretary, read the resolution, please.

SECRETARY ANDERSON:

House Joint Resolution 9, offered by Senator Tom Cullerton.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Cullerton.

SENATOR T. CULLERTON:

House Joint -- thank you, Mr. President and Members of the Senate. House Joint Resolution No. 9 is the initiative for the Elgin-O'Hare Expressway. It authorize the Illinois Toll Highway Authority's Elgin-O'Hare Western Access project. Many of you are familiar, if you're from the suburbs or the Chicagoland area, the Elgin-O'Hare Expressway neither goes to Elgin or O'Hare. This will now actually allow it to go to O'Hare Airport, as well as connect between 90 and 294 on the western side of O'Hare Airport. This has bipartisan support and it will be a huge commitment, not only from the federal government, but from the State of Illinois, and will be approximately sixty-five thousand direct and indirect jobs by 2040.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you. Senator Noland, what purpose do you rise?

SENATOR NOLAND:

Yes, as a cosponsor of this resolution and representing a district that's going to be significantly impacted very favorably by this, I just want to rise in support. Thank the Senator for his work on this. Yes, indeed, this -- this Elgin-O'Hare Expressway at this point does neither go to O'Hare nor Elgin. That's the -- the well-known saw, but now with the opening of the western access to O'Hare Airport, communities such as Hanover Park, Streamwood, Hoffman Estates, Elgin, all of those western suburbs are now going to have direct access to O'Hare, making transportation so much more efficient and accessible. So I thank the Senator and ask for a Aye vote as well.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Cullerton, to close.

SENATOR T. CULLERTON:

I truly appreciate that everyone else is on board with this and I -- I -- I just ask for an Aye vote on this. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you, Senator Cullerton. As this resolution requires expenditure of State funds, a roll call vote will be -- will be required. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Yeas, no voting No. And this -- and this -- and the resolution, having received its constitutional majority, is hereby declared adopted. With leave of the Body, we're going to go to House Joint Resolution No. 8. Senator Murphy, did -- I'm sorry. Late light. Did you -- I apologize.

SENATOR MURPHY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Yes, state your point.

SENATOR MURPHY:

The -- we're getting kind of late into May. We got about a week left. We're going to be going home and seeing our constituents in Memorial Day parades this weekend. And I guess on our side of the aisle, we're trying to figure out on some of these major issues -- let's, I don't know, start with pension reform. It's been over a week since we've been at loggerheads down here on pension reform and there's been absolutely no report of any progress. When I go home and I have people yelling at me in the middle of a parade about what are we doing on pension reform in Springfield, while we're wasting seventeen million dollars a day

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-- can -- maybe President Cullerton, who I haven't seen out here today, or somebody explain what I'm supposed to say to the two hundred and twenty thousand people I represent, this weekend, about what's being done to resolve this issue about pension reform and when we can expect some meaningful solution? Do you have any advice for me, Mr. President, or maybe President Cullerton?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Well, given your injury of the last couple weeks, it's good to see that you'll be walking in the parade, and we'll get back to you on your inquiry, Mr. -- Senator Murphy. House Joint Resolution No. 8. Mr. Secretary, read -- please read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 8, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. House (Joint) Resolution 8 establishes the Rock River scenic tour and it directs the Department of Historic Preservation and the Illinois Office of Tourism to put the location on their website. It's a three-hundred-and-twenty-mile trail that goes from the border of Wisconsin to Rock Island. I know of no opposition.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Any discussion? No discussion. As this resolution requires expenditure of State funds, a roll call will be required. Therefore, the voting is now 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 Yes, no voting No. The resolution, having received the required constitutional majority,

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is hereby declared adopted. Committee on Assignments will please meet in the President's Anteroom. Senator Rose, what purpose do you rise?

SENATOR ROSE:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Please state your point.

SENATOR ROSE:

To pick up on Senator Murphy's comments, there is just a week left. Typically right now, we have some idea of what the budget looks like. I -- I know that many of us will be home and see constituents. I represent a number of school districts, as I know people here do. Is there a status of the budget, Mr. President? When will we be able to see it? And I think, most importantly, from a transparency perspective, will the citizens of Illinois have enough time to digest what it is before it passes with just a week left? Any -- any update you could give us would be greatly appreciated.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Rose, we'll be more than happy to entertain a budget if you want to introduce, but I think we'll just wait and see what happens. We'll stand at ease for Assignments. (at ease) The Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Criminal Law Committee - Floor Amendment 3 to House Bill 1443, Floor Amendment 2 to House Bill 3021, Motion to Concur on House Amendment 2 to Senate Bill 1598, Motion to Concur on House

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Amendment 1 to Senate Bill 1609, Motion to Concur on House Amendment 1 to Senate Bills {sic} 1862, Motion to Concur on House Amendment 1 to Senate Bill 1940, and Motion to Concur on House Amendment 1 to Senate Bill 2270; refer to Education Committee - Motion to Concur on House Amendment 1 to Senate Bill 2199; refer to Executive Committee - Floor Amendment 2 to House Bill 3112 and Motion to Concur on House Amendment 1 to Senate Bill 1640; refer to Financial Institutions Committee - Motion to Concur on House Amendment 1 to Senate Bill 1829; refer to Higher Education Committee - Senate Resolution 309; refer to Human Services Committee - Motion to Concur on House Amendment 1 to Senate Bill 1599; refer to Insurance Committee - Floor Amendment 1 to House Bill 1335 and Motion to Concur on House Amendment 1 to Senate Bill 1194; refer to Judiciary Committee - Motion to Concur on House Amendment 1 to Senate Bill 1210 and Motion to Concur on House Amendment 1 to Senate Bill 1923 and Motion to Concur on House Amendment 2 to Senate Bill 2101; refer to Labor and Commerce Committee - Motion to Concur on House Amendment 1 to Senate Bill 2184; refer to Local Government Committee - Motion to Concur on House Amendment 2 to Senate Bill 1430, Motion to Concur on House Amendment 1 and 2 to Senate Bill 1908, and Motion to Concur on House Amendment 1 to Senate Bill 1930; refer to Revenue Committee - Motion to -- to Concur on House Amendment (2) to Senate Bill 1801; refer to State Government and Veterans Affairs Committee - Motion to Concur on House Amendment 1 to Senate Bill 206 and Motion to Concur on House Amendment 1 to Senate Bill 2233 and Senate Resolution 326; refer to Transportation Committee - Motion to Concur on House Amendment 1 to Senate Bill 1479, Motion to Concur on House Amendment 1 to Senate Bill 1828, and Motion to Concur on

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House Amendment 1 to Senate Bill 1929; re-refer from Public Health Committee to Executive Committee - Senate Resolution 236; Be Approved for Consideration - Floor Amendment 2 to House Bill 922. Signed Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Rezin, what purpose do you rise?

SENATOR REZIN:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Please state your point.

SENATOR REZIN:

I, too, after the -- previous two speakers spoke regarding the budget and regarding pensions, was curious if in the budget process and talks, if there's been an acknowledgement or any adjustment on the inequality in school funding so it's more equitable throughout the State?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

You'll have to take up those issues next week. Thank you, Senator. Senator Murphy, what purpose do you rise?

SENATOR MURPHY:

I move to waive all applicable Senate rules so that Senate Resolution 236 can be heard in the Senate Executive Committee tomorrow, May 24th, at 11 a.m.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Murphy moves to waive all notice and posting requirements so Senate Resolution 236 can be heard tomorrow at 11 o'clock in the Senate Executive Committee. All those in favor will say Aye. And Nay -- opposed, Nay. Ayes have it, and posting and notice requirements are hereby waived. I just want to go over

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the committee assignments for tomorrow. Education will meet in Room 400 tomorrow at 9 a.m. Judiciary will meet in Room 212 tomorrow at 9:30. Local Government will meet in Room 212 tomorrow at 10 o'clock. Criminal Law will meet in Room 409 tomorrow at 10 o'clock. Executive will meet in Room 212 tomorrow at 11 o'clock. And State Government and Veteran Affairs will meet in Room 400 - note that -- the room change, 400, not Room 409 - tomorrow at 11 o'clock. Senator Barickman, do -- what reason do you rise?

SENATOR BARICKMAN:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Please state your point.

SENATOR BARICKMAN:

Mr. President, I -- I join my colleagues in expressing concern that there are a number of issues of importance to the State of Illinois. There's a very limited amount of time left on the legislative Calendar and I wonder what the sense of urgency the President or, for that matter, the Majority Party has on these issues. The -- Mr. President, your response to my colleague Senator Rose's question, about the discussion on the budget, was that you plan to wait and see what happens. And I wonder whether that's the same strategy that the -- Mr. President, that you have on the issue facing us in regards to concealed carry. As we all know, there's a court order that the Legislature must act by June 9th. Mr. President, is it the intention of you to hear the House bill on this matter that presumably will come over? Do you plan, Mr. President, to hear Senator Raoul's bill? Is there going to be a roll call vote on this? What's the -- the -- President Cullerton has stated that he may do nothing in this regards. What's --

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what's the plan? We're all going to go home for Memorial Day. We're going to be asked by mayors and others what the State of Illinois plans to do for concealed carry. What are we supposed to tell them, Mr. President?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Barickman, thank you for your point. In regard to the budget, LRB is on the first floor. We look forward to your budget. There being no other business to come before the Senate, the Senate stands -- on a second. Senator Barickman, what purpose do you rise?

SENATOR BARICKMAN:

Mr. President, I -- I don't think you answered my inquiry. I -- my inquiry was in regards to concealed carry, not on the budget.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Well, objection heard and overruled. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 12 noon on the 24th day of May, 2013. The Senate -- Senate stands adjourned.