

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

HB0071	Third Reading	178
HB0077	First Reading	5
HB0183	Discussed	7
HB0183	Recalled	8
HB0183	Third Reading	11
HB0214	Third Reading	72
HB0214	Vote Intention	105
HB0215	Third Reading	76
HB0530	Third Reading	179
HB1040	Recalled	180
HB1040	Third Reading	181
HB1189	Recalled	41
HB1189	Third Reading	41
HB1346	Recalled	58
HB1346	Third Reading	59
HB1441	Third Reading	266
HB1463	First Reading	6
HB1810	Third Reading	182
HB2498	Third Reading	183
HB2535	Third Reading	183
HB2614	Third Reading	184
HB2752	Third Reading	185
HB2776	Third Reading	186
HB2812	Third Reading	187
HB2897	Second Reading	243
HB2943	Third Reading	187
SB0020	Concurrence	105
SB0056	Concurrence	126
SB0092	Concurrence	128
SB0105	Concurrence	129
SB0572	Concurrence	158
SB0630	Out Of Record	206
SB0630	Recalled	204
SB0630	Third Reading	206
SB0923	Concurrence	147
SB0923	Vote Intention	155
SB1006	Concurrence	232
SB1006	Vote Intention	240
SB1042	Concurrence	125
SB1197	Concurrence	131
SB1245	Concurrence	153

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SB1245	Vote Intention	155
SB1329	Concurrence	192
SB1330	Concurrence	132
SB1366	Concurrence	132
SB1409	Concurrence	235
SB1470	Non-Concurrence	135
SB1495	Concurrence	136
SB1587	Concurrence	137
SB1659	Concurrence	236
SB1664	Concurrence	70
SB1674	Concurrence	138
SB1687	Concurrence	245
SB1715	Concurrence	207
SB1723	Concurrence	120
SB1764	Concurrence	145
SB1772	Concurrence	146
SB1884	Concurrence	121
SB1910	Concurrence	200
SB1910	Vote Intention	203
SB1911	Concurrence	157
SB1968	Concurrence	161
SB2106	Concurrence	162
SB2155	Concurrence	231
SB2233	Concurrence	163
SB2243	Concurrence	155
SB2332	Concurrence	237
SB2378	Concurrence	160
SB2589	First Reading	1
SB2590	First Reading	120
SB2591	First Reading	189
SR0070	Adopted	164
SR0298	Adopted	168
SR0352	Adopted	238
SR0356	Resolution Offered	72
SR0357	Adopted	239
SR0357	Resolution Offered	120
SR0358	Adopted	240
SR0358	Resolution Offered	188
SR0359	Resolution Offered	270
SR0360	Resolution Offered	270
HJR0024	Adopted	244
HJR0036	Adopted	169

STATE OF ILLINOIS
 98th GENERAL ASSEMBLY
 REGULAR SESSION
 SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

HJR0040	Adopted	241
HJR0040	Resolution Offered	72
HJR0043	Adopted	242
HJR0043	Resolution Offered	72
HJR0045	Adopted	271
HJR0045	Resolution Offered	270
SJR0040	Resolution Offered	1
AM0119	Appointment Confirmed	268
Perfunctory Session to Order-Secretary Anderson		1
Communication from the President		1
Committee Report		1
Senate Stands at Ease/Reconvenes		2
Committee Reports		2
Senate Stands in Recess/Reconvenes		2
Committee Reports		2
Senate Stands in Recess/Reconvenes		2
Adjournment of Perfunctory Session		3
Senate to Order-Senator Muñoz		3
Prayer-Dr. Maryam Mostoufi		3
Pledge of Allegiance		3
Journal-Postponed		3
Committee Reports		4
Messages from the House		4
Senate Stands at Ease/Reconvenes		5
Senate Stands at Ease/Reconvenes		6
Committee Reports		6
Messages from the House		71
Messages from the House		126
Messages from the House		188
Senate Stands at Ease/Reconvenes		191
Committee Reports		191
Executive Session		267
Executive Session Arises		269
Messages from the House		270
Resolutions Consent Calendar-Adopted		271
Adjournment		272

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SECRETARY ANDERSON:

Pursuant to the directive of the Senate President, the regular Session of the Senate is now in perfunctory Session.

Communication from the President. Letter dated May 31st, 2013.

Dear Mr. Secretary - Pursuant to Senate Rule 2-10, I am scheduling a perfunctory Session to convene on Friday, May 31st, 2013.

Sincerely, John J. Cullerton, Senate President.

Committee Report.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Energy Committee - Motion to Concur on House Amendment 1 to Senate Bill 1715; refer to Executive Committee - Motion to -- Motion to Concur on House Amendments 1, 2 and 4 to Senate Bill 20, Motion to Concur on House Amendment 1 and 2 to Senate Bill 1687; refer to State Government and Veterans Affairs Committee - Motion to Concur on House Amendment 1 to Senate Bill 1911, Motion to Concur on House Amendments 1 and 2 to Senate Bill 2378.

Signed, Senator James F. Clayborne, Chairman.

Resolutions.

Senate Joint Resolution Constitutional Amendment 40, offered by Senator Harmon.

It is substantive.

Introduction of Senate Bills.

Senate Bill 2589, offered by Senator Sandoval.

(Secretary reads title of bill)

1st Reading of the bill.

Attention: Committee Announcements. Committee on Energy

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

will meet at 10:15 in Room 400. Committee on Executive will meet at 11 a.m. in Room 212. The Committee on State Government and Veterans Affairs will meet at 11 a.m. in Room 409. This perfunctory Session will stand at ease to the call of the Chair. (at ease) Senate will come to order.

Committee Reports.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Floor Amendment 5 to House Bill 183 and Floor Amendment 6 to House Bill 183.

Signed, Senator James F. Clayborne, Chairman.

The perfunctory Session will stand at recess to the call of the Chair.

(PERFUNCTORY SESSION STANDS IN RECESS/RECONVENES)

SECRETARY ANDERSON:

Senate will come to order.

Committee Reports.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Floor Amendment 1 to House Bill 2747.

Signed, Senator James F. Clayborne, Chairman.

The perfunctory Session will stand in recess to the call of the Chair.

(PERFUNCTORY SESSION STANDS IN RECESS/RECONVENES)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SECRETARY ANDERSON:

Senate perfunctory Session will come to order. There being no further business to come before this perfunctory Session, pursuant to the directive of the Senate President, the Senate stands adjourned until Friday, May 31st, 2013, at the hour of 12 noon, or until the call of the President. The Senate stands adjourned.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The regular Session of the 96th {sic} (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 Dr. Maryam Mostoufi, Islamic Society of Greater Springfield, Springfield, Illinois. Dr. Mostoufi.

DR. MARYAM MOSTOUFI:

(Prayer by Dr. Maryam Mostoufi)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Haine, Pledge of Allegiance.

SENATOR HAINE:

(Pledge of Allegiance, led by Senator Haine)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Thursday, May 30th, 2013.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

printed transcript.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, reports Motion to Concur - House Amendment 1 to Senate Bill 1911, Motion to Concur on House Amendment 1 to Senate Bill 2378 and House Amendment 2 to Senate Bill 2378 Recommend Do Adopt.

Senator Jacobs, Chairperson of the Committee on Energy, reports Motion to Concur with House Amendment 1 to Senate Bill 1715 Recommend Do Adopt.

Senator Harmon, Chairperson of the Committee on Executive, reports Motion to Concur - House Amendment 1, 2 and 4 to Senate Bill 20, House Amendment 1 and 2 to Senate Bill 1687; and Senate Amendment 5 and 6 to House Bill 183 Recommend Do Adopt.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

Message from the House by Mr. Mapes, Clerk.

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

Senate Bill 572.

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

House Amendment 1 and 3 to Senate Bill 572.

We have received like Messages on Senate Bill 923, with House Amendment 1; Senate Bill 1245, with House Amendment 2; Senate Bill 2243, with House Amendments 1 and 2. Passed the House, as amended, May 30th {sic} (31st), 2013. Timothy D. Mapes, Clerk of the House.

Message from the House by Mr. Mapes, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

House Bill 2780.

Which amendments are as follows:

Senate Amendments 1 and 4 to House Bill 2780.

Non-concurred in by the House, May 31st, 2013. Timothy D. Mapes, Clerk of the House.

Message from the House by Mr. Mapes, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 77.

We have received a like Message on House Bill 1463. Passed the House, May 31st, 2013. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate will stand at ease so we can get some paperwork in order. (at ease) Mr. Secretary, House Bills 1st Reading.

SECRETARY ANDERSON:

House Bill 77, offered by Senator Lightford.

(Secretary reads title of bill)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

House Bill 1463, offered by Senator Clayborne.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 7 to House Bill 183, Floor Amendment 1 to House Bill 1154, Floor Amendment 1 to House Bill 1189, Floor Amendment 1 to House Bill 1346, Senate Resolution 223, Motion to Concur on House Amendment 1 and 3 to Senate Bill 572, Motion to Concur on House Amendment 1 to Senate Bill 923, Motion to Concur on House Amendment 2 to Senate Bill 1245 and Motion to Concur on House Amendment 1 and 2 to Senate Bill 2243. Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Tony Yuscus, Bluestream.com {sic} (Blueroomstream.com) seeks leave to videotape, as well as Andy Shofstall, WSIL-TV, videotape. There being no objection, leave is granted. Christopher Brinckerhoff, Journal & Topics Newspaper {sic} (Newspapers), requests leave to take still photos. There being no objection, leave is granted. Senator Noland, for what purpose do you seek recognition?

SENATOR NOLAND:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Thank you, Mr. President. A point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR MUÑOZ)

State your point.

SENATOR NOLAND:

Thank you. Mr. President, today I have a Page that has been assigned to me, who is actually from Senator Manar's district. He attends Sacred Heart-Griffin High School here in Springfield. His name is Evan Blankenberg {sic} (Blankenberger) and he'll be coming around to have everybody sign his book. He is interested in studying German and maybe one day taking employment in law enforcement or in government. So I just simply ask that everybody provide him a warm Springfield welcome. Thank you very much.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Evan, welcome to the Senate, Evan. Ladies and Gentlemen of the Senate, we're ready to proceed to 3rd Readings. If we can keep the noise down. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Thank you, Mr. President. First, have we - I know it's on the board - have we gone to the order of House Bill 183?

PRESIDING OFFICER: (SENATOR MUÑOZ)

We'll be going to House Bill 183 shortly.

SENATOR RIGHTER:

Okay. Then simply an inquiry of the Chair, if I might, Mr. President, and that is, I'd like to confirm -- confirm whether or not this bill, based on its language, would require a supermajority of vote in the Senate in order to be passed?

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Righter, it's the ruling of the Chair, as this bill denies and limits the powers of home rule units on subjects not exercised or performed by the State through passage of this measure -- will require a three-fifths majority. We will be going to House Bill 183. Just so the Senators know, the timer will be put on. I repeat - Ladies and Gentlemen of the Senate, please, let's get some quiet - we will be putting the timer on. You will have five minutes. Once you get to the last minute, I will interrupt you to let you know that you have a minute left so you can close at that time. Senator Haine -- Senator Forby indicates he wishes to proceed on House Bill 183. Senator Forby seeks leave of the Body to return House Bill 183 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading, House Bill 183. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul. Senator Raoul.

SENATOR RAOUL:

I'd like to withdraw Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The amendment is withdrawn. Any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Like to withdraw Floor Amendment 3.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The amendment is withdrawn. Any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

I'd like to withdraw Floor Amendment No. 4.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The amendment is withdrawn. Any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 5, offered by Senator Forby.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby, on the amendment.

SENATOR FORBY:

I will explain it on 3rd Reading. It becomes the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR RIGHTER:

Inquiry of the Chair, Mr. President, but I can wait until you're done dealing with the amendment then make the inquiry, if that's...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Did you have an objection on the -- did you want to ask a question on...

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR RIGHTER:

No, sir. I put my light on before we went to the amendment, so I can wait until after the amendment's processed and then I'll make my inquiry, if you don't mind.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Okay, Senator. Senator Forby, to explain your amendment.

SENATOR FORBY:

I will explain this on the -- when it becomes the bill -- on the bill. Amendment No. 5 becomes the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There is no discussion. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 6, offered by Senator Forby.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby, on the amendment.

SENATOR FORBY:

No. 6 was a technical amendment.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There being no discussion, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 7, offered by Senator Forby.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby, on the amendment.

SENATOR FORBY:

This amendment was -- what -- it gave the Speaker two votes

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

and the President one. It changes it where the Speaker gets one and the President gets one.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. Now on the Order of 3rd Reading, House Bill 183. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 183.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Thank you, Mr. President, for returning to me. Inquiry of the Chair, if I might. I understand the Chair has made a ruling with regards to the use of the three-minute timer, and I also appreciate very much - five-minute, excuse me - and I also appreciate very much that under the Senate Rules, the Chair clearly has the power -- the Presiding Officer clearly has the power to do so. I am asking, Mr. President, that you reconsider that ruling. I appreciate that it's about ten minutes after two in the afternoon on the day on which we're scheduled to adjourn and we're probably running at least a couple hours late from when we thought we'd be out here on the Floor doing business, but this is a phenomenally

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

important issue with regards to constitutionality, with regards to public safety, with regards to a whole number of issues, and I would suspect that there are a number, Members on both sides of the aisle, who feel very strongly about this issue, and for that reason, I think, maybe a little extra leeway would be appropriate. Thank you for considering my request, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter, there is no ruling of the Chair. We just wanted to keep it at five minutes because we understand a lot of the Senators do want to speak for the bill or oppose the bill. Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

I get -- well, a clarification of the -- of the current ruling, Mr. -- Mr. President. I -- it -- it -- and I -- I will want to speak to the bill once that -- once we get to that order. But it does strike me as a little peculiar that we're going to abrogate the First Amendment out here while we discuss the Second. And we could've probably been about a third of the way through the -- through the -- through the conversation.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy, it's in the book of our Rules that we have the -- to do the five-minute ruling. So on the Order of House Bill {sic} (Bills) 3rd Reading, we will proceed. Senator Forby.

SENATOR FORBY:

Thank you. There's a lot of people on this bill that really needs to be thanked. And I know I -- if I try to thank everybody I will miss a lot of people, so I'm just going to name a few. First, I want to thank Senator Kwame on this bill. He worked day and night, hard, working to come up with a bill, trying to get

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

something that we can pass. And he's done a great job. And Representative Phelps in the House - I think he's on the Floor - he -- he worked day and night on a lot of these bills, in a lot of meetings. He tried to come up with a bill that everybody could live with. Today, this bill here, I'd say probably everybody in this -- in this auditorium will probably have an issue, but it's something that we're running -- we're getting close. June the 9th, the judge said we have to have a conceal and carry bill in the State of Illinois. So we worked really hard on this bill to come up with something that we think that everybody can live with, probably not everybody will be happy with, but it's something we need to do. And I think, and I think most other people thinks it'll be better, instead of waiting till after June the 9th, going over a cliff, this will be better than waiting for that. So what this bill does, it's a "shall issue" bill, and what this bill is -- is -- shall issue a conceal and carry for the State of Illinois for five years. And what this bill does is, for law enforcement, a person who's a danger or threat to public safety, there will be a seven-member board of federal judges, prosecutors, lawsuit {sic} and mental health profession to look over that. Prohibited places: There is a ton of prohibited places that Chicago gave a list to us. We went down the list and tried to put everybody on a list and that list ended up places like schools, government buildings, and hospitals, bars and parks. And the other thing that we thought was really, really big on this bill was a safe haven. People all over the State travels from one end of the State to the other State, and if you're down south, where I live, if I'm going to Minnesota or something, I travel through Chicago or any place else in the State of Illinois, I need to know where I'm legal and I'm

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

not legal. So we tried to make it a uniform deal so you can go from one -- one place or another. So your car is what we call a safe havens -- haven place, and that is, as long as you got your gun traveling through the State in your car, that you will be fine with that. And another thing it is, if -- for example, if you're running to town, you got to go to the post office or something like that, and you have a gun on you, you can pull in the post office in the parking lot, lock the gun up in your car and you can go into the post office and get your mail. Or if you have an emergency at a hospital, it'll work the same way. We -- we just needed something where people will be able to -- driving down the road, if something happened. And preemption is -- let's see, towns that follow the restriction may issue to -- conceal and carry. And what this does today is it just goes for conceal and carry. Say Chicago's got an assault weapon ban issued, that ban still stays there. It just goes for a handgun conceal and carry, what you have in the car. So -- and FOID cards: So we -- thought we had to do something with FOID cards too, because if you don't have a conceal and carry, that means you still can have a gun in your car unloaded. So we wanted to make sure the FOID cardholders is the same as the people with conceal and carry. And mental health: On the mental health reporting, we wanted to make sure -- one of the biggest issue with the gun problems is mental health people. And one of the things on this gun bill - it's a hundred and fifty dollars - that twenty dollars of this hundred and fifty dollars goes to mental health. So making -- strengthening the law, making sure we don't get anybody with mental health. We need to be working on that. Mental health is a big issue and I'm willing to work with people down the road on tightening it up. And with that,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

I think I will just turn it over to questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Ed Cross, WAND-TV, requests permission to video. There being no objection, leave is granted. Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

Question -- question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR MURPHY:

Senator, first, let me just thank you and -- and also Senator Raoul and Senator Bivins for their efforts on resolving what is a very important issue from a public safety standpoint and from, frankly, a right standpoint, an issue that's really been long overdue, and we're appreciative of your efforts. You made reference to the firearms cliff of June 9th and the desire to avoid going over it. What happens, if we don't pass a bill - and -- and you know, today's May 31st - what happens, if we don't pass a bill, legally on June 9th, or what could happen?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

I think that answer -- I -- I don't know if I can answer that right, but it's up in the air. I think there'll be some people that says I can carry anything I want to. I think there'll be some towns -- the counties will say we can make laws where we can stop everything, and I think it will be nobody will know if they can go from Cairo, Illinois, to Chicago. They will not know what the law is. So I think that's going to be harmful for everybody.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

We need something that everybody knows, and going off the cliff, I don't think anybody will know what can happen or will happen.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

Senator, my understanding, you know, if -- if the federal court strikes down the limitations we have in law now and there's nothing put in place by the Legislature before then, that non-home rule communities, in particular, have no ability whatsoever to put restrictions in place to the end that potentially, in non-home rule communities, it could become legal to carry in schools, couldn't it?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

I've heard all kinds of stories. They're telling me, if there's no rules made, it's wide open. You can carry any place, anywhere.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President. You know, we on our side of the aisle sometimes get lectured by those of you on that side for -- for not -- not engaging, or not being on an issue where you need our help. I think we got that lecture earlier this week on the budget from a couple of you. This is one of the issues and -- and -- and we saw this in the Executive Committee, where all of the Republicans supported a bill that will avoid the firearms cliff and many of the members of your Executive Committee on that side

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

of the aisle ducked for cover, knowing that we would do the heavy lifting over here. Understand what you're doing if you vote against this bill. Be very clear what you're doing. You are endorsing the risk of guns in schools being legal in non-home rule communities. Go home and tell the constituents that aren't comfortable about concealed carry of the reality of your No vote and what it means in practical application. You -- you -- you lecture us all the time about ducking responsibility of leading. Don't do it yourself right here. There ought to be fifty-nine green lights for this, and if there are not, that word "hypocrisy" that gets lobbed over here all the time is going to look awful fitting on a lot of you over there. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR HAINE:

Mr. President, Ladies and Gentlemen of the Senate, just a quick historic background to this bill. The Supreme Court of the United States, a few years ago, declared that the Second Amendment defined a personal right to carry a firearm or to possess a firearm in one's own home. This grew out of a situation in the District of Columbia, which prohibited all possession of handguns. That was the gist of the case, and it was a handgun in one's own home. The following case, the Heller case, expanded that to all of the states and it declared, once again, that the Second Amendment was a personal right. There is a preface to the personal right,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

stating that a militia is necessary, but in my view, and I think the view of some scholars, that was more a delineation of an expected duty on the part of a citizen to defend the state or the community from tumult, riot or invasion. The Second Amendment defines a personal right. Here in Illinois, lawsuits were filed pursuant to that and June 9th, has been referred to by the previous speaker, is the date the United States Court of Appeals, the second-highest court in the land, for the Seventh Circuit said that this law must be enforced in Illinois, abrogating all concealed carry. Pursuant to that, we've had extensive negotiations, because this is a matter that is a -- a real controversy between citizens. There are many citizens who fear and loathe handguns. Many thousands of others believe the Second Amendment is a personal right and that they want a handgun for personal defense in their home or on their person. This bill regulates those rights consistent with the Heller case and the first Supreme Court case. And it preempts all local ordinances applying to handguns. It preempts all issues relating to carrying a concealed firearm. It preempts all issues for a person with a FOID card, as Senator Forby pointed out, who have a handgun in their own home, whether it's Chicago or Cairo. It preempts anything having to do with the limitation on the transportation of a firearm, consistent with the limitations in this bill, being an automobile to be a safe haven, safe harbor, so to speak, and as long as it's broken down in a nonfunctioning state. This is the gist of the bill and it is -- it attempts to accommodate the fears of many citizens with the desire of those who have fears of an armed criminal action, on one hand, or those who possess a firearm for sport or any other reasonable purpose. We got here through

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

negotiation. And it is true and it's been mentioned by the Senators, many people we owe for this. We owe Senator Bivins and Senator Righter, Senator Raoul, who spoke from a community -- and the President of the Senate, John Cullerton, who spoke from communities who fear handguns, who suffer from handgun violence. We had the input of Senator John Sullivan and the Representatives in the House of both parties. I do want to note that we would not be here, Ladies and Gentlemen, but for the timely and extremely perceptive intervention of the Speaker of the House, Mr. Madigan. Without his calm and competent focus on these issues of different, competing views, we would clearly not be here today. So he gets the biggest thank you, followed by Senator Forby, whose -- and Brandon Phelps, who've pursued this for the last decade or more. The preemption is limited. It does not take away anything from a home rule unit that would not be taken away by the federal court. That's important to recall. The other preemptions that were in the first bill are removed, the bill that originally came out of the House.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Haine.

SENATOR HAINE:

I would ask for an Aye vote based upon the -- the fact that this is a firearms cliff and that this bill is for the common good of all citizens, those who live in our dense cities, those who live in our rural areas. It's time to put this issue to rest and let people possess firearms who are trained, who are law-abiding, who will follow the law as outlined in this bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill.

SENATOR JACOBS:

I just want to thank Senator Forby. He's been -- dogged determination. Stayed right on top of this bill. I greatly appreciate your effort. Senator Raoul, I owe you an apology. I said you couldn't get this done and you've done a great service to your team. If they don't know it, they ought to realize it, 'cause if you didn't get done what you did, people would be carrying bazookas in this State in about eight days. I also want to thank Senator Cullerton. I know I was pretty harsh on him in caucus, but I want to thank him for holding up his word. And most of all, I just want to say how pleased I am. You know, at the end of the day, if we're going to allow people in Illinois to marry each other, then we sure as heck ought to let those people carry guns as well. Mr. President, I call the question.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs has requested to move the previous question. The following speakers are Jacobs, Brady, McCarter, Cullerton, Raoul, Kotowski, Noland, Lightford, Luechtefeld, Bivins, -- Martinez. Senator Raoul, for what purpose do you seek recognition?

SENATOR RAOUL:

Questions of the sponsor for legislative intent.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he'll yield. Senator Raoul.

SENATOR RAOUL:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Forby, is it the intent of the bill to preserve all current and future municipal or home rule ordinance or regulations that regulate persons who do not hold a valid FOID card or concealed carry license?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

Yes. Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Can a -- can a municipality or home rule unit that has enacted a regulation or ordinance either before or within ten days of the effective date that regulates assault weapons amend that regulation or ordinance in the future?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Is it the intent of the bill to preserve a municipality's or home rule unit's authority to regulate the sale, acquisition and transfer of all firearms and ammunition and preserve all current and future regulations or ordinance related to those issues?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Is it the intent of the bill to preserve a municipality or home rule unit's authority to enact zoning ordinances that may affect matters related to firearms and ammunition and preserve all of those current or future zoning ordinances?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Is it the intent of the bill to preserve a municipality or home rule unit's authority to regulate the registration, licensing and possession of any firearm that is not a handgun or assault weapon and preserve all current and future ordinances and regulations related to those issues?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Is it the intent of the bill to preserve a municipality or home rule unit's authority to regulate the storage of firearms to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

prevent access by minors and preserve all current and future ordinances related to those issues?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Is it the intent of the bill to preserve a municipality's or home rule unit's authority to register convicted gun offenders and to preserve all current and future ordinances related to those issues?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

In the prohibited places Section, the bill references the term "under the control", but the bill does not define that term. Does the bill intend to follow the definition of "under the control" as defined in Black's Law Dictionary to mean the authority to exercise power or influence of to regulate or control?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

Yes.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

To the -- to the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill.

SENATOR RAOUL:

Senator Haine mentioned the diversity of our State, the diversity of views. And when I set out at the beginning of the Session, I set out not to negotiate a bill that would be the ideal bill that Kwame Raoul would pass if he controlled all fifty-nine buttons in this Chamber and a hundred and eighteen buttons in the other Chamber, and the Governor's pen, for that matter, but to negotiate recognizing that the State of Illinois is a very diverse State with diverse interests, diverse views, diversity with regards to high density and urban area versus rural area, and these things impact how we view the Second Amendment and, more importantly, how we view public safety. I come with the perspective of somebody who had a drive-by shooting across the street from my home, where a boy, the same age as my son, was struck by a bullet. And so I have a sensitivity to the things that were brought up in committee earlier and I had that same...

PRESIDING OFFICER: (SENATOR MUÑOZ)

One minute left, Senator.

SENATOR RAOUL:

I had that same sensitivity as I was in the negotiation room for hours and hours and days and days. And I recognize the perpetrator of that shooting didn't have a FOID card - would never apply for a FOID card, would never apply for a conceal carry

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

permit. We didn't do a lot of talking about what the bill does in terms of preventing firearms from being carried at street festivals, festivals, public gatherings, schools, all the -- this long exhaustive list of places. Do -- I was asked yesterday by a journalist, was I happy with the end result, and my answer to that journalist and my answer to all of you all is, no, I am not happy with the end of -- end result. But my journey and my assignment was not to achieve my own personal happiness. My assignment was to negotiate a bill. And I urge everybody to vote their conscience on this bill, but to consider that we were delivered a mandate by the court - a mandate that I didn't personally like, but it was our reality. I don't want to tell anybody how to vote on this bill, because I recognize, again, we have a diversity of views. But...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator, I -- I've got to be fair with everyone.

SENATOR RAOUL:

I understand.

PRESIDING OFFICER: (SENATOR MUÑOZ)

I'm asking you, before I shut it down, finish up, please.

SENATOR RAOUL:

I will. But I -- but I ask folks to understand where we have come from, given the House bill -- the -- the bill that was passed out of the House before and the fact that we were given a mandate. Please just vote your conscience on this bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Brady, for what purpose do you seek recognition?

SENATOR BRADY:

Thank you, Mr. President. To the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR BRADY:

I also want to thank all the people who've entered into the discussion and the debate about how we do this. I think we all know, but for the Constitution and the federal court, we might not be here today. But this is an important day, I think. To me, this all comes down to public safety. It's about allowing law-abiding citizens to protect themselves in a safe way and ensuring -- ensuring that there are safeguards in this legislation that make sure that only law-abiding citizens who are educated and trained have this right. I think we've done a great service to our State by learning by what other states have done. And for that reason, I stand in -- in support of this legislation. I will tell you, like many of you, I've had opponents who don't think this goes far enough in providing liberty to law-abiding citizens throughout this State. In fact, I myself think there are areas where we are prohibiting law-abiding citizens from protecting themselves. And I think there's also people who think we're going too far. There is no perfect piece of legislation. In fact, as Senator Raoul indicated, if each one of us were able to draw language on our own, it -- it would probably differ in some fashion in some way. What I think is paramount about this is, though, we have learned from other states, and that incrementally, we can move Illinois forward. There may be times when we come back to this General Assembly and ask to increase a restriction or eliminate a restriction. I think that will happen and the end result will be the law will be better. I think what's most important is, like forty-nine other states in this nation, the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

citizens of Illinois will enjoy a right that they will be comfortable with, because we've crafted a good law at least as a start. And I think that's what those of us who are going to support this legislation, even due to opposition who may think it's too restrictive or not restrictive enough, can lay -- can lay our vote on. I think it also does some good in terms of protecting law-abiding citizens from confusing laws throughout this State, particularly in the area of rights under a FOID card. I only hope that the Governor signs this bill and that we move on. We can monitor the success of this bill and benefit from what other states have seen and that is a reduction in crime. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Steve Staeger, WCIA, requests leave to record video. There being no objection, leave is granted. Senator Lightford, for what purpose do you seek recognition?

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR LIGHTFORD:

I -- I, too, would like to acknowledge the work that I know Senator Raoul has done on this bill and he {sic} taken it very seriously and I know Senator Forby has done so as well. I want to point out that I recognize June 9th. We have come up to a deadline to respond to our Federal's Appeal {sic} (Federal Appeals) Court. We are the last state to ban conceal and carry. But some of the things that I think this bill has some shortfalls on is that it didn't create a fair enough balance to address violence and some of the issues that we're plagued with in many of the communities

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

that I represent. And many of us on this side of aisle, and I'm sure it's the same way on the other side of the aisle as well, not sure if they recognize the challenges that they actually have. I want to acknowledge the -- the lack of responsible public safety measures, including no loss or stolen reporting of guns. While we were in Exec Committee, the sponsor acknowledged that there is preemption in home rule. And I support over a dozen municipalities and it's important that my communities are able to say the final word of what travels through our towns. It's really important that we recognize that magazines is an issue, and if there's an unlimited number of magazines that a person can have on them, that's also a huge challenge in many of our urban areas. One of the -- one of my colleagues asked the question about transporting firearms. If an individual got stopped with a hundred weapons in the trunk of their car, they would be let go provided that they had a FOID card. It's just too loosely written. It doesn't protect us at all. Again, I do recognize that we have to do something, but I would've -- I really wish that the sponsor would've taken into consideration more of the State and balance the bill out much better than it has been. So, again, I -- I know I'm voting No. I know why I'm voting No and I would hope that this bill did in no way preempt home rule. That would have made it been a much easier vote for me to take. And I hope in the future that they look at the looseness of the database and the looseness of the mental health reporting as well. So I do encourage a -- a No vote. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Jason Wambsgans, Chicago Tribune, requests permission to still photographs. There being no objection, leave is granted.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Bivins, for what purpose do you seek recognition?

SENATOR BIVINS:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield. Senator Bivins.

SENATOR BIVINS:

Thank you, Mr. President. Senator Forby, you may have mentioned this earlier - it may have been asked already, and I apologize if it was - but on the training issue, do veterans get preferential treatment for training or credit for -- for their service to our country?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Forby.

SENATOR FORBY:

Yes, they get eight hours of credit.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bivins.

SENATOR BIVINS:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR BIVINS:

You know, there's been a lot been said about what will happen come June 9th if we don't do this, if we don't pass a bill. And we don't really know. It -- it could be a lot worse or it could be a lot better, depending -- if you're on either side of the issue, and -- and you could have a -- maybe a better bill or a lot worse bill or -- we just actually don't know. I think there's great risk if we don't do this today. This is our -- our last

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

opportunity to pass a conceal and carry. So, I rise in support. And I'd also like to say that we had a mission to start out and pass a conceal and carry bill and I -- I was honored to be asked by our Leader and also honored that -- that Senator -- President Cullerton allowed us to be involved in this process, that we got together and Senator Raoul and I early on had a lot of discussions. No one worked harder on this and -- and he took a lot of grief personally and a lot of, actually, insults thrown his way. And it's -- it's a shame that had to happen, but -- but he's a tough guy and he prevailed on that. So I want to thank him personally. And, Senator Forby, thank you for carrying this bill; Representative Phelps and -- and Mautino and the Speaker and all the organizations that were involved in this process. It was a long process and -- but at the end of day, you know, not everybody's happy with it. All the way around, it's -- as was mentioned, it's not a perfect bill, but it is acceptable. I think it will serve the citizens and accomplish the mission we were set out to do. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR SULLIVAN:

Thank you. Ladies and Gentlemen, I rise in support of the legislation that's in front of us here today. As Senator Forby indicated in his opening remarks, we've worked many, many years on this issue and we've come together here today, I think, with a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

bill that -- that -- that we can support. I think it's important to keep in mind, Illinois is the only state in the nation that does not allow concealed carry. This legislation, now that we are in -- have it up on the board and going to be voting on it here today, this legislation has some of the toughest and strictest requirements of all the states that are out there. That was a compromise. That's something that some of us, on both sides of this issue, the pro-gun and the -- and the pro-gun control folks -- you know, we -- we all had to give and we all had to take a little bit. There are some things in here that I think are too much. I don't like the sixteen hours of training. It's the highest in the nation - the highest threshold requirement in the nation. The hundred-and-fifty-dollar licensing and the other licensing fees that go along, some of the highest in the nation. There are prohibited places, some places there that we didn't feel like that we should -- that they should have been prohibited, but this was a give and a take. The tougher penalties for carrying under the influence, that was put in the bill as a request of Senator Raoul and some other Members. So this was give-and-take all through this process. And I think that this bill really reflects the diversity of this State. Keep that in mind: This bill really reflects the diversity of this State. It's trying to come together and put together a piece of legislation that we all can feel comfortable with. One of the previous speakers on the other side of the aisle talked about the heavy lifting that they've done. Ladies and Gentlemen, this is a bipartisan bill, a bicameral bill. We came together, from Senator Raoul to Senator Forby. That's from north to south. We came together and drafted a bill that I think that we all can live with and be happy with. Lastly,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

I just want to say thank you, and many of you have said this already, but, Senator Forby, first of all, thank you for your leadership. Senator Haine, your intelligence and your intellect on this issue. Senator Raoul, you've taken a lot of heat and pressure on this issue, but we could not be where we are today without your leadership. I know Senator {sic} Phelps was on the Floor. I don't know if he's -- or, Representative Phelps, is on the Floor. Senator Bivins, Senator Righter, I really appreciate the input and us working together on this piece of legislation. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Luechtefeld, for what purpose do you seek recognition?

SENATOR LUECHTEFELD:

Thank you, Mr. -- Mr. -- Mr. President. To the bill, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR LUECHTEFELD:

You know, most of the votes that we're going to take today, and -- and yesterday, are political. And you often wonder how everybody on one side can be voting No and the other side can be voting Yes, and how there can be that much difference. This is one of those bills that is -- is -- I don't think political. It's more regional. I think it -- it -- you know, I honestly could say that if I -- if I would have seen this bill and said would I vote for it two months ago, I'd have said probably wouldn't vote for it because it didn't really go far enough. And I think there are a number of people who will vote for this bill because they believe that it's something that we need to get done, it's something that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

we have to get behind us, and it's probably the best that we can ask for. And the same is true on the other side, those people who, you know, in good faith oppose guns and oppose concealed carry. I'm sure there'll be people who will vote for this bill because they realize that this is the best we can do and it's something that we need to do. So I would rise in support of the bill and hopefully that we can get this -- this issue behind us, because we have an awful lot of other, even more important issues. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Chris Brooks, WICS ABC NewsChannel 20, requests permission to audio, video, still photographs. There being no objection, leave is granted. Senator Noland, for what purpose do you seek...

SENATOR NOLAND:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR NOLAND:

Mr. President, I heard the shots that killed Antolino Perez, Jr., in 1993. In fact, I was the 911 call that brought law enforcement to the tavern down the street from where I lived at the time, where law enforcement found Antolino as he lie dying in the parking lot of that tavern. The bitter and the brutish irony of that moment was that his wife lie recovering in the hospital, just having given birth to their first and only child that they would share together. I remember reading, a short while earlier, the headlines when Earle Harris, a fifty-two-year-old {sic} janitor who was working at the school that my daughter now attends, was quietly stacking chairs in the cafeteria of that -- of that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

school -- there were three kids across the street from that school, young gangbangers about sixteen/seventeen years old, hardly old enough to fully appreciate the consequences of their actions, when they began exchanging threats and epithets at one another, which became violent when a bullet was fired across the street, across the fence line, through the cafeteria window and into the head of Earle Harris. They found him later in a pool of blood, after his family had called and reported him missing. I would like to know who sold the firearm to the person who shot Antolino. I would like to have had the bullet perhaps that we could've taken from Earle Harris' body and have traced that bullet and that gun through the chain of command -- or, excuse me, I'm sorry, the chain of distribution and hold those who might have provided that gun to others, including the person and the shooters, personally responsible, both criminally and civilly. But, you know, this bill doesn't do that. And until we start doing that, we're really not going to get after the -- the problem of gun violence here, both in Illinois and the United States. But that having been said, this bill does some important things. It does create uniformity and preemption, limited however it may be, throughout the State of Illinois, which is a very good thing. It allows law enforcement to object to an applicant and provides a meaningful process of appeal should law enforcement object and that individual wish to pursue the matter. It provides for qualification, for training and for fees that are necessary to obtain the permit. But most importantly in my view, what it does is it strengthens existing law and gives us greater impetus to enforce mandatory reporting by health care providers, by school officials, and by law enforcement. Under this bill, they will be required to report individuals that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

they know are either a danger to themselves or the...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Excuse me, Senator. You have one minute.

SENATOR NOLAND:

...community at large. Thank you. When you look at the history of the shootings at Columbine, of Aurora, of Virginia Tech, and of Sandy Hook, and not the least of which, of Northern Illinois University, we know that all along the way those persons would have been visited by somebody who would have been a mandatory reporter. This bill will not bring back those individuals, those -- those who have fallen. It will not guarantee that the Antolino Perez, Jrs. of the world will be able to watch their children grow up. It will not guarantee that the Earle Harrises of the world will -- will return safely back to their families. But it will make the world and the State of Illinois a safer place, and for that, the State of Illinois owes our Senators, Senator Raoul, Senator Forby, Senator Bivins and others who have worked on this, an enormous debt of gratitude. And for those -- those reasons, I -- I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter, for what purpose do you seek recognition?

SENATOR McCARTER:

Mr. -- thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR McCARTER:

First of all, thank you, Senator Forby, Senator Raoul, Representatives Phelps and Costello in the House. I appreciate the hard work you've done on this. Senator Bivins, as well. You

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

know, I -- at times, I -- I violate something my mom told me never to do, and that's judge people's intentions, because you don't really know all the time. 'Cause if you could get in people's head and their heart, you'd -- you'd be a rich man because you could -- you could -- you know, you could peddle that. But we just don't know. I know my district. I know I've got some good people in my district. I've got a lot of responsible gun owners. I've got people that were raised with guns. And I know something else. I don't know everyone else's district. We don't have drive-bys -- shootings in my neighborhood. Now, right down below the hill we do, but it's different. I understand it's different and I think we need to be sensitive to that, because, you know, we -- we stand up for -- you never know why -- why people's -- why people are speaking on something. I don't think anyone knew why I was speaking on an issue this last week, because it affected me personally. But some of these things I know have affected -- people who probably didn't want this to take place, it's affected them personally. So I think we need to be sensitive of that. But I will tell you, just as you're going to have to go back and talk to some of the people in your district that you and -- and explain why you compromised, I'm going to have to do the same thing. Reciprocity - I've got people, when they come to me, they don't just pull out their FOID card to show me who they are, they -- they show me their concealed carry from all the different states. Probably, in -- in some of your districts, no one's ever done that, but the people I represent are very serious about guns. I'm not thrilled about the carved-out locations, 'cause I think we're actually setting up targets for evildoers. But this -- this bill is not about helping evildoers; this is about protecting

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

responsible gun owners. The numbers don't lie: The citizens will be safer; conceal carry will produce even more responsible gun owners. And it allows me to do what I have an obligation to do, and that's protect my family. And I -- I urge an Aye vote on this today so that we can reaffirm the Second Amendment and my gun, which is my right. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski, what -- for what purpose do you seek recognition?

SENATOR KOTOWSKI:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR KOTOWSKI:

I just want to echo some of the previous statements that were made about -- on some of the people involved in the process. I think it's a reflection of the fact that we have many people in this Chamber who are statesmen, Senator Raoul being one of them. I think some points were raised here that I think were very important: This moving forward in this direction and making sure we protect people's individual rights, protect their Second Amendment, but we also make sure that the people who get the firearms are the most responsible and the ones who present the least amount of risk to the general population. So, there's some issues that I have with the bill, 'cause I don't feel we're here yet. Just sixteen hours' worth of training. Do you know, in order to become an Illinois State Police officer, you need eighty hours' worth of handgun safety training - not just told how to shoot, or when to shoot, involves the whole package - and then thirty-two

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

hours of training over the course of the next four years. That's hundreds of hours of training for law enforcement. And we do know, despite this training, there are situations where law enforcement inadvertently do something that impacts the life of someone else. But they are trained in the use of deadly force. There is no training in this in the use of deadly force - none whatsoever. The second thing is, in our database right now, the FOID system is considered a ticking time bomb - a ticking time bomb because of the lack of mental health data that we don't have because of people who are supposed to report, including the circuit court judges and the clerks, about people who've been adjudicated mentally defective, meaning they've been declared mentally incompetent, meaning they can't take care of themselves. We only have forty of the hundred and two circuit courts reporting that information. Plus those who are private hospitals, those who are mental health facilities aren't reporting that information yet as well. A ticking time bomb. In addition, there aren't any limitations on the size of the ammunition magazine in this bill. So you can carry a pistol, a loaded concealed handgun, with a thirty-three-round ammunition magazine, or a fifty-round, if it fits for it. That presents a problem. So people ask, like, "Why do we pass a law that's more restrictive." "Why do we have more training?" "Why are we making this more difficult than other states?" Well, think about it, and know about it. Since 2007 - here are the articles - 2007, five hundred and eight people killed by concealed handgun permit holders in other states, licensed to carry concealed handgun permits, because they haven't been adequately trained, because they haven't been properly screened, because they can carry large capacity ammunition magazines. And look at the data - fourteen

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

law enforcement officers killed, twenty-three people involved in mass shootings, a hundred and eight people killed in mass shootings by concealed handgun permit holders - the quote, unquote, "cream of the crop". So there are distinct problems with allowing people to carry concealed loaded handguns if we haven't taken the proper steps to make sure those who are a risk to themselves and to the general public aren't able to get access to these guns. See, we're not there yet on this bill, not even close. Sixteen hours - and we demand that law enforcement get an incredible amount of training to make sure that they don't make mistakes with firearms and we're not doing it here. We're not limiting the size of ammunition magazines. We're not taking {sic} the protections in place that we should to protect people from those with mental illness. We need to go farther. The State Police, as I said, indicate that their FOID system is a ticking time bomb, waiting. Remember this, when NIU happened, the person who got access to the gun got access to it legally and used a Glock with a thirty-three-round ammunition magazine. Remember that. And remember the fact that in these other states, these other states out there, all these articles out here, five hundred and eight people killed in the last few years by concealed handgun permit holders, those who are licensed to carry and those who use those guns in mass shootings and those -- use those guns in murder/suicides. So remember that when you vote for this bill. I appreciate the leadership and the statesmanship of Senator Raoul and I appreciate the fact he'd introduced legislation in the past before this iteration of this bill that I thought it was a more presentable version of it. I'm grateful for all the work that he's done on this, but this bill isn't there yet.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR MUÑOZ)

There being no further discussion, Senator Forby to close.

SENATOR FORBY:

I just want to thank everybody today with all their comments, no matter if you're for the guns or you're not for it. I just appreciate what I'm hearing. I want to thank all the Republicans, I want to thank all the Democrats, in the Senate and House, what they've done, come up with a bill like this today. And as I've heard before, just vote your conscience and let's see what we do.

PRESIDING OFFICER: (SENATOR MUÑOZ)

As this bill denies and limits the power of home rule units on subjects not exercised or performed by the State, the passage will require a three-fifths majority. The question is, shall House Bill 183 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 voting Aye, 12 voting Nay and 1 voting Present. House Bill 183, having received the required constitutional majority, is declared passed. House Bill 1189. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Thank you. Personal privilege, if I might.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Please point -- state your point.

SENATOR RIGHTER:

Let me get my guys up here, Mr. President. Ladies and Gentlemen of the Senate, I would like to introduce two Pages that I have here today. One is Cameron Sidles, who is the son of one of our staffers, Angie Sidles, and the other one is Luke White,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

who is the nephew of Angie Sidles. They're here experiencing democracy in person and having a great day. And I'd ask the Senate to give 'em a warm welcome, if I could.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Welcome to the Senate. House Bill 1189. Senator Raoul. Indicates he wishes to proceed. Senator Raoul seeks leave of the Body to return House Bill 1189 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1189. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul, on your amendment.

SENATOR RAOUL:

The amendment becomes the bill. I'll explain it on 3rd.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Seeing there's no discussion, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. House Bill 1189. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 1189.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1189 represents what some of the speakers talked about on the previous bill. It was alluded to that the previous bill did not have certain gun control measures within it. House Bill 1189 contains two provisions that were in a -- previous versions of a concealed carry bill, dealing with two narrow issues - one, the private sales or transfers of -- of firearms to make certain that such transfers and sales are made to people with valid FOID cards. It would be -- it would seem that that would be a no-brainer, but in Cook County, for example, there are in excess of four thousand revoked FOID cards - revoked because of mental health reasons, because of criminal convictions - that may reflect that they have not expired, but they have been revoked, but are still in the possession of the individuals that were initially given the cards. What -- what 1189 would require the individual selling or transferring a weapon to do is simply call the State Police, which has a hot line, give the number of the FOID card to make sure that that FOID card was still valid. Secondly, with regards to lost and stolen weapons, which was discussed by multiple speakers on the previous bill, upon actual knowledge, actual knowledge that a firearm was lost and/or stolen, the owner of that firearm would be required to report within seventy-two hours of -- of actual knowledge of the weapon being lost or stolen. I urge an Aye support for these reasonable gun control measures.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Senator Raoul, it seems to me that - and I know you'll take this in the right spirit - this -- the way that we've arrived at this bill here and talking about this bill here on -- in this Chamber kind of is a stark contrast to the bill that we just passed, which was a process that involved a lot of people, a lot of time, a lot of discussion, whereas this passed out of the House and, boom, it's out here on the Senate Floor. And so I hope you'll provide some indulgence to me, as I want to walk through what the bill would require from our constituents' point of view. Now, one of the provisions in here, as I understand it is, is that in the private transaction between myself and my neighbor, where I'm selling my neighbor my shotgun, as the law stands right now, what I have to do is require my neighbor to show me his FOID card, or her FOID card, and I -- I have to look at it to make sure it's -- it's not -- not expired, and then I sell them the firearm, they give me the check or whatever, and I have to keep a record, whatever record I have, of that sale. Is -- is that -- is that your understanding of the current law?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Yes. And I think there's a -- a waiting period of twenty-four...

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Righter.

SENATOR RIGHTER:

Thank you. Now, if this becomes the law and I am selling that shotgun to my neighbor, what do I have to do if this becomes law?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

If -- if this becomes the law, one would have to call the State Police. The State Police currently has a line where you can call to make sure that the FOID card is -- is valid. The State Police would issue a -- a verification number. One would not have to give their name or the name of the -- the person. They would just say -- they would just give the number of the -- the FOID card and they would get a verification that that FOID card was still valid. I neglected in my introduction of the bill to -- to indicate another aspect of the bill. We -- also giving the State Police, I think, two years to establish an Internet portal, and at which time that would be set up and the individual selling would not necessarily be required to phone the State Police; they could go onto the Internet and find out whether the FOID card was still -- still valid.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. So, the State Police have two years to set up that database. Is -- does that mean that the private transaction change in the law doesn't become effective for two years?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

No. The -- during that time before the -- the portal were set up, the phone call will -- would have to be made. The -- the notion of the portal being set up is to make it easier for -- for -- for the transaction to take place. They could have the option of -- at that time, to use later or whenever it's set up, to either go onto the Internet or make the phone call.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

So, I find this phone number and I take the -- the buyer's FOID card and I have to call in and give the person who answers the phone the number that's on the FOID card, and that's to make sure that the FOID card is valid. Is that right?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Correct, Senator. To make sure that the FOID card has not been -- been -- been revoked.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Now, you said you don't have to provide the person's name. Are you talking about the person who's calling in to verify the FOID card or the person whose FOID card is being validated?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR RAOUL:

Either name.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Well the -- I mean, the latter's not going to matter, because once I give 'em the number on the FOID card, don't they -- I mean, boy, if the State Police don't know the name there, then we've got a lot bigger problems than this one. I mean, they already have the name of the person who's buying the firearm by virtue of us -- me providing the FOID card number, correct?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Yep.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

How are gun owners in the State going to be made aware of this new requirement and where they -- they -- they get the number to make the call into the State Police to confirm the validity of the FOID card? Where is that information coming from?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

The -- I -- the dial-in number already exists and information will be posted on the State Police website.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR RIGHTER:

Okay. That tells me where to find the contact information. What's the plan to make gun owners aware, like myself, who's selling my twenty-year-old shotgun to my neighbor, aware of the new requirement if this becomes law?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

You know, it's similar to the same plan that -- to make the gun owners aware of all the requirements in the concealed carry bill that we just passed. So, you know, I think we have probably a lot of gun owners paying attention to the debate that we're having today about guns, you know. It'll be -- it'll be in the books. It'll be in the -- in -- in statute.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Thank you for your patience, Senator. Like I said, we're seeing this -- the substantive language for the first time here. I'm looking on page 3 of the amendment, around line 10. "The purchaser or transferee may be required by the federally licensed firearm dealer to pay a fee not to exceed ten dollars per firearm". What -- what does that language refer to?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

The -- there -- there's an exemption if you, in lieu of -- in lieu of making a phone call, if you were to go to a firearm -- a federally licensed firearm dealer and do the background check, you

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

know -- you know, there would -- you can reasonably exempt that person from having to -- to make the phone call. When you do such a background check, you know, the dealer would reserve a right to charge a fee of up to ten dollars.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter, please be aware the timer is on. It's been over, but since you're just reading it. So if you can try to wrap it up whenever you can.

SENATOR RIGHTER:

Oh, sincerely -- sincerely, Mr. President, I just noticed. We're leaving the timer on for...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Yes. It's going to be on.

SENATOR RIGHTER:

Okay. I didn't realize that. I thought it was just for the -- 183.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Nope. Just letting you know.

SENATOR RIGHTER:

Last question.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sure.

SENATOR RIGHTER:

So, Senator, so I'm clear, in the situation that I've been describing, so instead of me wanting to call the State Police and verify my neighbor -- the validity of my neighbor's FOID card, I can go to a federally -- licensed firearm dealer, bring my neighbor along with me, ask that person to run the check and they can charge the buyer ten bucks. Is that basically how that would work?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

There -- there's -- the -- the -- the purchaser. Yes, the purchaser ten dollars.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bivins, for what purpose do you seek recognition?

SENATOR BIVINS:

Questions of the sponsor, please, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR BIVINS:

Senator, does this reduce one's liability?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Yes. Thank you, Senator, for the question. Somebody who would take this step of making sure they weren't transferring a gun to somebody that shouldn't have one would -- would be immune from -- if something were to -- to -- to happen as a result of the transfer, if they took this step.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bivins.

SENATOR BIVINS:

Well, if I -- if I sold a gun to someone and I call into the State Police and they say it's valid and later, for whatever reason, we find out it's not and that person commits a crime with that gun, my liability civilly is then reduced. Is that correct?

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Raoul.

SENATOR RAOUL:

That is correct.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bivins.

SENATOR BIVINS:

Okay. If I were not selling a gun, could I still call this -- call in a FOID card number, even though I wasn't selling a gun?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bivins.

SENATOR BIVINS:

You're -- you're not registering a gun when you call this number? Do you -- do you give a serial number or anything when you call this number?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

No.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bivins.

SENATOR BIVINS:

And is there any penalty if you don't call? If I, for whatever reason, I forget or I decide I don't want to do that, is there a penalty if I don't call this in?

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Raoul.

SENATOR RAOUL:

There is no penalty for that provision of the bill. There -
- there is a penalty for the other provision with regards to lost
and stolen weapons.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul {sic}.

SENATOR BIVINS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR BIVINS:

Thank you. I rise in support of the gentleman's bill. I --
I feel that as someone -- if you're selling a gun to someone else
and this reduces your liability, your civil liability, none of us
want to -- would want to sell a gun to someone and then later have
them find out that they had a revoked license or they were not
eligible to receive that gun, and this protects the seller, I
believe, from what -- what the Senator has said, and so I rise in
support of his bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR SULLIVAN:

Thank you. Senator Raoul, I've had a couple of -- I haven't
had a lot of time to look at this bill as well, but I -- so I want

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

to ask you a couple questions. First of all, if I wanted to -- if I have a legally -- if I have a FOID card and own a gun legally and I want to loan it to Senator Forby to go hunting, what does this bill -- what would I have to do to do that?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

The -- the intent of this bill is to cover a -- a permanent transfer, a -- a -- a -- a situation where you're either selling a gun to somebody or you're giving a gun to somebody to -- to transfer the possession of that gun to them.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan.

SENATOR SULLIVAN:

So just to be clear, the -- the bill does not say that. So the intent is to do that, but that's not in the bill, so is that allowable?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, and just one other question. For the -- and this was alluded to earlier, but with regard to a database, is there a database of individuals that call in to verify the valid FOID card? It -- will that -- and I guess it's the State Police that does that. Is that correct? You're nodding yes. Do they retain that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

information?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

No. The -- the person who's calling in would -- would not have to give their name, so there wouldn't be any information to retain. They -- they would receive from the State Police a verification number for their own records, but they would not have to give their name.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs, for what purpose do you seek recognition?
Senator Jacobs.

SENATOR JACOBS:

Mr. President, I rise to move the previous question.

PRESIDING OFFICER: (SENATOR MUÑOZ)

I see... Previous question has been put. The only speakers that we have are now Senator Rose, Senator -- Leader Radogno and Senator Jones. Senator Jones, for what purpose do you seek recognition?

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR JONES:

Senator Raoul, so if I sold my gun to Senator Delgado and I didn't call in and do the FOID check, you mean to tell me there's no penalty for me selling my gun without checking to see if he's a registered FOID card holder?

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Raoul.

SENATOR RAOUL:

Correct.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jones.

SENATOR JONES:

Is there a penalty for not -- what is the penalty for not reporting my lost or stolen gun?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

The first offense is a petty offense and the -- the second or subsequent offense is Class A.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Rose, for what purpose do you seek recognition?

SENATOR ROSE:

Will the sponsor yield for a quick question, please?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR ROSE:

Thank you. Senator Raoul and Senator Sullivan just hit on this and it's a very important piece that's missing from this bill. What's missing is any definition of the word "transfer". And you, being a lawyer, know very well that what might work in the vernacular, might work on the street, does not work in court. Transfer, to me, could be, "Hey, buddy, can I take a look at that?" "Sure, take a look at it." I just transferred a gun over to somebody to look at it. I had no intention to sell it to 'em. I had no intention to permanently give it to them, but I did transfer

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

it to them, if only for a short time. There's no definition here at all of the word "transfer". It does say "transfer or sell". Sell is a much more definite movement between individuals. So, first of all, I have other problems with the bill, but -- and, frankly, around here we get caught up on this purposes of legislative intent language, which, frankly, at the end of the day, you only get to that if the court can't figure it out. So it's a dangerous slippery slope anyway, anytime you're -- sitting here talking a bill about, "Hey, for purpose of legislative intent". But for -- purpose of legislative intent, is that your intent that this not be -- that these be permanent transfers?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

As I told Senator Sullivan earlier, that is my intent, that it's permanent transfers. And I would add that in that there's no penalties and this is an incentive to be -- to -- to get people to do it and so they -- they receive immunity, you wouldn't be up for any sort of a penalty.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Rose.

SENATOR ROSE:

Thank you, and to the bill. I -- I do appreciate...

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill.

SENATOR ROSE:

...you putting that as purposes of legislative intent, but, again, let's all remember that purpose of legislative intent only comes into play after court has found confusion. And there is no

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

underlying definition of "transfer" in this. I appreciate the Senator putting his intent on the record, but it's not in the bill. The other thing, folks, what -- have we forgotten the fact that the State Police can't get the FOID card system right? Everyday people call me, waiting months, upon months, upon months, to get their FOID cards. We had -- in fact the most recent one that came to my office was a father who submitted his card and his two children's cards at the same time. They went to the same title company, license processing store, took their pictures, paid their money, everything was sent in. The checks were all cashed the same day. His kids took three months to get their cards back and his card took another two and a half months beyond that. Five and a half months for the State Police to issue FOID cards. Why on earth would anyone think that they're going to be able to get this instant check system correct? I mean, if it takes five/six months now -- there's a suit pending over how ineffective and unbelievably -- well, ineffective they've managed the entire FOID card system. They can't get a paper transaction right, yet somehow we're just going to trust that we're going to call this number and all is well. If they can't figure it out when you're getting a mailed thing and a check - a check they cashed. They have no problem cashing the check, I might add. But then three, four, five months later maybe you get your card, maybe you don't. How many -- I get those calls all the time. But here we are again, let's just trust the State Police to come up with this system. I'm not going to vote for the bill. I may be the only one that's not going to vote the bill. I don't know, but I'm not going to vote the bill 'cause I don't trust the State Police to get this right and the word "transfer" is not defined. If I'm out with my son and hand him a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

gun to look at one day, or hand 'em a gun to shoot, we're going hunting. "Here, take a shot." Is that a transfer? I don't know. I do appreciate Senator Raoul's legislative intent. I don't want to speak otherwise, but it's not in the bill. So, thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Leader Radogno, for what purpose do you seek recognition?

SENATOR RADOGNO:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Leader.

SENATOR RADOGNO:

Well, I rise in strong support of this bill. You know, as we're discussing guns today, it seems to me, whether you come from a district that's very pro-gun or very anti-gun or a district that has a little bit of both, like my district, I think every single person in this Chamber and every single one of our constituents is entrusted in safety and making sure that guns don't fall into the hands of the mentally ill or those with criminal intent. And we can do a lot of things that, you know, seem like it's advancing that cause, but I think this bill, it makes a real material difference in making sure that we try to control guns so that they're used properly and provide -- and safety's provided for all of our constituents. I appreciate the concerns about the issue of "transfer" not being defined. Then we ought to define it. I don't think that's an impossible thing to do. If we have a lack of faith in the State Police instant check system, then let's fix it. I mean, of all the priorities we have, we're talking about safety and human lives here and that's something we can do about -- do

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

something about. I don't think we should be quibbling over details that can and should be resolved. I think this is a good step forward and I would encourage everyone to vote in favor of it. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR RAOUL:

I -- I adopt Leader Radogno's comments as my closing and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall House Bill 1189 pass. All those in favor will vote Aye. Opposed, Nay. The voting -- voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 voting Aye, 15 voting Nay, 1 voting Present. House Bill 1189, having received the required constitutional majority, is declared passed. House Bill 1346. Senator Kotowski. Indicates he wishes to proceed. Mr. Secretary, read the bill. Senator Kotowski seeks leave of the Body to return House Bill 1346 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1346. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski, on your amendment.

SENATOR KOTOWSKI:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1 addresses the high capacity

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

ammunition magazines in the State of Illinois. It limits 'em to no more than ten rounds. It does not prohibit the simple possession of large capacity ammunition feeding devices; however, the amendment adds an aggravating factor in sentencing for a homicide or weapon offense if the defendant possessed device while committing a homicide or weapon offense. Additionally, the bill adds a factor to impose an extended term sentence if the defendant discharged a firearm equipped with a large capacity ammunition feeding device while committing a homicide or weapon offense.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There's no discussion on the amendment. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor -- further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. On the Order of 3rd Reading, House Bill 1346. Senator Kotowski. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 1346.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski, on the bill.

SENATOR KOTOWSKI:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I appreciate the opportunity to present this bill here today. There were some issues, as some of you may recall,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

that were brought up in the Executive Committee about this bill. We were making sure there was a -- a very clear definition of transferable -- temporary transfer of a firearm that's in this bill; also, to make sure the magazine is defined as a "detachable magazine", so it wouldn't inadvertently impact firearms that have a magazine that's not detachable. As I'd mentioned before, some of the opposition was that it would inadvertently impact magazines that had weapons that did not have a detachable magazine, a built-in magazine. So, we made sure that we addressed that. Also, the amendment allows for the manufacture and sale outside the State of Illinois. The thrust of this bill is -- is real simple. There aren't real standards that are applied to the manufacture of high capacity ammunition magazines. In fact, firearms are the last unregulated consumer product in the United States of America. So we don't really have health and safety standards and we've relied upon the gun industry to kind of impose standards of -- on themselves. That's presented a series of challenges that we've faced as a general public. And, you know, what this bill strives to do is protect people's individual rights. It doesn't take away any existing possession of magazines. It just limits the damage that the magazines can cause, especially when they get in the hands of somebody who is mentally ill or somebody who is a criminal. So we've addressed the -- the sale and we've addressed the use in a criminal act. The fact is, what we've seen over time, with the change from the sale of revolvers to semiautomatic pistols with high capacity ammunition magazines, is the increasing number of people who are shot -- who are killed in a very short period of time in some of these mass shootings. Some of you have met some of the people who came last week from Newtown, Connecticut, and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

got a chance to hear their stories and got a chance to listen to, unfortunately, the pain that they continue to live through on a daily basis. It is -- it is an awful thing that has happened to many people, whether they're in the City of Chicago or Newtown, Connecticut, or Aurora, when faced with the fact that people possess some of these high capacity ammunition magazines and they can kill a significant number of people in a very short period of time. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

I rise to move the previous question.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs has moved the previous question. Per our Rules, only the following Senators will be recognized to speak: Senator McCarter and Senator Collins. Senator McCarter, for what purpose do you seek recognition?

SENATOR McCARTER:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR McCARTER:

Senator, just so I understand, if -- if this bill passes, signed into law, I want to go buy a nine millimeter Glock 19, will I or will I not be able to purchase that gun in the State of Illinois?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter.

SENATOR McCARTER:

I'll still be able to purchase that, even though it has the capacity for more than ten rounds?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you for your question, Senator. This bill doesn't impact the firearm that's sold. This impacts the sale of magazines of more than ten rounds.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter.

SENATOR McCARTER:

To -- to the bill. Thank you, Senator, for clarifying that. You know, I listened to one of the -- the last debates in committee and there was a gentleman from Springfield who spoke, and he said what I thought was a very interesting thing, he said to someone on the committee, "Senator, do you want me to win?" He said, "When I'm -- when I'm trying to protect my family, do you want me to win or do you want me to lose?" And I think we need to ask the question, do we want to win or do we want to lose? The more profound thing he said is, he said, "Senator, my family is counting on me winning." And so, again, responsible gun owners have the -- we have the obligation to protect our families and our -- and our private property and we need to be given the opportunity to win. And it's not right for someone else, including this Body, to determine whether ten rounds is enough for me to win. That's

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

wrong. I understand as well, as I said before, where everyone's coming from. I, too, would love to do anything I can to lessen gun violence. But that -- this bill will not do that. You will just give me less of a chance to win and that's my obligation to protect my family. So I encourage a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Collins, for what purpose do you seek recognition?

SENATOR COLLINS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR COLLINS:

First, I'd like to thank and commend my colleague, Senator Kotowski. This has been an issue with him, a passion of his since he arrived in the Senate, maybe eight years ago. So I want to commend him for the hard work. But I'm going to speak for my district and that's why I'm here. You know, guns have divided us like almost no other issue before this Chamber. But it is my hope and my prayer today that we can agree on at least one thing - that no parent deserves to suffer the loss of a child to a mass murderer's bullet. When we hear about tragedies, like the massacres of Sandy Hook, Columbine, NIU, we want to know why, and yet we may never know why, but we know how. Like so many mass shooters, like the killers barely stopped to reload their guns, they killed quickly and efficiently. In the case of the Sandy Hook shooter, firing a hundred and fifty-four bullets in less than five minutes and giving their victims little chance to escape or fight back. They were armed with high capacity magazines, the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

kind whose sale this legislation will ban. High capacity magazines and clips are accessories of choice for the criminals who terrorize schools, movie theaters, college campuses and street corners. Every time one of these heinous crimes is committed, we view it as an isolated accident or incident. But it keeps happening. And it will keep happening unless we act. We know banning high capacity magazines does make a difference. From 1994, when the federal ban of these devices took effect, to 2004, when it expired, the number of high capacity magazines and clips recovered at crime scenes steadily declined. After 2004, the number increased. Bans don't necessarily discourage criminals, but they do decrease availability and accessibility. If we cannot agree today to ban devices that help criminals claim more lives more quickly and with less effort, I wonder what common ground we can find. The choice is ours to make. Today we have a simple opportunity to honor the memory of the children and teachers of Sandy Hook Elementary School in Newtown. But as President Obama pointed out, there is something profound and uniquely heartbreaking and tragic, obviously, about a group of six-year-olds being killed. But last year, there were four hundred and forty-three murders with a firearm on the streets of Chicago and sixty-five of those victims were eighteen and under, so that's the equivalent of a Newtown every four months. From Cairo to Chicago, from cornfields to rooftop gardens and vacant lots, I believe we can all agree that the life of a child is precious. Every child deserves to grow up in safety and parents everywhere deserve an Aye vote as our pledge that we will never forget the children of Chicago, or Columbine, or the students of Virginia Tech or NIU, or the twelve people who went to see a movie one night in Aurora, Colorado, and never came back. I urge an Aye

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bivins, for what purpose do you seek recognition?

SENATOR BIVINS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR BIVINS:

Thank you, Mr. President. I appreciate your intent behind the bill. I know your heart's good. I know after Sandy Hook, that got the nation's attention like never before. What happened there was -- was terrible and we can't even let our minds go there to think about such an event. But, you know, a lot of the debate is centered around the fact of high capacity magazines, assault weapons, and lot of people -- the argument is, why would you need a high capacity magazine? Lot of people will say Second Amendment rights, which are very important. They'll say sporting. They'll say hunting. They'll give a lot of -- of different reasons why they feel they need them, but I -- I honestly think that we're -- we're actually focused on the wrong thing. We're debating the wrong issue here. And the issue should be, are -- are these bands effective? Will it work? Will it make any appreciable difference? I would submit to you, if I were to make a list of everything that was effective and not effective, this would be on the bottom of the list as being least effective. And I say that for a variety of reasons. There's -- there's hundreds of millions of guns out there. There's even more magazines. You can ban these things all day long and there -- there's just going to be so many of 'em out there. Another reason I say that is, you know, we -- we talk about

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

reloading and the ability that you don't have to reload. But the fact is, you can reload a six-shot revolver in less than two seconds, or a magazine, a six-shot magazine on a semiauto, or ten-shot, you can reload it very fast. And if you don't believe me, check your YouTube. Put "quick reload" in there and you'll see some of the people, how fast the world professionals can do it. One does it in seconds. In one second, he can reload. You can inflict a lot of damage. Part of the problem we have is that as we center this debate around the -- the inanimate objects of -- of a magazine and -- and a -- and an assault weapon, is we fail to look at the -- at history, at what it's -- it's told us as we -- if you look at -- to the events that have happened. If you look to Virginia Tech, which is the second-highest number of students killed in a school in recorded history, that shooter had two handguns. One was a ten-shot magazine twenty-two; the other one was a Glock. I can tell you that Glocks are used more, nine millimeters are more. So maybe we should ban Glocks. Twenty-two caliber's used -- been used in more homicides, and if you look at the school shootings, two hundred and thirty-seven of 'em since 1794, I can tell you a twenty-two is a predominate weapon of choice. So maybe we should ban twenty-twos. So there's no end to it. The -- the problem is, you have to look at what does work. And yesterday we concurred on a bill, Senate Bill 1931, which is a school security task force that will come up with a lot of these recommendations on how to fix a lot of these things, keep our kids safe in school and keep others safe. And when a person walks into a room, such as Virginia Tech, when they walk in there, they have a gun, no one else has a gun; they have a tactical advantage. When they walk into a classroom and no one else in that classroom has

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

a way out - they stand between the one door in, the one door out - they have a tactical advantage. And there's very few places to hide when that happens. So, I don't think that -- that these bans will work. I think it'll take decades that you'd ever see any appreciable difference. You'll not -- you're not going to be able to collect all the magazines that are out there. And I think the other things we need to look at, and we've talked about and I think we're in agreement on it, are the mental health issues, the -- and the communications. In Virginia Tech, there was a breakdown there. At Virginia Tech, if you look at that, when that happened, two classmates of the shooter, before they knew his name, said exactly who they thought did this. There was a lot of miscommunication. There -- there was a lot of failure in that -- that regard that could have prevented a lot of tragedy. So, I think we need to focus not only on the mental health, but also on -- on the taking away the tactical advantage that -- that a shooter has. And, finally, I'd -- I'd just like to -- to close with this thought that -- for many years on my desk I had a quote, and it wasn't my quote, but it is meaningful to me and maybe will be to you: Everyone always asks what is the cause of crime? Or, what causes crime? Fundamentally, this is the wrong question to ask. The right question to ask should be, what causes virtue? Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR KOTOWSKI:

Yeah, I appreciate the -- the words of the previous speaker and I appreciate your commitment that you've made to law

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

enforcement over the years and it means a lot to hear what you present on the Floor today. I have a great deal of respect for you. I -- I just think we need to keep perspective here. I want to make this really clear. In 1972, the gun industry was exempt from any health and safety regulations, except pellet guns were included in health and safety regulations and toy guns. So the gun industry has essentially been able to dictate policy to the American people for too long, for much too long, way too long. And we've said to them, police yourselves. And no one has said to them, by law, that you need to be held more accountable because of what you create. Because the fact is somebody creates these guns that become increasingly more lethal. Somebody sells them and then they end up in the hands of kids. Then they end up in the hands of someone who's mentally ill. And we talk about this issue of, you know what, it takes -- a few seconds to -- to -- to unload something and -- and to put new magazines on. That can be a lifetime for a room full of kids who are shot up. If you talk to someone who's proficient when it comes to magazines and replacing them - unloading, reloading - take five seconds. Think about it. You can save lives in five seconds. But this is how sad it's become. This is what the debate has boiled down to. What about five seconds? What about the life of my child in five seconds? What's it worth to everybody else's kids? I'm going to read to you something. Sandy Hook Elementary kid -- elementary school, thirty-round magazines, twenty-eight dead; Century Aurora sixteen movie theater, twelve dead, fifty-eight wounded, hundred-round magazine; I-HOP, Carson City, Nevada, five dead, seven wounded, twenty- and thirty-round magazine; Safeway parking lot, Tucson, Arizona, thirty-three-round -- thirty-three-round magazine, six

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

dead, thirteen wounded. Want to bring it closer to home? Let's bring it closer to home. Northern Illinois University, six dead, twenty-one wounded, thirty-three-round ammunition magazine. Look, here are the facts. We have to figure out a way to limit the damage that these weapons can cause. If we're going to require that toys are safe, that teddy bears have to face these regulations of sharp edges and points and loose parts and flammability to protect our kids from the dangers of teddy bears and toy guns, we for damn sure can do it as it relates to high capacity ammunition magazines. And those who are worried about the gun industry and the lobby that represents them, screw the gun industry and the lobby that represents them. I'm so sick and tired of people saying they can't stand up to them. I'm sick and tired of people saying, "I get e-mails all the time." Look, there are decent law-abiding citizens in this State who own guns and they're great people, but the gun industry doesn't represent 'em. The lobby that represents the gun industry doesn't represent them. Stand up to the gun industry. Look 'em in the eye and stand up to 'em. I looked in the eyes of the parents who lost their kids, and I've done it since 1993. It's a vacant look. It's a lost look. They're looking for their kids. They're looking for them, but they're not there anymore. They can't be found, but all they can do is make sure they preserve their legacy of their children who died by advocating for reasonable gun safety measures. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall House Bill 1346 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 28 voting Aye, 31

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

voting Nay, 0 voting Present. House Bill 1346 -- 1346 -- House Bill 1346 failed to receive the required constitutional majority, is declared failed. Senator Van Pelt, for what purpose do you seek recognition? Senate Bill 1664. Senator Harmon. Indicates he wishes to proceed. Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1664.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Harmon, on your motion.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1664 is the extension of the sunset date on the telecommunications and video portions of the Public Utilities Act. I believe that all of the opposition and angst was worked out in the House and I move to concur on the House's amendments {sic}.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Senator Murphy, what -- for what purpose to you seek recognition?

SENATOR MURPHY:

To the -- to the bill -- or, to the motion, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the motion, Senator.

SENATOR MURPHY:

Just want to commend the sponsor for his work on this bill. We took, maybe, another half step into the modern era with this bill. Probably didn't go as far as we should have or could have to -- to really get the full investment that we need, but it's a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

two-year turn -- time table to come back and take a look at this, when we're going to have another opportunity, hopefully, to finish the job and maximize investment and opportunity in telecom in this State. So, thank you, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There being no further discussion, Senator Harmon, to close.
SENATOR HARMON:

Thank you, Mr. President. I know you're all getting tired of voting for those Harmon-Murphy bills. They're so common up on the board. But I want to thank all my co-sponsors and appreciate your Aye votes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall the Senate concur in House Amendment 2 to Senate Bill 1664. 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 59 voting Aye, 0 voting Nay, 0 voting Present. On that -- having received the required constitutional majority, the Senate does concur in House Amendment 2 to Senate Bill 1664, and the bill is declared passed. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

Message from the House by Mr. Mapes, Clerk.

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

Senate Bill 1329.

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

the Senate, to wit:

House Amendments 1, 2, 3 and 4 to Senate Bill 1329.

We have received a like Message on Senate Bill 1910, with House Amendments 1, 2 and 4. Passed the House, as amended, May 31st, 2013. Timothy D. Mapes, Clerk of the House.

Message from the House by Mr. Mapes, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 40.

Offered by Senator Biss and adopted by the House, May 31st, 2013.

We have received a like message on House Joint Resolution 43, offered by Senator Harmon and adopted by the House, May 31st, 2013. Timothy D. Mapes, Clerk of the House.

They are substantive, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 356, offered by Senator Oberweis.

It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Mr. Secretary, Resolutions Consent Calendar. House Bill 214. Senator Kotowski. Indicates he wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 214.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much. Sorry to keep you waiting, Mr. President. Do you want to address the amendment on -- on 3rd, or...? No. Okay. As amended, House Bill 214 appropriates funds for fiscal year '14 to forty-five agencies. These agencies cover general government services and operations. The total GRF appropriations for the agencies in this bill is 1.2 billion. The OSF appropriation is eight billion and the federal fund appropriation is 1.8 billion. This represents an overall increase of 663.5 million all funds above the fiscal year '13 enacted level and a GRF decrease of about 10.1 million. There is a -- a series of agencies that are involved in this. Be more than happy to answer any questions. It includes Department of Revenue, CMS, Department of Commerce and Economic Opportunity, Secretary of State and GOMB and the Office of the Governor and Constitutional Offices, to name a few. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

I make motion to move the previous question, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs moves the previous question. Per our Rules, only the following Senators will be recognized to speak: Senator Rose and Senator Murphy. Senator Rose, for what purpose do you seek recognition?

SENATOR ROSE:

Thank you. Brief question of the sponsor, if I may.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR ROSE:

First of all, Senator Kotowski, let me -- let me just say and correct something. In committee the other day, our analysis indicated that there was a cut to Department of Agriculture budget. That was not accurate, so I apologize to you first, and the rest of the committee. We were just wrong on our end with that and I think it's important for me to correct that record publicly, so I offer that to you. In this budget bill, though, is there some new programmatic spending for things that are going to be brand-new programs for Illinois not -- that don't currently exist?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

We -- I mean -- I -- I don't know where you're -- you're looking at, Senator.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Rose.

SENATOR ROSE:

Well, for example, in the Department of Agriculture budget, there's a new Forever Green Illinois Program - is that correct? - that -- that didn't exist last year. And my -- my question is, is just how much are we spending on Forever Green Illinois?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

Sure. It's seven hundred and fifty thousand. And I appreciate your question. It deals with the elimination of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

invasive species and makes that available for local governments.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Rose.

SENATOR ROSE:

And, you know, I'm not going to belabor the point here. I know we're on a clock. But this is, you know, one example among many in this budget of new programmatic spending. At the same time, budget bills we passed earlier this year did restore K-12 general State aid, transportation to flat-funded levels from last year, but those were still seriously prorated from the last several years. But here's yet another example in this particular bill of a new program. No matter how worthy it may be, et cetera, it's something brand-new. Now I know we do have a BIMP now, and we'll come back to that later when that bill's presented, but, again, I think it's very important, as this progresses, that everybody pay attention to each bill -- you know, what's going on. Each bill, there's a little bit more here, little bit new there, yet GSA, no change to the funding formula. It was restored, which is definitely a good thing, to last year's level, but last year's level was seriously down for the last several years. Transportation was way down for the last several years. And yet, here's another seven hundred and fifty thousand dollars that could have gone to that. So, I would urge a No vote. We'll have more to say when the BIMP bill gets here and appreciate the -- the indulgence.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR KOTOWSKI:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Yeah, I -- I -- I don't -- thank you for your points. I -- I think transportation funding has been -- is completely level, and especially the downstate public transportation funding, you'll hear in the BIMP, that's increasing this year based on statute. There -- there are more than significant funds available in that area of the budget. So, I appreciate your questions, but I don't know if it completely, accurately reflects the situation. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall House Bill 214 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 voting Aye, 18 voting Nay, 1 voting Present. House Bill 214, having received the required constitutional majority, is declared passed. House Bill 215. Senator Kotowski. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 215.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator -- Senator Kotowski.

SENATOR KOTOWSKI:

Who said -- who -- I -- I was under -- okay, let's go. House Bill 215 appropriates funds for fiscal year '14 to twenty-four agencies. The total GRF appropriation for the agencies in this bill is 1.6919 billion. The OSF appropriation is 3.8 billion and the federal funds appropriation is 296.3 million. Represents an overall increase above the fiscal year '13 level of 64.1 million

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

and a GRF increase of 83.8. The detailed summary includes Department of Correction {sic} (Corrections), Department of Juvenile Justice, Criminal Justice Information Authority, IDOT, and those are some of the programs to name a few. More than happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

Mr. President, make motion do pass -- or not do pass -- what am I making a motion for? Previous...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs has moved the previous question. Per our Rules, only the following Senators will be recognized to speak, and do we have a lot of 'em: Senator McCann, Senator Duffy, Senator Bivins, McCarter, Senator Righter, Senator LaHood, Senator Brady, Senator Connelly, Senator Rose, Senator McConnaughay. Senator Brady, for what purpose do you seek recognition?

SENATOR BRADY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR BRADY:

Senator, you said this had the Department of Transportation's budget in it?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Brady.

SENATOR BRADY:

Senator, are you familiar with a recent audit completed by the Auditor General regarding the use of motor fuel funds?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

I -- I haven't read it in complete detail. But I heard it's not the most complimentary audit that's been issued.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Brady.

SENATOR BRADY:

Senator, I -- I believe you're right. Can you tell me in the budget you're presenting us today -- well, let me go back to -- how much -- tell me what you thought was not complimentary in the budget -- in the Auditor General's report.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

I just -- if we could just keep it to the bill, please, Senator. I -- I -- I believe on the -- the funding - you want to address the funding issue - the funding for debt service is in there, which may not be reflected in the audit, which goes towards funding transportation projects in the State.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Brady.

SENATOR BRADY:

Senator, what it did say is that, as we suspected, approximately half of the money that taxpayers paid into the Motor

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Fuel Fund were diverted away from actual road construction and maintenance and other things. Now I will compliment the Secretary of Transportation on her progress in this budget, but there are certain funds that continue to be diverted away from road projects that I think the Auditor General did a pretty good job of stating, we're cheating the taxpayers - your district and mine and everyone else's. In fact, the Chicago district gets more of those moneys than anybody else. And this budget, unfortunately, continues that pattern. If I'm correct, and you can verify this, thirty-eight million of Road Fund appropriations is diverted away to Amtrak, 17.6 million for RTA-reduced fares, 3.8 million for PACE bonded operations, for a total of nearly sixty million dollars in continued diversions. My question is simply, after that audit, after the problem we're having with public -- with safety on our roads and the problem we're having with jobs, how can we justify this continued diversion?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

This is the -- you raise excellent points about, you know, challenges we find within the State budget, and -- and your number is accurate, Senator. The -- there's -- I believe, the total number is -- is about sixty-two million. You know, it sounds to me like there's some challenges that need to be addressed. And there -- there's other areas we have in our -- our State budget that -- you know, in the -- in the transfers money that we have in the State, with the -- you know, we have a Downstate Transportation Fund that we have every year that goes -- you know, that's spent automatically and I believe that should be scrutinized more as

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

well. And the money that's not spent goes in the Downstate Transportation {sic} (Transit) Improvement Fund, so they have -- there's areas of the State budget that we can improve on and this just reflects currently what we're required to do by statute.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Brady.

SENATOR BRADY:

Senator, I -- I appreciate your willingness to concede that there are failures in this budget when it comes to what we should be doing.

PRESIDING OFFICER: (SENATOR MUÑOZ)

You're at the one minute, Senator, just to let you know.

SENATOR BRADY:

Thank you, Mr. President. But one thing that's also disturbing to us is that in the last capital bill, where we had a bipartisan agreement, it was agreed that these diversions would no longer continue. For that reason, as -- as well as others, I certainly encourage all Members of this Chamber to vote against -- against this appropriation bill until we make it right for the people of Illinois.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Dillard, for what purpose do you seek recognition?

SENATOR DILLARD:

...you -- thank you, Mr. President. Would the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR DILLARD:

Senator Kotowski, your -- your close on the magazine bill was

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

heartfelt and -- and excellent. And like you, I care very much about gun safety in the State. I've got a nine-year-old and an eleven-year-old. What does this bill do with respect to easing the -- or the -- the backlog of FOID cards that is sitting over at the State Police to make sure that our streets are safe?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

Look, I -- you know, I'm glad you brought it up. I think it's -- it costs ten years for -- ten dollars for a ten-year license for FOID. As you know, in order to get a FOID card, it -- there isn't enough funds that are in the application in order to pay for that program. That's part of the reason why we face this challenge in this State right now. I think, you know, we need to have, moving forward, statute that reflect the fact that it costs that much to administer the program. So, the State Police have admitted there isn't enough money available for them to do that. I believe we put a couple -- we put funds in the budget here to pay for two cadet classes. I do know they have challenges; they're looking to, you know, update and upgrade, you know, the FOID system. They're -- they're looking to do that and, you know, I -- I know they're working their best to head forward in the right direction, but they're -- they're really kind of handcuffed right now, because the amount of money that it -- the program costs is -- they're not -- they're not receiving the amount of money that they need in order to administer the program.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Dillard.

SENATOR DILLARD:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Just very briefly. I mean, if you would get rid of funding for Grow Your Own Teachers, you might have enough money to have these background checks done on FOID cards in a timely, expedited fashion. So, you know, I -- I appreciate your answer, Senator Kotowski. I understand it. But I'm just saying if you would eliminate some of these programs that we could eliminate if we prioritized around here properly, we might not have a backlog on FOID cards. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McConnaughay, for what purpose do you seek recognition?

SENATOR McCONNAUGHAY:

To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR McCONNAUGHAY:

Question -- I'm sorry, question to the bill. Questions of -- thank you. Senator, I have a couple of questions. Senator Brady talked a little bit about the audit that was recently done and he touched on the continued diversions and so I'm not going to talk too much about that, but I just -- if I could ask a couple of quick questions about some particulars that are in this year's budget. Local -- as a part of the last capital budget, local governments were promised about five hundred million dollars. Do you know -- how much have they gotten so far and how much of that is in this '14 budget?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Thank you. Thank you for your patience, Senator. If you're referring to the -- the capital bill, move -- we're trying to move forward on the -- we passed the -- the authorization to -- to sell the bonds to make sure we have a continuing appropriation to take care of that local funding issue.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McConnaughay.

SENATOR McCONNAUGHAY:

Another question, if I may. IDOT's new road maintenance program declares that it will fix on average about three hundred and fifty miles of road each and every year, and the State owns about sixteen thousand miles. If you do the math, then it's going to take about forty-five years to get around to fixing the entire road system in the State. The -- and at the same time, most of our roads last no longer than about twenty years. Can you tell me a little bit about what is in this year's budget for road -- routine road and bridge maintenance and how does that compare to -- the recent years and how does that match up with the program?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

Okay. Thank you. About one billion is included for Road Fund spending.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McConnaughay.

SENATOR McCONNAUGHAY:

Is that -- is that consistent with what it's been over recent years? Is that...

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Kotowski.

SENATOR KOTOWSKI:

Yes.

SENATOR McCONNAUGHAY:

And if I may, one other question about another project that Senator Brady did not mention, and that is the circle interchange at 290 and 294. It kind of came as a surprise in recent months that that moved up to the top of the list as a priority project. It was not a project identified in CMAP's list of priorities nor had it gone through the Transportation priority assessment process. Can you tell me, is that project funded and how much is it funded for and how did it manage to get to the top of the list?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

I don't know. I -- yeah, I would encourage you to talk to IDOT and -- and I'll -- and I'll -- I'll work with you to make sure that we can get an answer from 'em.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McConnaughay.

SENATOR McCONNAUGHAY:

Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR MURPHY:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

This is the final budget bill for the year and -- so this is really the last opportunity to kind of sum up what it is that we're doing with this budget. As we touched on at the beginning from over here, spending in this bill goes up, compared to the one from last year for this budget, by 1.7 billion dollars, which is close to a five percent increase in spending. By the time you're done adding in all of the transfers and the other gimmicks, it's really more than that. Any suggestion that spending is not going up yet again or that you are not spending to an all-time high is flat-out wrong and indefensible. This jives with what we've also seen, which is taxes going up, spending's up, taxes are up. Three years after the -- tax increase, 7.5 billion dollars still in bills. You guys told the people of this State that you were going to pay the bills with the tax increase. You've had three years to do it. Seven and a half billion still there, plus all the money you're still hiding in the agencies. That doesn't even include that. More tragically for the people of the State, two other statistics that are real hard for you guys to understand: And because of everything that I just laid out, unemployment is also up. Through 2010, Illinois' unemployment rate for most of the year was actually lower than the national average. Right now, Illinois' unemployment rate is the second-worst in the country. We are almost two points higher than the national average. What happened in the interim? You guys taxed, you spent, you continued to keep us in debt. That's what happened in the interim. Opportunity is being systematically crushed by your policies after eleven years of...

PRESIDING OFFICER: (SENATOR MUÑOZ)

You're down to a minute, Senator.

SENATOR MURPHY:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

...that unfettered control. Thank you. Thank you, Mr. President. The other sad fact, poverty. Poverty. We were lectured over here earlier this week about poverty. Poverty is up a third since you guys took over this -- this government - a third. You may care, but your policies are putting more people into poverty. Get people out of poverty, you put 'em to work. Don't tell me you didn't spend enough, 'cause you increased spending since you took over by forty-eight percent. Thirty-four billion dollars above CPI plus one percent since you took control. Sometimes courage is looking in the mirror and admitting that the way you have always done it was wrong. This is one last chance to change what you have always done and hopefully prove that we are not insane by showing that we are going to actually do things differently. Don't do it the same and expect the same -- a different result. Please, finally, help the poor, help the working people who are still in this State, take your foot off their throat and vote No.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Steans, for what purpose do you seek recognition?

SENATOR STEANS:

Yeah. To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR STEANS:

Yeah, I just want to acknowledge all the work that the staff has done on this. This is our last budget bill. Before we closed out here, I really want to take a moment and thank the budget staff. There's always an enormous number of hours that go into this. And I really want to thank Senator Kotowski. It's been a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

pleasure working with him on this, as well as Leader Trotter, Leader Sullivan and the Senate President and Dave Gross for really getting us -- and working together with the House this year. So, first, many thanks. I do think, in fact, that this budget that we have here today, and this is the last piece of it, it's about a flat budget. Just the GRF itself is a zero percent increase. I think what we've done here with limited resources is make sure we are not underinvesting in education for kids, that we're not doing any more damage, but at least putting something more in there, keeping flat higher education and paying down our bills. And that's been our priorities. That's what we've been doing. I would very much urge an Aye vote on this last part of the budget. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bivins, for what purpose do you seek recognition?

SENATOR BIVINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR BIVINS:

Senator, I know you're a good steward of the -- the people's money, or try to be, and -- and I know this is a massive budget and there's probably several thousand pages in it, so I don't expect you to know every line item by line item, but -- but I have a -- a real concern about one particular line item in the budget here. And this -- this was formerly known as the Neighborhood Recovery Initiative and there was -- and I know that name doesn't exist and it's been changed from the Illinois Violence Prevention Authority to the Criminal Justice (Information) Authority, but the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

moneys are still there. There's fifteen million in the violence -- for violence prevention. There's another five million for the Chicago Area Project. And just a few months ago, there was a CNN report. It was a four-month investigation on this particular Neighborhood Recovery Initiative. And they uncovered quite a few things and they said the money was used to pay people to walk in a parade for the governor; people who -- were paid to visit museums; people were paid to hand out fliers promoting inner peace; people were paid to attend yoga classes; thousands of dollars in gift cards went to -- two subcontractors, employees of a certain community organization, as a reward. Now those aren't my words; that's -- this is CNN's report. And I did see the report. I don't know if you did. And I guess my first question, Senator, did you -- did you happen to see the CNN report?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

No.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bivins.

SENATOR BIVINS:

Okay. So that -- that's why I want to alert you to this. And I think we need to take a real close look at this, because it's very disturbing where our tax dollars went. And since this program was implemented, in October about 2010, we spent -- it's estimated somewhere between a hundred and a hundred and fifty million dollars of taxpayer dollars. Now I will concede, I think there's -- there's probably some good programs in this that -- that may be working, and -- and certainly we don't want to harm

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

them, but it -- it appears from the report that there's -- there's a lot of stuff that -- that -- you know, programs not -- may not be working here, so I -- I have a deep concern about this.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Senator. I appreciate your thoughtful question. This program has been completely reformed. There's now to PhDs who have an understanding of the impact of what goes on in programs like this. They've made direct connections to employers. They're working on substance abuse prevention, making sure that people are getting jobs and job skill development. I mean, to a previous issue that had raised before, one of -- one of the best ways to prevent violence is to invest in opportunity, so people have other options. They have other opportunities other than being a part of a gang. They have an opportunity to get the support that they need so they can get employment. They have the opportunity to make sure that they're a part, and a productive part, of society. So this is a program that we've -- we've committed to investing in to make sure that people have opportunities to succeed and an opportunity to make sure that they have a life that has options and they have a chance to be able to get employment and work so they can get out of this cycle of violence.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bivins.

SENATOR BIVINS:

Thank you, Mr. President. Well -- and that's what the -- the report was about. It was -- it was, you know, saying that a lot

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

of this wasn't working and -- and that a lot -- it was -- it seems that it was being wasted, but -- and I know it went to the Criminal Justice (Information) Authority last September. The Auditor General has a -- has an audit on this coming out and I would -- I would at least wish that we could -- could put the brakes on until we got that report and -- and make sure what they say, if there's -- if there's more problems or not. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DUFFY:

Question for the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Duffy.

SENATOR DUFFY:

Senator, I also want to thank you for all your hard work on this budget. You know, as we're sitting here and talking about new programs and different ways that we can help people of the State of Illinois, this side of the aisle, just like you, wants to do everything we can to help people in need and -- and add some of these new programs. But as I discussed before, and as you know, unfortunately we're not in that type of situation now -- right now in the State of Illinois. You know, when we have a -- a pension liability that's a hundred billion dollars, the largest in the United States of America, due to the past ten years of reckless spending and runaway spending, it's time that we try to bring this train back on track. And when I'm looking at this budget and I see that you're spending 35.4 billion dollars, or 1.3 billion dollars more than in FY'12, that concerns me, and I think it also

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

concerns all the people of the State of Illinois, knowing that the pension problem is our number one problem that we have to solve in the State of Illinois. Now this budget's important, because when we look at this budget, we have to take the pensions into consideration. And if we're spending over a billion dollars more this year than we did last year, we're never going to solve that pension problem, nor are we going to phase out the tax increase as promised, as you've promised and the other side has promised, all along. So, I think we have to look at some of the areas that -- that we would consider areas that we can't afford to spend right now. We've already made promises to people in the State of Illinois. We already have 7.5 billion dollars in unpaid bills to vendors who we've made promises to. We already have promises to teachers and to people on the five pension programs in the State of Illinois who we owe money to. So it's not time to add new programs. So I guess I'll just stick it to one program. I'll just ask you a question about one program. I'll stick with one program, and that is, why is it that we're adding seven hundred and fifty thousand dollars to the Department of Transportation for a Family Commission? I guess, Senator, can you tell me what that Family Commission is and what they do for seven hundred and fifty thousand dollars?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

It's the Latino Family Commission. We funded it last year. It's the same amount.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Duffy.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR DUFFY:

Senator, again, I -- you know, I -- I know that you've worked hard on this budget, but, again -- and I know that in the past -- with the past speakers, you've conceded that there's some failures in the budget. I also know that you're aware of the -- the diversions that are going on. I -- please, I just ask you, and I beg of the members of this committee -- I'm sorry, of this Chamber, to vote No on this bill, because this is not the right time to be adding 1.3 billion dollars to a budget that's already overblown. This is not the time to continue the reckless spending. This is the time to keep our promises to the people of the State of Illinois, keep our promises to the teachers and the other hardworking people that have worked for the State of Illinois and we haven't paid their bills, and this is the time that we should be doing everything we can. We should stay down here as long as we have to, all night tonight and all summer if we have to, to come up with a balanced budget that's going to help pay our bills. Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCann, for what purpose do you seek recognition?

SENATOR McCANN:

Will the sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR McCANN:

Senator Kotowski, first, I'd like to say thank you. I'll be another voice over here saying thank you for your hard work. There's obviously an aisle that divides us here and makes it very clear that we see things differently on many issues, but I think

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

we -- we do agree that we're here to work for the people of Illinois and I thank you for all of your hard work. I do appreciate it. That being said, I also appreciate the hard work of a lot of my constituents who happen to work for the Department of Corrections, many of them correctional officers, frontline workers, as well as all the clerical and support staff. And right now, our prisons are, in my opinion, overcrowded. We have a big issue with overtime. We are on track to spend sixty million dollars in overtime in fiscal year '13. That's about five million dollars a month. May I ask you, Senator, what -- what are we allocating for overtime expenditures in '14?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

We -- here's -- we basically gave a -- a general lump sum to the Department of Corrections to manage their budget and to manage those type of situations, if they -- if they were to come up. We feel comfortable with the amount that we've allocated for that. And just to even address -- another point is, we've put forty-one million dollars to address Corrections' costs in the fiscal year '13 supplemental to make sure we address that as well.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCann.

SENATOR McCANN:

...you -- thank you, Senator. Again, can you clarify what -- what are we budgeting for -- for '14 and what did we budget? What was the original target for '13 versus actual, and what is it budgeted, projected for '14?

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Kotowski.

SENATOR KOTOWSKI:

Sure. Thank you very much for your question. I appreciate your patience. Last year we budgeted for Corrections about 1.136978 billion and this year we've budgeted 1.218171. So the differential is about eighty-one million dollars.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCann.

SENATOR McCANN:

Senator Kotowski, do you believe -- is -- the budget number that we have for the Department of Corrections as a whole for '14, do you think that is going to help or hurt the overcrowding that we have in the Illinois Department of Corrections?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

Well, we've -- we've met with Department of Corrections and we've had conversation with them. We've given them what we think is an appropriate allotment in order for them to manage the costs and the challenges they'll have for the upcoming year.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCann.

SENATOR McCANN:

Do -- do you have any ideas? Can you -- again, I respect the hard work. You -- you have a forty to nineteen majority. You've -- you've got a lot of weight on your shoulders and I thank you for all that you do. But I'm wondering, can you share with the Chamber how you -- you plan to make up that difference?

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Kotowski.

SENATOR KOTOWSKI:

I don't -- I don't know what the difference is. I believe that we -- we answered that the budget that we have there, you know, reflects, again, what I've stated before - an allocation for Department of Corrections in order to manage their employees they have and also take care of the challenge that they face in the upcoming year.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCann.

SENATOR McCANN:

It's -- it's just -- with all due respect, it's just hard for me to understand how, with the closure of two -- two facilities, the strains that that's going to put on -- on staff, the -- with the overcrowding, how -- how, if we originally projected, I believe, thirty million, and ended up doubling that, how -- I don't know -- I -- I -- I'm trying to understand how we're going to alleviate the pressures on the overtime expenditures.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

I believe -- I believe I answered that question, Senator.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCann, getting close to one minute.

SENATOR McCANN:

Well, to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill.

SENATOR McCANN:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

I think we owe it, not only to the people of Illinois, the public safety, who -- who we've been put in charge of here to -- to develop policy, to make sure that this State stays -- stays as safe as possible. We've spent a lot of time here talking about that today. That's a big -- that's what Corrections exists for. And we're -- there's a group of people, who I represent a huge number of, who I get phone calls and e-mails from their -- their spouses - some of them they're still with, some of them that are divorced. This job they feel cost them their family. And I really hope that we can, when it comes time for Director Godinez to be confirmed, as we move throughout the -- the -- this year, that we can work together to make sure that we do right by the people who do the job that many of us don't want to do. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator LaHood, for what purpose do you seek recognition?

SENATOR LaHOOD:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR LaHOOD:

Thank you, Chairman Kotowski, and thank you for your work on the budget and the way you ran the Appropriations Committee this Session. Appreciate the way you did that and -- and the fashion you did that. Wanted to talk to you a little bit about this budget with the specifics of the 4.7 million dollars in the Criminal Justice Information Authority that goes to CeaseFire. And the 4.7 million dollars that goes to CeaseFire, I know you're Budgeting for Results and the matrix you use in looking at that and how that money is spent and how you track that. And I guess what concerns

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

me most is, in looking at the CeaseFire program, Senator Kotowski, in looking at how this program works, which essentially pays gang members to give information to the police or to other authorities, is my understanding, but it has been criticized by many, many different law enforcement people, by the Tribune, the Sun-Times, and I would also add, I'm not sure you're aware of it, but the head of this organization, a gentleman by the name of, let me get this straight, Tio Hardiman, the head of CeaseFire, as we speak today is currently in jail, charged with domestic violence, is awaiting a bond hearing. And looking at this program the Sun-Times recently said that there's been no significant success stories. Chief Garry McCarthy has said that he has not been supportive of this program. They have been late with their reporting. They don't share information. They don't have any success stories. And I'm quoting from a Sun-Times article, dated less than six months ago, talking about the program. Now looking at this money, 4.7 million, how this is being spent, the fact that the Police Superintendent from Chicago is not a, quote, "fan" of this -- this program, that it's been publicly criticized, and then you have the head of the agency that's currently in jail, I'm wondering with your Budgeting for Results, Mr. Chairman, what you can tell me about how this money has worked to bring down crime or to have some benefit for the community.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Kotowski.

SENATOR KOTOWSKI:

I appreciate where -- your -- your question and your desire to make sure that we have -- the money we invest and -- results in a positive impact. So we had -- in anticipation of the questions

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

like this -- we talked about the professor from Northwestern University who's evaluating the program. In six communities where the CeaseFire interrupters are involved in, there's been a reduction in crime of about thirty-four percent and they've also been successful at stopping retaliation homicides by a hundred percent. So that's a positive impact. And just -- can I just clarify something for you, Senator? I want you to make sure you know this. The -- the head of this program is Dr. Gary Slutkin. He's the one who oversees the entire program. He has a -- a history in working in -- in public health, in preventing diseases, and he worked -- spent the bulk of his career in working in -- in Africa and making sure they were fighting diseases and ailments there to make sure -- to stop that. He uses a public health approach. And it's been an approach that's had a -- a positive impact in the communities that the program has been involved in.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator LaHood.

SENATOR LaHOOD:

With all due respect, Senator Kotowski, I mean, we're not talking about diseases here. And the gentleman I mentioned, Tio Hardiman, he heads up the CeaseFire program in the City of Chicago.

PRESIDING OFFICER: (SENATOR MUÑOZ)

You're on your last minute, Senator, just to let you know.

SENATOR LaHOOD:

Thank you. And -- and I have to disagree with you. One million dollars was given a year ago to the City of Chicago for this program. And as you know, Chicago, last year, led the nation in homicides for 2012. We skip to this year, in January 2013, forty people were killed in Chicago, same as January 2012. Crime

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

rates have not gone down. Where has this million dollars gone? There is no way that you can tell anybody here today how you measure this. On all accounts, whether it's the police superintendent, whether it's the editorials in the Tribune, the Sun-Times, this program does not work. It's a waste of money. Everybody from the police chief on down has said that and -- and I urge everybody take a close look at this program. It does not work. It's a waste of money. I urge a No vote on this. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR RIGHTER:

Thank you very much, Mr. President. Ladies and Gentlemen of the Chamber, I -- I am going to briefly revisit an issue that we've heard a little bit about before, because it's something that deserves to be revisited. I appreciate that a budget process is about negotiation, and sometimes it's about negotiation between Republicans and Democrats, sometimes it's just a negotiation process between Senate Democrats and House Democrats, like it was this year, or from different -- from people from different parts of the State, and it requires compromise. And that means everyone's got to give a little. But there ought to be, every once in a while, Mr. President, a handful of issues that we can all look at, all adults look at, and say, "Wow, this is a really, really bad idea for us to spend money on." And the program that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

used to be known as the Neighborhood Recovery Initiative is just such a program. Now -- now it appears in House Bill 215 as two programs - one, grants for violence prevention, and the other one, something called the Chicago Area Project - which totals about twenty million dollars. Now last year about this time, the administration wanted to move this money away from the Neighborhood Recovery Initiative into these other programs, because even it could see some of the issues that were developing, some of the very troublesome issues that were -- were developing with this. Then CNN got involved. Now, like all of you, I'm sure I'm not always that hot on, sometimes, what the networks and the media focus in on, but this time it's understandable why they were looking at this. They looked at a program that was paying people to walk in parades for Governor Quinn; it was paying -- paying for fliers to help people find inner peace. And I'm all for inner peace, but I'm not sure our taxpayers ought to be paying to help people read fliers so they can find their own inner peace. And it was paying for things like yoga programs. Now, finally, flush with embarrassment, the administration came in in the fall Veto Session and moved all of the rest of the money into the Criminal Justice Information and under the programs that appear in the budget today. Now, that program is trouble and it has been trouble. What's remarkable is the decision to keep spending money on it. Someone has said in this Chamber that this program has been totally reformed. I think at the end of the day when the Auditor General gets done with their audit, we're going to discover that totally reformed means a smidgen of reform and mostly just the same old doing business as usual. This program, this twenty million dollars, and I understand it's a small piece of this, but

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

it ought to be that obvious to everyone who sits in this Chamber. This ought to be an easy one for us to say, "This is a bad idea." The press has highlighted it's a bad idea. More and more constituents who learn about it think it's a bad idea, and one of these days, people with badges are going to come and say this was a really bad idea. Don't be part of that. Don't be part of that. Vote No. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There being no further discussion, Senator Kotowski, to close. Senator Rose, for what purpose do you seek recognition? Your light was off and then you put it back on. That's why I did it.

SENATOR ROSE:

No, it -- no...

PRESIDING OFFICER: (SENATOR MUÑOZ)

So go ahead.

SENATOR ROSE:

And let me say this - and, first of all, I appreciate that - I -- I would actually like my switch checked, because I -- on the last bill, 213 {sic} (214), I voted No and it didn't reflect the No vote either. So I -- I'm -- and I'm being serious here. In all honesty, I didn't touch this to turn it off, Mr. President, and I did vote No on the last one. So I would like this checked. Thank you. Oh, yeah, I may have poured more Mountain Dew on it. Thank you. To -- to the bill, if I may, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR ROSE:

And, thank you. Ladies and Gentlemen, this -- this final

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

bill here is exactly what I talked about yesterday in having to evaluate the entire picture of this puzzle. This budget is a hundred and forty million dollars in the hole - at least a hundred and forty million dollars in the hole. Now, yesterday, on a separate budget, on the supplemental budget, one of the Senators from the Majority spoke against it and noted that the AFSCME pay raise piece that's been agreed to by Governor Quinn is not in this. And in committee, in committee, in questioning, Ben Winick from the Governor's Office sat in front of us, and I asked him directly: Is there enough money in this budget to pay for the entire agreement? Mr. Winick from the Governor's Office said, no. So I probed further. I said, so how are you going to pay? How much do you need? He said, we need a hundred and forty million dollars. How do you intend to pay it? Will you take this out of existing lines, as has been suggested here tonight? Will you take it out of existing lines, as it's been suggested here tonight? He said, no, we'll have to come back in the fall for a supplemental. Now that's not a direct quote but it's pretty darn close. We'll have to come back in the fall for a supplemental. So I would suggest to everyone in this Chamber that there's a hundred-and-forty-million-dollar hole in this budget, right out of the gate. I do not assert my own name under that. I assert the name of the Governor's Office as testified in committee yesterday morning. It's very clear they're not going to pay that contractual obligation out of existing lines and they said they're going to have to come back for a supplemental in the fall. Additionally, Ladies and Gentlemen, again when you don't look at how one budget bill impacts another budget bill and from this to that and add up all these numbers, you look at yesterday, or maybe it was Wednesday

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

now, we did the K-12 budget. We restored transportation to last year's level flat funding, but that's at sixty-four percent of what's necessary. Most people wouldn't consider sixty-four percent adequate. In fact, that would be a D in K-12, D minus, in fact. But, in this bill, you have all the programs that my colleagues have just talked about: Twenty million dollars for the Neighborhood Recovery Initiative; a brand-new after school program for ten million dollars. Folks, we're funding school transportation at sixty-four percent. Maybe flat to last year, but it's still sixty-four percent. We're prorating general State aid - maybe flat to last year, but it's still being prorated. We're not paying our bills on time, but yet we're going to create a new after school program for ten million dollars? Does anybody see the irony in that? Does anybody see the irony in not having money for early childhood education, general State aid? Forget the whole argument about the woefully inadequate school funding formula that we've blown the doors off of that one this Session. But does anyone see the irony in a brand-new ten-million-dollar after school program when we're not paying for the schools to start from sun up to -- I mean, we're not paying for the schools to open their doors or close their doors and then we're going to have a brand-new after school program - the ultimate in irony. I would vote No.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR KOTOWSKI:

Thank you very much. I -- I wish -- well, I guess, wish someone from this side of the aisle had said something last so I

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

could say what she or he said, but he finished so I got to finish. So, a budget that we have reflects the priorities and also the impact of a particular program. You know, I -- I find it striking that we're talking about this serious concern about FOID card applicants and then we're challenging whether or not we should be funding and providing support for communities that are disproportionately impacted by crime and violence, yet we're so worried about the FOID card applicants and people getting their guns. However, when it comes to providing funding for kids and communities that need it the most, a budget reflects a priority and we need to invest in it. The second thing is, I -- I love this -- this -- this presentation about courage. You know what? Courage is sometimes looking in the eyes of someone and saying you're going to vote Yes and continue to vote Yes. But then when the bill gets called up on the Floor, you vote No. That's not courage. The last thing about the gentleman who spoke before, I guess maybe you could use some inner peace. I know I could use it. This bill, that's not going to provide inner peace for you, but maybe go on a mountain. Climb somewhere, pray a little bit. You might be able to find some. But as to this budget, it's a responsible budget. We live within our means. We fund key programs. We're paying down old bills, as you've been talking about for a long, long time, taking care of existing liabilities. This budget spends a billion less this year than it did last year, for those paying attention. And it funds transportation and education, and K through 12, and early childhood education, and it takes care of these programs and priorities that we care so much about, making sure that we have an opportunity for our kids to lead a good quality of life. This is our role, to help people

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

lead a good quality life. Either we can do it in partnership with them or we can give them a chance to do it. Vote Yes on the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall House Bill 215 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 36 voting Aye -- 38 voting Aye, 20 voting Nay, 1 voting Present. House Bill 215, having received the required constitutional majority, is declared passed. Senator Rose, for what purpose do you seek recognition?

SENATOR ROSE:

Thank you, Mr. President. I -- I would ask that the record reflect my intent to have voted No on House Bill 214. I did push the button and would just ask for that reflection on the record. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The record will reflect a No vote on House Bill 214. We'll make sure we check on your button to see if you're having any more difficulties. On the Supplemental Calendar 1, we have Senate Bill 20. Senator Hutchinson indicates she wishes to proceed. Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2 and 4 to Senate Bill 20.

Signed by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator, on your motion.

SENATOR HUTCHINSON:

Thank you, Mr. President and Ladies and Gentlemen of the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senate. Senate Bill 20, as amended by the House, is a major economic development package that will deliver needed projects throughout the State. It creates the Public-Private Partnership Agreement {sic} (Agreements) for the South Suburban Airport Act, modeled after the Public-Private Partnership Agreement {sic} for the Illiana Expressway Act enacted in 2010. It paves the way for the construction of a new ten-thousand-seat arena and event center across from the McCormick Place footprint. The arena would be used for college basketball games, Chicago Public School and Catholic conference sporting events, trade show events and conventions, and concerts. Provides property tax abatements for large fertilizer plants, if approved by the taxing districts. Revitalizes and redevelops south suburban brownfields, by providing income tax incentives attributable to new employees of businesses located within the South Suburban Brownfields Redevelopment Zone. Creates an income tax TIF in the East St. Louis River Edge Zone area, similar to some previous intermodal zones. The program will make grants to eligible developers for infrastructure improvements within the zone. Changes the current method of assessing farmland by assessing it at the median value of farmland statewide, rather than each individual parcel's value. For the tax year 2015, the value of the annual change will be reduced by five dollars per acre in order to lighten the impact on low-productive farmland. Provides changes to the Enterprise Zone Act to ensure clearer standards for zone eligibility and for accounting of tax benefits for those entities that benefit from an enterprise zone. Allows the EPA to require project labor agreements on cleanup projects funded by the LUST Fund. Also, allows the LUST Fund to receive additional sales tax revenue to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

ensure the solvency of the fund. I would ask for your support and I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs has moved the previous question. Per our Rules, only the following Senators will be recognized to speak: McCarter, Hastings, McConnaughay, Murphy, Althoff, McCarter. Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR ALTHOFF:

You know, it's -- it's -- obviously, it's the last day of Session again, and here we go putting in lots of really wonderful movement-forward economic development, really positive projects in -- in a bill that is also tinged with some really bad decisions that this Chamber is going to be asked to make. I notice we've done really good things with McPier. We've done some good things, potentially, with an airport. All of those are economic development. We address numerous concerns - trailer bill that we had with the enterprise zones that we worked so hard on last year. And yet we also have conditions in this bill that will be very detrimental to our, once again, small businesses that are now dealing with all of our LUST Funds. We're putting in a provision that requires all of those projects to enter into PLAs. It's

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

inappropriate. And I just, again, would like to draw this Body's attention to the fact that each one of these projects is so large, so big it deserves its own bill and its own consideration and its own debate. We've got the timer on, which gives each of us five minutes to talk about this, and look at everything that's included in this bill. And some of 'em are extraordinary, laudable projects. But some of them deserve our closer attention. And I would ask, as we move forward, and even in this piece of legislation, that we start doing the work of the people and we give each one of these projects the attention and the debate that they deserve. We continually make big decisions every single day of Session and then come back and go, "Oops! Sorry. Didn't see that. Didn't know that was in the bill." Ladies and Gentlemen, this is a really bad precedent and it's a bad way of doing business and I would ask, as we move forward, as a Body together, that we stop this practice and that we give each one of these projects, again, the attention that they deserve. For our constituents and our districts, and, again, for all the people that we serve and that work here in the State of Illinois, look at this bill extraordinarily closely and make the decisions that you need to make. But, again, as we move forward, this is not a good precedent. Thank you very much.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hastings, for what purpose do you seek recognition?

SENATOR HASTINGS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR HASTINGS:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Thank you, Mr. President. I rise in support of Senate Bill 20, more specifically to the South Suburban Airport component. It's our jobs as legislators to create policy and to foster an economic environment to create jobs. And when you travel around the Chicago Southland area and you see the economic blight due to the economic downturn, you see businesses that are closing and families that are out of work and struggling to make ends meet. That is why this legislation comes at the right time. This bill will bring good-paying jobs that will undoubtedly bring a better quality of life that our people expect and are -- deserve. The Chicago Southland is a uniquely positioned geographic region for an airport. Not only is it one of the largest and fastest-growing regions in the State of Illinois, but we have the convergence of major highways, the proximity to rail hubs and the land available necessary to construct such an airport. The South Suburban Airport in this bill will initially create close to eleven thousand jobs for our skilled laborers, in addition to providing the much-needed direct and ancillary economic development to businesses that surround our community. And I know that there are a lot of other components to this bill, but speaking to the component of the South -- South Suburban Airport, I want to take this opportunity to thank my fellow sponsors of this bill, and on behalf of the constituents of the 19th Senate District. And most importantly, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Sponsor indicates he {sic} will yield.

SENATOR MURPHY:

Senator -- who am I talking to? Hold the clock..

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hutchinson.

SENATOR MURPHY:

Hold the clock on that. Senator, thank you. You know, I second the comments from Senator Althoff. There are a lot of good things in here, but this is a pretty blatant logroll. I've got a couple of questions on the LUST Fund. You know, the -- the -- the emergency circumstance issue - we discussed this a little bit in committee - you've got a leaking tank going into a storm drain at two in the morning. With the PLA requirement, you're potentially going to slow this process down. You got to go call the EPA; you have to go get a -- a -- a contract with the PLA. Some of these jobs are smaller and -- and -- and -- and, frankly, getting a lawyer and doing the PLA will cost more than the job. The EPA had indicated an -- a desire and a willingness to limit the application of this and I just want to confirm that you share that intent legislatively, that this will be limited in its scope and that -- in that we will not be -- we will not be impeding emergency circumstances where there are environmental risks trying to track down the EPA and get a PLA agreement, or in smaller cases, that a contractor can be hired without having to go to a PLA that makes it more expensive. Is that your intent, Senator?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Senator Murphy. It absolutely is the intent and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

I know...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Could you just keep the noise down a little bit.

SENATOR HUTCHINSON:

And I do know that the Director -- the EPA does not want to make emergency situations worse. The whole point of a PLA is to go to cost-efficiency, quality, safety and timeliness. In a situation like you just mentioned, the first person that you would call is IEMA, and in those situations, there are ways to get around a PLA agreement. So, I -- yes, I do share that legislative intent.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

Now, Senator, who will pay the costs of the PLAs? Are the PLA costs reimbursable from the LUST Fund proceeds? And also, are the legal costs to get the PLA in place also reimbursable from the LUST Fund?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hutchinson.

SENATOR HUTCHINSON:

Yes, it is reimbursable.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

Can you show me where in the bill it says that expressly?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hutchinson.

SENATOR HUTCHINSON:

It doesn't state that expressly. It is part of what you

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

certify to in order to be reimbursed.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

And, finally, Senator, under current law, the labor costs are set by the Pollution Control Board on these projects. But your bill will mandate that the prevailing wage will apply. How do you intend -- or what is your intention on the resolution of that inherent conflict?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hutchinson.

SENATOR HUTCHINSON:

It is standing policy of the State that on public -- on public works projects, we pay prevailing wage.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

So will -- does this preempt, then, the Pollution Control Board going forward from setting it? Is that your understanding?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hutchinson.

SENATOR HUTCHINSON:

They would have to pay prevailing wage.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

To the bill. You know, again...

PRESIDING OFFICER: (SENATOR MUÑOZ)

...bill, Senator.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR MURPHY:

...there are -- there are a number of good projects in here. There are things that make some sense. The idea that this all comes together at this time really makes this look like sort of an insider deal and the type of thing that gives people a queasy feeling about this place. I'm hopeful for, you know, some of the process and projects up in -- in Chicago. You know, we had Jim Reilly in committee. He's done a tremendous job. I'm encouraged that he will continue there. But there are some concerns here. This doesn't pass the smell test and unfortunately I have to encourage a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Harris, for what purpose do you seek recognition?

SENATOR HARRIS:

To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR HARRIS:

I rise in support of Senate Bill 20. This is a bill with components of the South Suburban Airport, something that's been long awaiting. For the last forty years, there's been talk and discussions about an airport, economic development and jobs. Now, today, we have an opportunity to vote on that. I'd like to thank the sponsor, Senator Hutchinson, along with the other sponsors of the bill, who negotiated and worked hard to make this reality come to what we have today. Couple components of this bill that's -- that's not in the bill but a direct correlation of this bill is the community college aspect. We have South Suburban, Prairie State, Joliet Junior College, Kankakee Junior {sic} (Community)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

College and Governors State that will benefit from this project going forward, with the economic development and workforce development and training. It's going to be a direct correlation between creating jobs and opportunity that we all go back to our districts and say we're going to bring back jobs. So today I urge each and every one of my colleagues, vote Yes for Senate Bill 20. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McConnaughay, for what purpose do you seek recognition?

SENATOR McCONNAUGHAY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates she'll yield.

SENATOR McCONNAUGHAY:

Thank you. There are so many good projects in here, it's hard not to be really enthusiastic about this proposal. In fact, I think there's a project in my district. I'm not quite certain. And we've been talking a lot about economic development and we talked about it when we ran for office. We talk about it in our districts, about the importance of economic development and -- and job creation. So I want to vote for this in the worse way possible, but at the same time, we have also spent an awful lot of time around here talking about education. In fact, we spend a lot of time fighting over education here. We fight about it today. We fought about it yesterday. We fought about it the day before. And we all talk about the importance of finding funding for education and yet we are talking about spending all kinds of money on all kinds of projects, and yet we are not meeting the needs of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

the children in the State of Illinois. I have -- I do have one question in here that -- that helps me better understand liability issues, because I've also heard that -- well, the -- the State -- there's no liability; there's no new spending for the State. But the reality is -- and I'll use the Metropolitan Pier (and Exposition) Authority proposal for McCormick Place as an example, where they're going to build basically -- a base -- a basketball stadium for DePaul University, a private university. And this is reusing existing bond authority - I get it. And they have an estimate on -- projections on revenue that will cover the payments that is based on attendance at the arena. It is also based on the amount of hotel rooms and capacity, and all of those things that go into that. My question is, so what happens if they don't get enough revenue in to cover the yearly bond payment? Who is on the hook for that?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hutchinson.

SENATOR HUTCHINSON:

As I understand it, McPier is responsible for that. It is -- it is generated by some tax dollars that go in there, but McPier is responsible for that shortfall.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McConnaughay.

SENATOR MCCONNAUGHAY:

I understand that, but in the event that the estimates that the Pier Authority has in mind for creating enough revenue to pay for all of their bonding obligations, somebody has to back that up. My understanding is, it's the State of Illinois who backs that up. So, in that event, does that mean that the taxpayers of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

the State of Illinois are responsible for paying those bonds?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hutchinson.

SENATOR HUTCHINSON:

If the McPier money doesn't make enough, it is backed up by State sales tax money. However, that is replaced when the money comes in to the -- to the Authority.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McConnaughay.

SENATOR McCONNAUGHAY:

So -- so, the -- the State is on the hook. Regardless of what funds you want to take it out of, the State is on the hook. Why is the City of Chicago not next in line, instead of the State of Illinois?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hutchinson.

SENATOR HUTCHINSON:

We have -- we have surplus revenues coming in right now and the State sales taxes are being repaid. So, the State's being repaid.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McConnaughay.

SENATOR McCONNAUGHAY:

My -- my understanding is, though, that we have had other situations here where the -- the -- the City of Chicago signs on as the next entity. It's kind of like when we cosign for our children to -- to get their first car loan. If they can't make the payment, then we make it on their behalf. And the way this thing is set up, the State makes that payment, not the City of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Chicago. And I bring that up because -- the education issue. So we are basically choosing, when -- at a time when we're trying to find money for education, we are instead the backstop..

PRESIDING OFFICER: (SENATOR MUÑOZ)

Down to one minute, Senator, just to let you know.

SENATOR McCONNAUGHAY:

...the backstop for the City of Chicago to invest in a basketball arena for a private university. You know, I -- I read in the press release from the Metropolitan -- and, you know, great project. I'm not saying this is not a great project, but what about all these other priorities we all talk about? We all talk about the importance of education. So we're going to spend money on backing up a private arena instead of education? Their last press release said, "This authentic, live {sic} (lively) urban experience will serve as a compelling alternative to Orlando and Las Vegas." Really? That says to me that we are planning a vacation when there's a hole in the roof and the rain is pouring in. I ask that we cast a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter, for what purpose do you seek recognition?

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR McCARTER:

Ladies and Gentlemen, I want to just say something about this underground removal tank fund, the LUST Fund. You know, if -- here's -- here's what happens. You've got a -- a quality company that will assess the -- the -- the soil, test it, and then you've

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

got folks that show up with earthmovers and remove the dirt. They get paid by the cubic yard. What they get paid to do this is not going to change. The only thing that's going change is the increase cost of doing business. They're going to get reimbursed the same and they're never reimbursed the full amount. So you say, well, we want to impose prevailing wage and project labor agreements on these people because this is tax money. No, it's only partially tax money. What we don't pay them, what we don't reimburse them, around a half million dollars per project, is right out of their pockets. And now you're going to tell them that they have to increase their cost of doing business, so it's going to cost them even more and you're going to have fewer tanks removed, and for some that are sensitive to the environment, this is really not what you thought it was doing. So, I would -- I would encourage a No vote for that. And -- and -- and -- and in closing, it's -- it's -- it's quite the insult to throw all of this together in one package. I mean, we had enough time to deal with this. These bills should have come up and been debated on their own merit. I think that would have been -- I think that would have been much more courteous. It would have been -- been much more respectful to everyone in this Body if it -- if they had -- if each bill would have had to have been decided on its own merit. So, I encourage a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR HUTCHINSON:

Thank you to all my colleagues who had something to say about this bill. This is an economic development bill. This is a bill

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

that's basically about jobs. We are -- I've heard, in a number of different remarks today, about the unemployment rate. And I don't think there's a single Member in this building that doesn't talk about the need to create jobs. This has something in it for various parts of the State, and in my district in particular, the South Suburban Airport, that's a forty-five-year-old fight. So today we have an opportunity to move the ball forward as we create economic opportunity for the people who live in our respective districts. I've heard it said all the time that government doesn't create jobs; what we do is create the conditions for those job opportunities to happen. This is our opportunity to do this now. If there was any question about whether or not this is something good for you to vote on - because it's good for the entire State, because I'm very, very loath to not say that I support economic development in anyone's district, because I believe that we need to be all a part of creating the conditions to create opportunity for people. So today, with this bill, Illinois is open for business. This is about nothing but jobs, jobs, jobs, jobs, jobs. Please vote Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall the Senate concur in House Amendments 1, 2 and 4 to Senate Bill 20. 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 voting Aye, 17 voting Nay, 2 voting Present. Senate Bill 20, having received the required constitutional majority, the Senate does concur in House Amendments 1, 2 and 4 to Senate Bill 20, and the bill is declared passed. Leader Sullivan in the Chair.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 357, offered by President Cullerton.
It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Introduction of Senate Bills.

SECRETARY ANDERSON:

Senate Bill 2590, offered by Senator Haine.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if you will turn to page 11 of the regular Calendar, on the Order of Secretary's Desk, Concurrence, Senate Bills. Senate Bill 1723. Senator Holmes. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 2 and 3 to Senate Bill 1723.

Signed by Senator Holmes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Holmes.

SENATOR HOLMES:

Thank you so much, Mr. President. House Amendment 2 and 3 amends the Capital Development Board Act in regards to the selection process of works of art for display in public buildings and makes technical changes to the establishment of design-build committees. The amendments consolidate the decision-making process for choosing works of art between the Illinois Art {sic}

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

(Arts) Council and the Capital Development Board. The Illinois Art {sic} Council would make the final selection of works of art after consulting with the architect, the Director of the Illinois State Museum, the using agency, and local persons from the area where the project is located.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 1723. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 49 voting Aye, 9 voting Nay, 0 voting Present. The Senate have -- the Senate does -- having received the required constitutional majority, the Senate does concur in House Amendments 2 and 3 to Senate Bill 1723, and the bill is declared passed. Ladies and Gentlemen, on the same page, in the middle, let's jump down, with leave of the Body, to Senate Bill 1884. Senator Hutchinson, on 1884. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 1884.

Signed by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President, Members of the Body. As amended, House Amendment No. 1 to Senate Bill 1884 makes several amendments to the Horse Racing Act concerning advance deposit wagering. It

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

reenacts the provision of the Act authorizing ADW and redirects the pari-mutuel -- the pari-mutuel ADW wagering tax to the newly created Standardbred Purse Fund. Senate Bill 1884 amends the Riverboat Gambling Act and the School Construction Law to redirect a portion of the tax revenue generated by the tenth riverboat license to the Horse Racing Equity Fund, the newly created Chicago State University Education Improvement Fund, and the School Infrastructure Fund. And I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Hutchinson, you and I discussed in committee, and have since then, about some language in the bill with regards to distributions of money to, I think, the School Infrastructure Fund and the Horse Racing Equity Fund, and there's -- there's been some talk about whether or not that language is clear and some efforts to try to make sure that -- whether it's the Gaming Board or the Horse Racing Board and the Governor are clear on this. Can you just walk through that briefly for the Body, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Senator Righter. We actually have a little bit of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

legislative intent on that to make it clear. During the Executive Committee hearing on the bill, a representative from the Governor's Office of Management and Budget voiced some concerns as to the intent of this bill and whether the transfer of 5.53 million into the School Infrastructure Fund would be in addition to or in lieu of the payments from the tenth license revenues that are already required under Section 13 of the Riverboat Gambling Act but are not currently being made. Since then, I've conferred with the House sponsor; the staff has had discussions with the Governor's Office and -- and the Comptroller's Office. All parties agree that the transfers created by Senate Bill 1884 are not in addition to the preexisting set-asides from the tenth license revenues. With this understanding, the Governor's Office has since removed its opposition to the bill. To clarify: The legislative intent of this bill is that 5.53 million monthly transfer into the School Infrastructure Fund will be considered a part of any future payments or transfers made pursuant to subsection (c-5) of Section 13 of the Riverboat Gambling Act. That is, the 5.53 million payment would be subtracted from any payments or transfers made pursuant to subsection (c-5). I also have a memorandum of understanding that's signed by the Gaming -- or, all the parties to the Gaming Commission, and as far as I know now, there's no more opposition.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

And with all that, Senator Hutchinson, can I assume that your measure of confidence that that will provide the clarity that's needed in order to administer the transfer of funds is very high?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

I am doing my level best to -- to show that I have confidence in what we are attempting to do and what the intent of the language is, which is why I wanted to make sure that we satisfied your questions from earlier. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield for questions. Senator Jones.

SENATOR JONES:

Senator Hutchinson, does this bill strip the two percent from Chicago State, the revenues generated from that tenth license?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

This bill does provide a 1.6-million-dollar annual payment to Chicago State as a part of an agreement for funds that have never been paid out of the tenth license. So, it does alter that, yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jones.

SENATOR JONES:

With much respect to the sponsor of the bill, I would like to urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Seeing no further discussion, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments -- House Amendment 1 to Senate Bill 1884. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 47 voting Aye, 11 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1884, and the bill is declared passed. Ladies and Gentlemen, on the regular Calendar, page 9, Secretary's Desk, Order of Concurrence, Senate Bills. In the middle of the page, we have Senate Bill 1042. Leader Harmon. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 1042.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1042 left the Senate as a dedicated shell bill and it came back to us in exactly the form I had hoped it would. This is the resolution to the long-standing issue of properly assigning liability to the folks who make their space open for conservation and recreation purposes. We've eliminated all objection and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

question is, shall the Senate concur in House Amendment 1 to Senate Bill 1042. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting -- Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1042, and the bill is declared passed. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

Message from the House by Mr. Mapes, Clerk.

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

Senate Bill 1659.

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

House Amendments 1 and 2 to Senate Bill 1659.

We have received like Messages on Senate Bill 2155, with House Amendments 1 and 2; Senate Bill 2389, with House Amendments 1 and 2. Passed the House, as amended, May 31st, 2013. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, on page 9 of the printed Calendar, we're going to start at the top of the order with regard to Secretary's Desk, Concurrence on Senate Bills. And with leave of the Body, we will start with Senate Bill 56. Senator Collins. Mr. Secretary, please read the motion.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 56.

Signed by Senator Collins.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendments No. 1 and 2 become the bill. The amendments provide protections for tenants that live in a property that is being foreclosed. Currently, they have protections under federal law, but those are set to sunset in 2014. Under the bill, a tenant will have to be provided with at least a ninety-day notice before they have to move out. Furthermore, the new owner will have to honor the terms of the lease if it is a bona fide lease, meaning they could not be forced to move prior to the end of this -- the end of their lease, unless the buyer of the house will use the property as primary residence. This is a negotiated bill. I know of no opposition. I would like a favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 56. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 56, and the bill is declared

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

passed. Senator Link in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

Senate Bill 92. Leader Sullivan. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 2 to Senate Bill 92.

Signed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR LINK)

Leader Sullivan, on your motion.

SENATOR SULLIVAN:

Thank you -- very much, Mr. President, Members of the Senate. This is a -- been a work in progress for the last couple years. It allows a -- what's referred to as a 440 Auctioneer to be able to - actually, a 441 Auctioneer - to sell real estate at auction with certain requirements and certification through the Department, as well as additional training. It's an agreed-to bill with the Illinois Auctioneers Association, the Illinois Association of Realtors. And for the purpose of legislative intent -- for the purpose of legislative intent, let me just say that it is not the intent of this legislation to take any of the current exemptions of a -- 440 Auctioneer away. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall the Senate concur with House Amendment 2 to Senate Bill 92. 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 59 Ayes, no

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Nays, none voting Present. Senate Bill -- having received the required constitutional majority, Senate does concur with House Amendment 2 to Senate Bill 92, and the bill is declared passed. Senate Bill 105. Senator Frerichs. Mr. Secretary, please read the amendment.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 105.

Signed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs, on your motion.

SENATOR FRERICHS:

Thank you very much, Mr. President. This amendment allows electric utilities to recover its reasonable and prudent initial implementation and start-up costs from the customers obtaining the service provided by Senate Bill 105, as amended, regarding customers using four hundred kilowatts or greater. We had a nice debate in committee. I'd be happy to answer any questions. Request a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR RIGHTER:

Thank you. Senator Frerichs, we had a conversation about this during Energy Committee and I want to retrace some of those steps, and I've had a couple of conversations since then. It's my

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

understanding that the fee or the charge, if you will, that would be assessed or -- would be assessed only on those customers who are going to benefit from the true-up that you passed earlier. Is that -- is that accurate to say? In other words, residential ratepayers are not going to pay for the services that are going to be received by larger-scale users. Is that accurate?

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs.

SENATOR FRERICHS:

That is my understanding. That is an accurate statement.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Very briefly, I rise in -- in support of the gentleman's motion. This is narrowly tailored to help make sure that those large-scale customers do get the money back or credits that they have earned, but they're -- we're going to have to pay a little money upfront in order to make sure that process is in place. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR FRERICHS:

I just want to say, when this bill came out of here, we had some discussion with the Attorney General's Office. They suggested some changes to improve the language. I think it's a better bill. Would encourage your support.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall the Senate concur with House Amendment 1 to Senate Bill 105. All those in favor will vote Aye. Opposed,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

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, 1 voting Present. Having received the required constitutional majority, the Senate concurs with House Amendment 1 to Senate Bill 105, and the bill is declared passed. Senate Bill 1042. Leader Harmon. Senate Bill 1197. Leader Sullivan. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 1197.

Signed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR LINK)

Leader Sullivan, on your amendment, or...

SENATOR SULLIVAN:

Thank -- thank you, Mr. President. I do wish to concur...

PRESIDING OFFICER: (SENATOR LINK)

On your -- on your motion. I'm sorry.

SENATOR SULLIVAN:

Thank you very much, Mr. President. I do wish to concur with the amendment the House put on. The amendment simply exempts Veterans' nursing homes that -- 'cause they do not serve Medicaid residents.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1197. 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 58 Ayes, no Nays, none voting Present. Having received the required

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

constitutional majority, the Senate concurs with House Amendment 1 to Senate Bill 1197, and the bill is declared passed. Senate Bill 1330. Senator Raoul. Mr. Secretary, please read the motion.
SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 1330.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, on your motion.

SENATOR RAOUL:

Thank you, Mr. President. House Amendment 1 expedites the resolution of undisputed debts owed to the Department of Healthcare and Family Services by requiring Medicaid providers to utilize the Department's self-disclosure protocol.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1330. 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 59 Ayes, no Nays, none voting Present. Having received the required constitutional majority, the Senate concurs with House Amendment 1 to Senate Bill 1330, and the bill is declared passed. Senate Bill 1366. Senator Biss. Mr. Secretary, please read the man's motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 1366.

Signed by Senator Biss.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR LINK)

Senator Biss, on your motion.

SENATOR BISS:

Thank you, Mr. President, Members of the Senate. This bill, as amended, deals with the early retirement option in the Teachers' Retirement System, which is currently due to expire at the end of the fiscal year. This is problematic both because there are people in the pipeline and it's -- really puts them in a terrible spot and also because it can be a very, very useful tool for districts. So what the bill does is, first of all, it allows people currently in the pipeline planning to retire by the end of the calendar year to just exercise that option as they'd already signed up for. And then it extends it for three more years at a new rate that's been certified by COGFA to have no cost to the system. Moreover, that three-year extension would be optional for school districts, so there would be no mandate of any kind and no unwanted costs to school districts. Happy to take any questions and I'd appreciate your Yes votes.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR LaHOOD:

Mr. President, question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR LaHOOD:

Senator Biss, I know this came through committee yesterday. Question: Is this cost-neutral, this bill? And can you talk a little bit about that?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR LINK)

Senator Biss.

SENATOR BISS:

Thank you. Good question. So, first of all, the answer is yes. So let me explain why. The way the early retirement option is designed is it's an option to retire early without the customary penalty, but COGFA evaluates the cost of exercising that option and then divides that cost between the employee and the school districts. The reason it's set to expire is you need to recalculate that periodically to make sure that if the actual cost goes up, the appropriate amount of money is being put into the system so that it doesn't cost anything to the State. That calculation just -- has just happened; therefore, it's time to re-up at these new numbers and, moreover, because we're now making it optional for district, it doesn't cost the districts anything if they don't want to participate in this program.

PRESIDING OFFICER: (SENATOR LINK)

Senator LaHood.

SENATOR LaHOOD:

Thank you, Senator Biss. I also had a question on -- as I understand it, with this legislation, local school districts will be able to opt-out and not offer their employee ERO, so employees will then be paying 0.4 percent of their salary for the benefit they don't receive. Can you comment on that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Biss.

SENATOR BISS:

As I understand it, under current law and also future law, hopefully, when this bill is signed, that .4 percent is to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

essentially prepay for the ERO and it's then refunded upon retirement for employees who don't exercise it.

PRESIDING OFFICER: (SENATOR LINK)

Senator LaHood.

SENATOR LaHOOD:

Thank you. Those are all my questions.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR BISS:

Please vote Yes.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate -- the Senate concur on House Amendment 1 to Senate Bill 1366. 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, 2 Nays, none voting Present. The -- having received the required constitutional majority, the Senate concurs with House Amendment 1 to 1366, and the bill is declared passed. Senate Bill 1470. Leader Sullivan. Mr. -- Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to non-concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1470.

Signed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR LINK)

Senator -- Leader Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. As the Secretary just indicated, I do wish to non-concur with -- with the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

two amendments that were filed with the House.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall the Senate non-concur with House Amendment 1 and 2 to Senate Bill 1470. 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 59 Ayes, no Nays, none voting Present. Having received the required constitutional majority, the Senate does not concur in House Amendments 1 and 2 to Senate Bill 1470. The Secretary will so inform the House. Senator Sullivan back in the Chair.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Next up on the Calendar, we have Senate Bill 1495. Senator Martinez. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 1495.

Signed by Senator Martinez.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. Senate Bill 1495, as amended, is an agreed bill between the Illinois Retail Merchants Association, Illinois Restaurant Association, Illinois Food Retailers Association, and the Illinois Department of Public Health. As amended, it -- it constitutes the culmination of three years of discussion between the aforementioned parties. And, as amended, it reforms the process for food service sanitation management certification by improving initial certification or

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

recertification, addressing reciprocity for food service sanitation managers moving to Illinois from other states, and mandating training in basic food safety procedures. And it also, as amended, addresses food handling training for non-restaurants and restaurants. And it's a denial and limitation of home rule powers and functions. And I'll be happy to answer any questions. This is a concurrence.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, shall the Senate concur... Ladies and Gentlemen, being as the legislation preempts home rule, this will require a three-fifths vote, thirty-six votes to pass. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1495. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1495, and the bill is declared passed. Next up, we have 1587. Senate Bill 1587. Senator Biss. Mr. Secretary, please read the gentleman's motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1587.

Signed by Senator Biss.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

Thank you, Mr. President, Members of the Senate. Senate Bill

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

1587 is known more commonly as the William J. Cunningham Drone Act of 2013. And I ask for your concurrence with the two amendments that came from the House. One actually further addresses the question we already talked about some in the Senate on initial passage, regarding the ability of judges to enable the use of drones under circumstances not explicitly delineated in the bill, and the other removes an exemption for damage to personal property. Again, I ask for your support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1587. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 1587, and the bill is declared passed. Next up, we have House -- Senate Bill -- oh, we already did 1664. Let's go to 1674. Senator Collins. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 4 to Senate Bill 1674.

Signed by Senator Collins.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment -- I do wish to concur with House

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Amendment, I believe, No. 4. It makes technical edits to Senate Bill 16, a law that was signed into law by Governor Quinn on February 8th, to ensure that the fast-track foreclosure process for abandoned residential property and the funding mechanism for housing counseling and local government support in securing abandoned properties works smoothly. It does basically two things. It eliminates any ambiguity concerning the right of the clerks of the court to receive and retain the two -- two percent administrative fee for collection and remittance services they provide in Senate Bill 16. It also allows IHDA to use up to four percent of the funds collected to pay for administrative expenses. And I'm welcome for any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Murphy.

SENATOR MURPHY:

Senator, we -- we had a -- a good lengthy conversation about this in committee yesterday and I know the President thoroughly enjoyed the depth to which we went last night on this. We kind of came away with the impression that this has been negotiated down. They wanted nine percent of this money, IHDA did, to pay for expenses. You told them and others told them that was too much. Others wanted it to be zero. The number that was settled on as a compromise was four. But really, even there's an ability potentially to tighten it up from that. The expectation is, is that they're not going to have any more than four to five hundred

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

thousand dollars in expenses, and if they do, this is the type of thing that we'll revisit. Is that a fair assessment of where this landed?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR COLLINS:

I think from other discussions that I've had that I think JCAR will probably be looking into the issue. I think they went to JCAR and that's why the concession was made from -- dropped from nine percent to four percent.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Is -- is it your expectation, though, that the -- the four to five hundred thousand would be effectively a cap of what would be reasonable for them to take out of these funds? And, again, the funds are to give foreclosure and mortgage counseling. So every dollar that's not -- that's spent on this overhead is not spent on that. Is it your understanding that they are not going above the four to five hundred thousand out of that fund for their expenses at IHDA?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR COLLINS:

At this point, I'm not sure what it would be. We just want the reasonable resources for the implementation of Senate Bill 16. I do know that if you have any charity and you have given the two percent that the clerks receive and the four percent that IHDA's asking for - you have an overhead - for any charity that you have

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

that when you have ninety-four percent of the proceeds going to the targeted individuals, I think that's a very good return on the investment.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion, Senator Murphy.

SENATOR MURPHY:

I -- to the bill: I -- I appreciate the -- the work you've put in on this and this is a -- it's -- obviously, it's been a negotiated bill and I know that Community Bankers are in favor of this and think that this has been worked down to a reasonable position. This is something I think we're going to need to monitor somewhat closely, because, again, the whole intent of this is to keep people educated on foreclosure and not to fund overhead. I will encourage an Aye vote on this, but I -- I do hope that you will continue your vigilance on oversight of this going forward. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Just to follow up a little bit on Senator Murphy's comments and as a member of the Joint Committee on Administrative Rules and listening to the debate in JCAR yesterday, it's my understanding from the people involved in the industry that the new fund that was set up by Senate Bill 16, Senator Collins, is going to generate somewhere between -- expected

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

to generate between thirty and forty million dollars. A four percent take on that is somewhere between a million and a half and two million dollars. Listening to what we heard yesterday, in so far as personnel needs, to administer the program, that's a lot more money probably than what's necessary. It's also my understanding that in the House of Representatives, Representative Thapedi, the sponsor over there of this message, who is also a member of the Joint Committee on Administrative Rules, did basically say, yeah, four to five hundred thousand dollars should be adequate for what they need. And so I do think that the Joint Committee on Administrative Rules will be looking for the Department to come in with a rule that limits them to somewhere in that neighborhood of four hundred or five hundred thousand and not the four percent that's in this bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HOLMES:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Holmes.

SENATOR HOLMES:

Thank you. Senator, is it true that people that are confronted with foreclosure are twice as likely to be able to keep their home if they go through counseling?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR COLLINS:

Yes, that's true. And for -- let me commend the work that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

IHDA did. We know that they counseled seventy-five thousand homeowners last year and were able to keep thirty thousand in their homes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Holmes.

SENATOR HOLMES:

Yes, to the bill. I represent some -- several of the counties in Illinois that were most impacted by the foreclosure rate. Kendall County, Will County, Kane County were -- were devastated by the foreclosures. And I just want to urge support of this bill, because the ability to keep people from losing their homes not only benefits those people, it also is a huge tool for neighborhood stabilization, because there is nothing more detrimental to a neighborhood than having homes without anybody living in them. So I urge support of this bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Last speaker, Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. To the bill -- or to the motion. Thank you. I just want to compliment and commend the sponsor in her efforts on -- on this issue, foreclosures and abandoned homes. It's been -- it -- it's affecting everyone's district. She's worked diligently and continually. Her effort is shown again to make sure that Senate Bill 16, as it was passed, gets implemented. It costs money to make sure we -- we provide the programs that are necessary to prevent future foreclosures and -- and future abandoned homes from staying off the market. So, thank you very much, Senator -- Senator, and I...(microphone cutoff)...Aye vote on the -- the motion.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Collins, to close.

SENATOR COLLINS:

Thank you, Mr. President. Thank you for -- all my colleagues who have made comments. And I do support the oversight or the vigilance of JCAR and I appreciate them working with IHDA. I thank all my colleagues who had talked today, but no one has been a stronger advocate on foreclosure prevention and fighting to protect struggling homeowners and hardworking families than I have been. So to think I would accept any policy that would restrict, diminish or dilute the amount of funds needed to accomplish the golden objective of Senate Bill 16 and reach the intended recipients is at best illogical. So, therefore, on both sides of the aisle, we did support Senate Bill 16. We recognized the value of the legislation had for communities and homeowners. I ask you to support Senate Bill 1674, because this legislation ensures that Senate Bill 16 is properly implemented so that homeowners and communities can receive the value that Senate Bill 16 can bring. I ask for your affirmative vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The question is, shall the Senate concur in House Amendment 4 to Senate Bill 1674. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 49 voting Aye, 7 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 4 to Senate Bill 1674, and the bill is declared passed. Next up, we have Senate Bill... Thank you, Mr. Secretary. At the top of page 11 of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

the printed Calendar, Mr. Secretary, we have Senate Bill 1723. Senator Kotowski. Excuse me, Senator Kotowski. My mistake. Mr. Secretary, it's Senate Bill 1764. Senator Kotowski. Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 3 to Senate Bill 1764.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 3 to Senate Bill 1764 states that any individual transporting passengers of any age in a school bus or vehicle for-hire while also under the influence of alcohol or other drugs is guilty of an aggravated DUI.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DILLARD:

Thank you, Mr. President. I rise in support as a cosponsor of Senator Kotowski's bill. When you put your children on a bus or a small bus, limousine, et cetera, you expect them to be safe. And as Senator Kotowski knows and those of us who live in the Chicago area, there was a really ugly incident recently with a prom that I believe came at Oswego High School, where you tell your children be safe on prom night - go ahead, take a limousine, take public transportation - and that bus driver was three times legally drunk. And this is a good bill. It's needed. As I learned in law school a long time ago, there is a heightened

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

responsibility that comes when you are the driver of a common carrier. I don't want to sound like Bill Haine, but I learned that. But, most importantly, this just draws the line and makes the people who hire bus drivers be more responsible, but hopefully, makes it very clear if you're going to drive a bus with children on that bus, you better not be drinking alcohol. And I rise in support of Senator Kotowski's bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, Senator Kotowski, do you wish to close? Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 3 to Senate Bill 1764. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 0 voting Nay, 0 voting Present. A majority -- having received the required constitutional majority, the Senate does concur in House Amendment 3 to Senate Bill 1764, and the bill is declared passed. Next up, we have Senate Bill 1772. Senator Sandoval. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 2 to Senate Bill 1772.

Signed by Senator Sandoval.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. Senate Bill 1772 amends the Automobile Renting Occupation and Use Tax Act. I'd ask a favorable vote.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 2 to Senate Bill 1772. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 54 voting Aye, 1 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 2 to Senate Bill 1772, and the bill is declared passed. Ladies and Gentlemen, we're going to go back to the Supplemental Calendar No. 1. It's been distributed. It's on your desk. Ladies and Gentlemen, again, Supplemental Calendar No. 1. On the Order of Secretary's Desk, Concurrence, Senate Bills, we have Senate Bill 572. Senator Lightford. Out of the record. Senate Bill 923. Leader Muñoz. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 923.

Signed by Senator Muñoz.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This just clarifies that after a municipality or a county enacts an ordinance allowing automated cameras attached to school buses, the elected school board for that district must approve the implementation of the automated camera system. The school district is responsible for entering into a contract approved by the school

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

board with vendors for the installation, maintenance, and operation of the camera system. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Senator Duffy.

SENATOR DUFFY:

Question for the motion -- question for the sponsor to the motion, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Duffy.

SENATOR DUFFY:

Senator, thank you very much. I know that we've had some passionate discussions about this bill in the past. This, so that people are aware, this is the next generation of red light cameras. This is the cameras that go on the back of school buses. I -- I do have a question. Now this bill passed here in the Senate and went over to the House and it failed in the House. And then they did some negotiations and then the bill just barely passed the House by a few votes. I guess my question is, is that knowing that this bill and the companies associated with this bill are part of the largest scandal, corruption scandal, in Illinois history, according to the Chicago Tribune, and knowing that they're estimating over two million dollars traded hands in paying off bribes in a pay-to-play scandal associated with companies that are associated with these cameras, I guess I'm wondering, why was this bill amended so that -- originally when you passed the bill out of the Senate, the bulk of the money was going to the school districts. So the fines from the cameras were going to the school districts. But now, the bulk of the money is going to go to the City of Chicago or the specific county where the cameras are

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

located. Why -- why did that change happen? Why did you switch that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz.

SENATOR MUÑOZ:

They wanted to clarify what moneys were going to the school district and to the municipalities.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Duffy.

SENATOR DUFFY:

Okay. So Chicago is going to receive some more money and the towns that have it are going to receive much more money. So I'm going to go to the next question. When -- when you have videos of -- of people going around the school buses -- and I think that we all agree, if someone drives around a school bus that, you know, that's wrong and that shouldn't happen and people should be penalized for that. And also, you know, I think most of us agree in this room and me, especially, I'm a big advocate for cameras for safety purposes. I'm all for security cameras, but I'm completely against cameras that are there purely to generate revenue - generating revenue cameras, which is what these are. I guess one of the questions that I have is, if there are going to be video clips of these incidents when they happen and there's going to be kids in these clips, and then these clips are going to be put on the Internet for everyone to see, how are we going to protect the children? How are we going to make sure that the kids and their faces aren't {sic} obscured in the video clips?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR MUÑOZ:

As I stated before, when we were in the bill before, the cameras that will be on the side of the bus, inside the vehicle as well. In order for this -- to be ticketed, you have to show that there were kids on the bus at the time of the violation, when the vehicle did go around a school bus that clearly had the lights flashing and the stop sign out.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Duffy.

SENATOR DUFFY:

To the motion, Mr. President. You know, like -- like we were saying, like we discussed before - I don't want to bring it all up again - but this obviously, you know, like we said in the past, if it looks like corruption and it smells like corruption, it's corruption. Everything associated with these cameras and these camera companies has been bad. Overseas, the -- the camera companies that -- the camera company that handles most of these cameras, it was so bad, the Chicago corruption that went on, that they froze the trading on the international markets for this company and they fired their CEO. So they took drastic measures in the red light camera company overseas that handles these cameras. But here in Chicago, in the most corrupt city in America, what did we do? Nothing. We said that we were going to do an investigation and then, in turn, we started developing more ideas for more cameras that -- that we can generate more revenue for more corrupt causes. So I encourage everyone to vote No on this bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy, for what purpose do you rise?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Murphy.

SENATOR MURPHY:

Senator, I -- I want to follow up on something that Senator Duffy had just touched on and that's going to the House amendment. The -- my understanding when this came through the first time was that all of the money would go to the school districts. One of the concerns I've always had with camera bills is that they are -- they -- there's a money grab component to it. One of the things that led me to think this was different was the fact that all of the money was going to be going to the school districts. Now, some money is going to the municipalities, and it appears that might have been critical to getting the bill passed. And I guess the question is, how much of the revenue will now go to the municipalities, and is this all laid out, and how does it differ from what it looked like when it left the Senate?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy. Excuse me, Senator Muñoz.

SENATOR MUÑOZ:

Well, right now, the way it was amended in the House, Senator, it is divided equally. Initially, the bill that we sent out, the school districts, it was going directly to them and then they were just going to deal with the municipality for them going ahead -- the deal to go ahead and submit the ticket to the individual that violated the law.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR MURPHY:

To the bill: I -- this is -- this -- this is obviously, I think, a change in terms of what this bill does, and, to me, in a somewhat meaningful way. The -- I -- I want to be clear, Senator. I mean, I -- I don't -- I -- this isn't your amendment. I understand that. I don't ascribe any ill intent specifically to you on this bill generally or on this amendment in particular. But the concept of these cameras from the get-go has always troubled me from the money-grabbing component to it. I felt like these cameras -- there's a difference between the number of times somebody's going to drive by a stop sign that's sticking out on a bus versus how many people might roll through a right on red. And I thought this, maybe it was less of a money-grabbing kind of camera. And the fact that whatever money was raised was going to go to the schools gave me some more comfort that this maybe was the right thing to do. Splitting the money evenly with the municipalities, it seems like a pretty big share, and that gives me some pause, Senator, I have to acknowledge. I appreciate your efforts on the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator Muñoz, to close.

SENATOR MUÑOZ:

Thank you, Mr. President. And to my colleagues, you know, thanks for the debate on it. This wasn't my amendment, but, nonetheless, it's still a safety issue that I'd like to get it addressed. And let's be clear on the bill: it is up to the school districts if you want to implement this; they don't have to utilize this. And to my colleague that was saying, you know, these companies are corrupt or whatever, nowhere in this bill, the bill

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

that we sent out prior to this, states any company in here. As it coming back, there's not one company in this. It is up to the school districts who they want to pick as a vendor and work with them and work with their municipality. So when you talk about corruption and corruption, where's the corruption in this bill? I can tell you, since the last debate that I had on the Floor here, with regards to corruption of a company that was -- supposedly that was so bad and that did business with the City of Chicago, well, my colleague on the other side received a lot of money for a number of years. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The question is, shall the Senate concur in House Amendment 1 to Senate Bill 923. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 38 voting Aye, 16 voting Nay, 2 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 923, and the bill is declared passed. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

I -- and I'm not kidding, this -- this switch box is not working and I need somebody to look at it, please. Thank you. It -- it's just not.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Next up, we have Senate Bill 1245. Leader Radogno. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Amendment 2 to Senate Bill 1245.

Signed by Leader Radogno.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. The underlying bill requires COGFA to do a survey of all the municipalities in the State to get more information about the PSEBA benefit. The House amendment just added a little more specificity to that report, added a couple of labor unions to the study group, and required a side-by-side comparison of available health insurance benefits. So I would request your support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no lights, the question is, shall the Senate concur in House Amendment 2 to Senate Bill 1245. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 2 to Senate Bill 1245, and the bill is declared passed. Senate Bill -- Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

A point of personal privilege, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

State your point, Senator Luechtefeld.

SENATOR LUECHTEFELD:

I would like to mention that Senator Rose's switch doesn't work. If you could maybe get that fixed for us, we'd appreciate.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

We've got our best people on it. Next up, we have -- really? Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

On Senate Bill 923, I intended to vote Present. My vote -- my button was pushed Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The Senate will -- the record will so indicate your intent. Senator Steans, for what purpose do you rise?

SENATOR STEANS:

Yeah, I had intended to vote Yes on this last bill. I just -- you were going so fast I missed the button.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so -- also indicate your intent on that bill as well. Senate Bill 1911. Senator -- Leader Muñoz. Out of the record. Senate Bill 2243. Senator Holmes. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2243.

Signed by Senator Holmes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Holmes.

SENATOR HOLMES:

Yes. Thank you. This is in the case of publicly traded corporations, the name and title of the chief financial officer, chief operating officer and any officer or employee... Yes. Oops. My apologies. They took that part out of it completely. House

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Amendment 2 becomes the bill. The bill excludes electricity from being classified as tangible personal property for purposes of Illinois sales tax, which is the historical understanding. The issue is a result of an Illinois Supreme Court decision, which ruled that electricity was tangible personal property for the purposes of the Illinois income tax. Historically, electricity providers, as well as gas and water providers, have been considered service providers. By excluding the services from tangible personal property, consumers will have to pay sales tax on the items and manufacturers will not receive tax exemptions. The bill's been negotiated between the Department of Revenue and electricity providers and generators.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. I rise in strong support of this legislation. The Department of Revenue has been working very closely with the Chairperson of Revenue, Toi Hutchinson, and myself, as Minority Spokesperson, to address this issue. It's a good resolution and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill -- 2243. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 and 2 to Senate Bill 2243, and the bill is declared passed. With leave of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

the Body, Mr. Secretary, let's return to Senate Bill 1911. Senator Muñoz. Please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1911.

Signed by Senator Muñoz.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. The motion {sic} becomes the bill. Establishes a seventeen-member Hepatitis C Task Force within the Department of Public Health. The task force is abolished on 1-1-2016. It also adds an immediate effective date. As amended by House Amendment 1, passed the House 117 -- I know of no opposition.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, again, Mr. President. I rise in strong support of this piece of legislation. A question of the sponsor. Will he yield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will, Senator Althoff.

SENATOR ALTHOFF:

Thank you very much. Senator, can you tell me, is it true that this is also extraordinarily important for veterans who have served in our military services because of their propensity to actually have been infected by this virus?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Muñoz.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR MUÑOZ:

Yes, Senator, that is true.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

And that's one of the reasons that I give this initiative strong support. It's an opportunity, again, to reach out to our veterans to ensure that they're aware of the potential ramifications of carrying this virus and being unaware of it. So, again, I give strong support to it and would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in Amendment 1 to Senate Bill 1911. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1911, and the bill is declared passed. Mr. -- Mr. Secretary, let's go back up to Senate Bill, I believe it's 572. Is that correct? Leader Lightford. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 572.

Signed by Senator Lightford.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lightford.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this amendment establishes the Illinois Small Business and Workforce Development Task Force. This force -- task force will be a seventeen-member bipartisan joint task force and they're looking to address regulatory policies, workforce concerns, procurement policies, sustainability, and access to capital for small businesses. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR OBERWEIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he -- she will yield, Senator Oberweis.

SENATOR OBERWEIS:

Senator, do you know, would there be cost with this task force? Folks be paid?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Lightford.

SENATOR LIGHTFORD:

There's no fiscal note, Senator.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The question is, shall the Senate concur in -- in -- in House Amendments 1 and 3 to Senate Bill 572. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 2 voting Nay, 0 voting Present. Having received the required

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

constitutional majority, the Senate does concur in House Amendments 1 and 3 to Senate Bill 572, and the bill is declared passed. At the bottom of the page of the Supplemental Calendar, we have Senate Bill 2378. Senator Bush. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2378.

Signed by Senator Bush.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bush.

SENATOR BUSH:

Thank you, Mr. President and Members of the Senate. The second amendment replaces all and becomes the bill. SB 3278 {sic} is the Secretary of State's bill that they may enter into an agreement with public or private entities to lease parking spaces at State-owned facilities. These agreements may only exist if a determination has been made by the Secretary that leasing the parking spaces will not negatively affect the delivery of services to the public. The fee to be charged to the entity or individual leasing the parking spaces shall be established by rule. All funds collected by the Secretary of State from such leases shall be deposited into the State Parking Facility Maintenance Fund and used for maintenance of parking lots at the State -- Secretary of State-owned facilities. I know of no opposition and I'd be happy to answer any question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2378.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 1 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 2378, and the bill is declared passed. Ladies and Gentlemen, back to the regular Calendar, on page 11, where we left off. It should be Senate Bill 1968. Mr. Secretary. We'll let it come up on the board. Senator Barickman. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 1968.

Signed by Senator Barickman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Barickman.

SENATOR BARICKMAN:

Mr. President, this bill permits foundational testimony business records through the use of a contemporaneous audio and video transmission. We worked with Senator Raoul and the Cook County Public Defender so that the amendment allows cross examination and other items. I'd ask for a Yes on the motion.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1968. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1968, and the bill is declared passed. Next up, we have Senate Bill 2106. Leader Althoff. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 2106.

Signed by Senator Althoff.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Althoff.

SENATOR ALTHOFF:

Thank you very much. As amended, Senate Bill 2106 makes the Governmental Transparency Task Force a working group consisting of members of the Budgeting for Results Commission for the purpose of developing a plan to make the State budgeting process the most transparent, publicly accessible budgeting process in the nation. The findings must be reported to the Governor, General Assembly by January 1st, 2015, and this Section is repealed as of January 1, 2016.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 2106. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments {sic} 1 to Senate Bill 2106, and the bill is declared passed. Next up, we have Senate Bill 2193. Nope. Is

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

that right? 2122 -- 33. Excuse me. Mr. Secretary, Senate Bill 2233. Senator Raoul. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 2233.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

Mr. President, I believe Senate Bill 2193 was that other concealed carry bill. This is not that bill. House..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you for that clarification, Senator Raoul.

SENATOR RAOUL:

House Amendment 1 extends the repeal date to June 1, 2018, of the Cook County design-build bill instead of removing the repeal date.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 2233. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 1 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 2233, and the bill is declared passed. Let's turn the page to page 12 of the printed Calendar. Ladies and Gentlemen, if you'll -- let's return to the Supplemental Calendar No. 1, on the Order of Secretary's Desk,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Resolutions. We'll let it come up on the board. It'll be Senate Resolution 223. Senator Brady. Mr. Secretary -- just one second. Mr. Secretary, we will not be going to Supplemental Calendar 1. Ladies and Gentlemen, back to the regular Calendar now. On page 8 of the regular Calendar, on the Order of Secretary's Desk, Resolutions, Senate Resolution 217. Senator Biss. There it is up on the board. Out of the record. Senate Resolution 243. Senator Delgado. Mr. Secretary, please read the resolution. Ladies and Gentlemen, give us just a second; we're sorting out some paperwork. Mr. Secretary, with leave of the Body, let's return to Senate Resolution 70. It's -- again, we're on page 8 of the printed Calendar, on the Order of Secretary's Desk, Resolutions. Senate Resolution 70. Senator Brady. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 70, offered by Senator Brady.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- or, Mr. Secretary, are there any other amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment 3, offered by Senator Brady.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

Like to withdraw Amendment 3.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Senator Brady wishes to withdraw Amendment 3. Mr. Secretary, are there any further amendments approved for consideration?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady, on your resolution.

SENATOR BRADY:

Thank you, Mr. President. This resolution urges the Turkish government to uphold religious freedoms of its citizens, to uphold human rights, to cease discrimination and -- of the Ecumenical Patriarchate, to grant the Ecumenical Patriarchate appropriate international recognition, to uphold the ecclesiastic succession, uphold the right to train clergy members of all nationalities, respect the property rights of the Ecumenical Patriarchate and respect human rights of the Ecumenical Patriarchate of the Greek Orthodox Church. I would like to thank Senator Cullerton for his cooperation. It also speaks to the cooperation of the Turkish government and the -- and the Greek Orthodox Church. This resolution has passed the Illinois House and several other states, and I think it -- once it's passed, it will -- it will be sent to the appropriate entities.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on the resolution?
Senator Frerichs, for what purpose do you rise?

SENATOR FRERICHS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question. Senator Frerichs.

SENATOR FRERICHS:

Senator Brady, you had stated that this resolution has been passed by other states. Has this resolution be -- been amended in

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

any way?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

Senator Frerichs, thank you for bringing that up. In the Executive Committee, we presented an amendment to the resolution, which, unlike the other resolutions which have passed over the years, speaks to the current cooperation between the Turkish government and the Greek Orthodox Church. I failed to suggest that, in agreement with Senator Cullerton, we withdrew Amendment No. 3 that we indicated in committee would be adopted. It has been further resolved between the Turkish people and the Greek Orthodox that they prefer not to have that language. So, yes, it's amended and it's amended as it was in the Executive Committee.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

So then it would -- it would be accurate to say this is not the same amendment that has -- or the same resolution that has passed other states and the House?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

It's very, very similar in that the language in this is the same that's passed, but we added language to what's passed in other states to speak to the current cooperation.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

And could the Senator please then explain what the difference is between this resolution and all the other resolutions that have been passed in other states and in the House?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

On page 4, I believe line 17 -- excuse me one minute. Let me find the language. Starting on page 4, line 18: Resolved, by the Senate of the Ninety-Eighth General Assembly of the State of Illinois, that we urge the Governor -- Government of Turkey to uphold and safeguard religious and human rights without compromise, cease its discrimination of the Ecumenical Patriarchate -- excuse me, that's the current. The amendment: Whereas, we rightly appreciate that the current Turkish government has made positive improvements over the last eight years in its relation to the Ecumenical Patriarchate with respect to the turn -- to the return of two significant properties formerly in dispute, with respect to allowing Orthodox clergy in the lands outside Turkey to apply and gain citizenship in Turkey to help ensure the possibility of the patriarchal succession, and with respect to the physical security of the Ecumenical Patriarchate in the recent uncovering of thwarting of a plotted assassination of Patriarch Bartholomew; and Whereas, we recognize the Turkish government has continued to negotiate and publicly address these and other related issues with a commitment to their resolution in a manner acceptable to all interested parties.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Thank -- I want to thank the sponsor for answering my questions, because I know that there were three different amendments and I wasn't sure which one we were adopting. This does not specifically mention relationships between the nations of Greece and Turkey, but between the leadership of Turkey and the Orthodox Church. Correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

So, to the -- to the resolution. So with that understanding, I was signed on as a chief cosponsor of this. I look forward to bringing religious freedom to the hundreds of -- or, millions of Orthodox Christians around this country who look towards the Ecumenical Patriarch as their leader. I want to thank the Senator for sponsoring this and working on this. As we understand that this is a resolution dealing with religious freedom, it's something that I hope everyone here can support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, the question is, shall the --- shall Senate Resolution 70 pass. All those in favor will vote Aye. Opposed, Nay. The -- the Ayes have it, and the amendment {sic} is adopted. Next up, we have Senate Resolution 298. Leader Trotter. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 298, offered by Senator Trotter.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Resolution 298 urges Congress to pass a bill establishing Pullman as a National Park or, alternatively, that President Barack Obama has designated Pullman already as a National Monument by executive order. We're asking him to do this. As we all know, Pullman was the first planned industrial community in the United States. In 1994 {sic} (1894), it was the site of the famous Pullman Strike, which resulted in {sic} the cutting of wages without also reducing rent for its workers. It is located on the south side of Chicago and we think this will be a plus for the community and for our State.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Resolution 298 pass. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Thank you. Next up, we have House Joint Resolution 24. Leader Clayborne. Out of the record. The bottom of page 8, we have House Joint Resolution 36. Senator Steans. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 36, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. House Joint Resolution 36 creates the Tax Force -- Task Force on Charter School

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Funding. Many issues around this in terms of -- there's a big range right now, seventy-five to a hundred and twenty-five percent of the school district's per capita tuition that follows. And there's also, for the statewide charters, a lot of problems that -- concerns about the districts when the -- those statewide charters get enacted that leaves a lot of -- less GSA for those districts. This task force will be taking a look at these kinds of issues and come up with a recommendation. I -- I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Senator Rezin.

SENATOR REZIN:

Thank you. To the bill {sic}. This -- this piece -- or this resolution came before Education Committee. It does look at the different funding mechanisms for charter schools and it also does look at the virtual charter schools. So I recommend an Aye vote as well.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bush.

SENATOR BUSH:

Thank you, Mr. President. Senator Steans, I have some questions for the purpose of legislative intent.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Bush.

SENATOR BUSH:

Thank you. The purpose of the member is -- who is appointed by the Governor as a nationally recognized expert on charter school and charter school funding issues is to provide the task force with an unbiased source of history and data for the other task

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

force members. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bush.

SENATOR BUSH:

There were some concerns raised in committee that in order for this person to be a truly unbiased source of information, that he or she should not be part of either the formulation of the final recommendations or have a voice in the final approval of any report that is to come from the task force. Is that also correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bush.

SENATOR BUSH:

Thank you so much, Senator Steans. I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Van Pelt.

SENATOR VAN PELT:

Yes, Mr. President, I rise in support of -- of the Resolution No. 36. I think this is an excellent time for us to review and look at the numbers and -- and figure out how we can support all of our schools. So I rise in support and urge an Aye vote.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Leader Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Lightford.

SENATOR LIGHTFORD:

Mr. President, I voted Aye in committee on this legislation, but I did have some concerns that I shared with the sponsor of the bill and the rest of the committee. My concerns is, when we talk about funding for charter schools, we leave out a lot of the notion that charter schools is a public school, but yet some of the requirements for our traditional schools is not required at a charter school. So I have some -- some mishaps, or misgivings, on how I feel about this, because if a traditional charter school has to meet certain requirements and now the charter school is saying we want to be equally yoked in funding, then I feel they should also be equally yoked in the areas that they need to meet requirements, just like traditional schools. That was one concern I had. Another concern is that Senator Manar has this wonderful bill where he's creating an -- an Education Fund to take a look at our total education funding formula. And I feel that this area here would also fit within his scope, that it shouldn't have a stand-alone task force. So I'm really concerned there as well, that we're always setting aside a certain portion when the funding formula all comes together. And then also, the same kids in Chicago that attend these charter schools, it's the same moneys that is used for kids that are in the traditional schools. So to take from one hand and give to another, sometimes, to me, there

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

seems to be some inconsistencies on how we really feel about educating all of our children. So, again, I did vote Aye to help move this to the Floor. I shared the concerns with Senator Steans, but I wanted the full Body to know that if we make requirements for traditional public schools, yet we allow charter schools to not receive the same type of basic requirements, then we're -- we're -- we're -- we're telling them that you can receive public government funding, yet you do not have to maintain the same type of regulations that they're required to do. And I think that's unfair and there's some inconsistencies there. So I'll be voting Present on this bill, because I do want Senator Steans to move her agenda as it relates to this. I do feel the dollar should follow the child, but I'm also concerned about the administrative part of it. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator McCarter.

SENATOR McCARTER:

A question, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator McCarter.

SENATOR McCARTER:

I -- I just heard Senator Lightford say something that really peaked my interest here and I hope it's not the intent of the task force that because we are providing public funds, that charter schools should have to do all the same things that other public schools have to do currently, because one of the unique, you know, opportunities with charter schools is they have a little more freedom to do things as they need to, and that has proven to be their success. So, I just -- I just want to know that -- that's

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

surely not any part of the -- the intent on this task force, is it?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

So, this task force charge is around funding, in particular, but I definitely believe that when you look at funding, there's -- going to have to get a look at some other of the issues as well -- accountability, for how -- how dollars are getting spent, some of the administrative sides of it. That's what we talked about in committee. Right now, what -- the range that we're funding is from seventy-five percent to a hundred and twenty-five percent. And there was general, I think, agreement that you probably never want to have a charter school getting above what a -- the -- the -- the hundred percent. You probably want it something lower than that. So, I think Senator Lightford has some valid concerns on that as well. But, no, they are their own independent models and that's not the intent of this, is to take away the charter model, but to just make sure that we have proper accountabilities and things like that in place.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Senator, would you think that they -- they should get a hundred percent?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

That's what the task force is going to be doing, is looking

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

at this. This is not for us to be debating on the Floor. We're setting up a task force to look at these issues.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President. To the bill: I have -- I have strong concerns about the way we fund charter schools in public districts. In my district, I had a local district that overruled, did not want the -- the charter to establish. They said they couldn't afford it. This is a bill -- this is School District 227; they have three buildings in this district. The State overrode the local district's decision. And in that -- during that decision, they negotiated a one hundred percent funding model. The net result of that was, that one building with three hundred and fifty students in it has taken now forty-nine percent of the GSA line to the district that has three buildings that they have to take care of and thousands of kids that also need to be educated. Now I am absolutely for encouraging closing gaps and raising outcomes for our children. I am not outright opposed to charters. I have a very significant issue with the way we fund them. And -- and -- and I do want to say for the record, that hundred percent funding model, because the -- the charter school cannot access the local property taxes, the State has to -- to withhold the entire amount of per pupil spending and the only other place it can come from is GSA. So before proration, my school district - before proration - my school district's GSA line has been reduced forty-nine percent. You cannot say that you are for the education of all of our children and say that that's fair. That's not fair. So I am really hoping that this task force addresses significant

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

funding issues like that and I would like to be invited to when these meetings happen. I know only one person can be on there. But we have significant concerns, because at the end of the day, it's not about whether or not you're -- I'm not trying to shut down the charter or not give the kids in the school district what it is they need. I'm not on team administrator anybody. I'm on team kid. And that means I don't want any of our kids to get benefits at the exclusion of our other ones, using public dollars. That is simply not fair.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. To the resolution: I -- I would also like to echo the sentiments of Senator Lightford in regards to why the question has been separated in the public policy discussion of charter school funding versus public school funding? There is one single public school system in America and that's how we should look at it in Illinois. And I would just like to direct the sponsor, my colleague -- I'm going to support this resolution. I would have loved -- it would've been more efficient to take up this question in Senator Manar's task force, 'cause we are one public school system in Illinois. But I would like to encourage the Senate sponsor, Senator Steans, that when the task force comes together, that they directly study the issue why the Chicago Public School system doesn't just make a decision to fund -- because they have the authority - the Chicago Public School system has the authority; there's no need for special legislation - they can decide to fund their charter schools at a greater level without coming to Springfield. That is truly what needs to take place.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

There needs to be greater leadership by the Chicago Public School system to fund education and to not keep children -- not -- not just fund the haves and leave the have-nots underfunded. I'd like the Senate sponsor to acknowledge that the task force will take up that question before we vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It absolutely will. That's part of the charge and I think this -- I had talked to Senator Manar about this and this is such a particular set of issues that the idea was that it probably made sense to look at it. I'm certainly also very open to then rolling any recommendations from here into Senator Manar's task force, if it makes sense, as well, and have them consider it. But I think all these issues absolutely will be, and I think the level of generated discussion here indicates why we need to be looking at how we're actually funding the charter schools. And I -- Senator Hutchinson, to her point - she may have missed the intro - that's one of the very specific problems that we have, is the kind of contentiousness that gets created between charters and the districts because so much comes out of the GSA when a statewide charter is authorized. We got to look at these issues. So that's the intent of this task force.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

You're a very expert politician, Senator Steans. The question is, will you study the specific issue of -- of asking the question why Chicago Public School system does not fully fund their charter

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

schools?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Muchas gracias.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, to close.

SENATOR STEANS:

I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

As this resolution requires the expenditure of State funds, a roll call vote will be required. Ladies and Gentlemen, the question is, shall House Joint Resolution 36 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 47 voting Aye, 1 voting Nay, 9 voting Present. The Ayes have it, and the resolution is adopted. Mr. Secretary, it's my understanding we're going to go back to the regular Calendar. On the Order of House Bills 3rd Reading, Ladies and Gentlemen, on page 4. Page 4 of the printed Calendar, middle of the page, House Bills 3rd Reading. First up should be House Bill 71. We'll let it come up on the board. Senator Mulroe. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

House Bill 71.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. Senate {sic} Bill 71 does a couple things. Current law only allows a person who knowingly obtains unauthorized public medical benefits to be charged with a misdemeanor or a felony, depending on the amount of the benefits involved. House Bill 71 adds that any person, vendor or organization, agency or other entity that knowingly helps someone else obtain unauthorized public medical benefits can be charged as well. They can also be charged if they knowingly conceal correct information or provide false information in connection with the provision of health care or related services. House Bill 71 is a companion bill to Senate Bill 1330, Senator Raoul's bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, the question is, shall House Bill 71 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, House Bill 71 is declared passed. We're going to turn the page, I believe, to page 5, Mr. Secretary, to House Bill 530. Senator Martinez, on House Bill 530. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SECRETARY ANDERSON:

House Bill 530.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 530 amends the Hearing Instrument Consumer Protection Act by requiring a clear distinction be made between a "hearing instrument and device" and "hearing enhancement device" in all advertisement. It requires that an advertisement for a hearing enhancement device contains a disclaimer saying that it is not a hearing instrument or hearing aid. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, shall House Bill 530 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 530, having received the required constitutional majority, is declared passed. Next up, we have House Bill 1040. Senator Althoff. Mr. Secretary, please read the bill. Senator Althoff, seeks leave of the Body to return House Bill to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 1040. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Floor Amendment No. 3, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff, on Amendment 3.

SENATOR ALTHOFF:

Thank you, Mr. President. Amendment 3 becomes the bill. Be happy to read it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 1040. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1040.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. House Bill 1040, as amended, creates the Open Operating Standards Act. The Act provides an open portal site that disseminates grant reporting and other public data available from State agencies, including, but not limited to, grants and contracts. And it also encourages State agencies to incorporate cloud data management, which is obviously less expensive and an

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

easier way to store and access information.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, shall House Bill 1040 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 1040, having received the required constitutional majority, is declared passed. Mr. Secretary, I believe we're going to go to page 6 of the printed Calendar to House Bill 1810 and that will be Senator Sandoval. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1810.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. House Bill 1810 creates the Legion of Merit license plate. I'll ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, shall House Bill 1810 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 1 voting Nay, 0 voting Present. House Bill 1810, having received the required constitutional majority, is declared passed.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Mr. Secretary, with leave of the Body, let's go to 2498. House Bill 2498. Senator Delgado. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2498.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2498 allows the Department of Revenue to issue paper warrants for amounts of under five dollars for tax refunds by exempting them from State -- from the State Comptroller Act, which currently states payments must be made through electronic funds transferred {sic} (transfer) for any itemized voucher under five dollars. This is a -- initiative of the Department of Revenue, I believe, Office of the Comptroller. I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2498 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2498, having received the required constitutional majority, is declared passed. Let's go down to House Bill 2535, Mr. Secretary. Senator Steans. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

House Bill 2535.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. This amends the Developmental Disability and Mental Disability Services Act to create a Regulatory Advisory Board on -- to -- that will provide input on -- to the Department of Human Services on rules pertaining to various aspects of developmental disability services. Ask for an Aye vote and I don't know of any opposition to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion? Seeing none, the question is, shall House Bill 2535 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2535, having received the required constitutional majority, is declared passed. House Bill 2614. Leader Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2614.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Thank you, Mr. President, Members of the Senate. House Bill 2614 allows the State to use one contract and contractor to procure construction work on multiple buildings as part of one project. This is an initiative of the Capital Development Board and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion? Seeing none, the question is, shall House Bill 2614 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2614, having received the required constitutional majority, is declared passed. With leave of the Body, Mr. Secretary, let's go to 2752. That would be Senator Bush. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2752.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bush.

SENATOR BUSH:

Thank you, Mr. President and Members of the Senate. Excuse me. House Bill 2752 amends the Illinois Income Tax Act and the Retailers' Occupation (Tax) Act by stating that the time limitation period on the Department of Revenue's right to file a notice of lien shall not run during the term of a repayment plan, as long as the taxpayer remains in compliance with the terms of the repayment plan. This bill is identical to SB 2378 that passed the Revenue

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Committee 10 to 0 this year and it's on 2nd Reading {sic}. I would urge an Aye vote. I know of no opponents.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2752 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2752, having received the required constitutional majority, is declared passed. The bottom of page 6, we have House Bill 2776. Senator Noland. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. House Bill 2776, an initiative of the Illinois Fire Chiefs Association, provides that the exception to safety belt requirements for authorized emergency vehicles does not apply to vehicles in the fire department; Office of the State Fire Marshal; or ambulances, unless the delivery of life-saving measures prohibits the use of a safety belt. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion? Seeing none, the question is, shall House Bill 2776 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2776, having received the required constitutional majority, is declared passed. At the top of page 7, we have -- next up is House Bill 2812. Senator Steans. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2812.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. House Bill 2812 was an initiative of the Illinois Health Facilities and Services Review Board. It streamlines the health planning process for State agencies. I would urge an Aye vote and I'm happy to answer any questions folks may have.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion? Seeing none, the question is, shall House Bill 2812 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 47 voting Aye, 9 voting Nay, 0 voting Present. House Bill 2812, having received the required constitutional majority, is declared passed. Next up, we have House Bill 2943. Senator Morrison. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

House Bill 2943.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Morrison.

SENATOR MORRISON:

...you, Mr. President, Members of the Senate. House Bill 2943 requires a lobbyist whose client is another lobbyist to disclose the name and address of the ultimate beneficiary of the lobbyist's services in the registration disclosures and expenditure reports. I know of no opposition.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, shall House Bill 2943 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2943, having received the required constitutional majority, is declared passed. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 358, offered by Senator Van Pelt.
It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Message -- 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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

passage of a bill of the following title, to wit:

Senate Bill 1006.

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

House Amendments 1 and 2 to Senate Bill 1006.

We have received like Messages on Senate Bill 1409, with House Amendments 1, 3 and 4; Senate Bill 2332, with House Amendment 1. Passed the House, as amended, May 31st, 2013. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Introduction of Senate Bills.

SECRETARY ANDERSON:

Senate Bill 2591, offered by Senator Hastings.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, just while we have a minute here to catch our breaths, I want to take just a minute, if I can have everybody's attention. Ladies and Gentlemen, shh, can I have your attention just a minute? I just want to take a minute and -- and -- and show -- show our appreciation to these individuals that are in front of us here. They just have done an outstanding job this year. We rolled through a lot of legislation; they've done an outstanding job: Tim Anderson and Scott Kaiser as the Secretary's; Emily and Adam over here; Steven down here running the board; Mark's been here some; Mary and Susan and Greg {sic}, they're the folks at LIS; Joe Dominguez and your excellent staff, and Dierks -- I call him Dierks Bentley, but it's actually Dirk Eilers - he's

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

not here today, but with all their Pages, they've done an outstanding job. Let's show them a round of applause and show our appreciation for the great job they've done. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Jacobs.

SENATOR JACOBS:

I'd just like to recognize Senator Biss in the -- in the Senate Chamber up here and to give him a warm Senate welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCANN:

For a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator McCann.

SENATOR McCANN:

Thank you, Mr. President. I appreciate it so much. I would just like to introduce a very dear friend -- friend of mine from the western part of the 50th District, Mr. Bernie Fraley, and his beautiful daughter, Amanda. They've joined us in the President's Gallery on this side. So if you'll join me in welcoming them.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Bernie and Amanda, welcome to the State Senate. Great to have you join us today. Thank you. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will all members of the Committee on Assignments please come to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

the President's Anteroom immediately? All members of the Committee on Assignments to the President's Anteroom immediately. The Senate will stand at ease. (at ease) Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Re-refer to Assignments Committee - Senate Resolution 223; re-refer from Executive Appointments Committee to Assignments Committee - Appointment Message 119; Be Approved for Consideration - House Bill 2897, Senate Resolution 352, Senate Resolution 357, Senate Resolution 358, House Joint Resolution 40, House Joint Resolution 43, Motion to Concur on House Amendment 1 and 2 to Senate Bill 1006, Motion to Concur on House Amendment 1, 2, 3 and 4 to Senate Bill 1329, Motion to Concur on House Amendment 1, 3 and 4 to Senate Bill 1409, Motion to Concur on House Amendment 1 and 2 to Senate Bill 1659, Motion to Concur on House Amendment 1, 2 and 4 to Senate Bill 1910, Motion to Concur on House Amendment 1 and 2 to Senate Bill 2155, Motion to Concur on House Amendment 1 to Senate Bill 2332, Motion to Concur on House Amendment 1 and 2 to Senate Bill 2389.

Signed, Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 1 to Senate Bill 630, Floor Amendment 2 to House Bill 2897, and Appointment Message 119. Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, we're going to be distributing

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Supplemental Calendar No. 2 here momentarily. Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

A -- a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Silverstein.

SENATOR SILVERSTEIN:

Behind me is someone who works for the City, but she's not lobbying for the City today, so she can come on the Floor, my wife, Alderman Debra Silverstein; my daughter, Annie; and her friend, Esti.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Debra...

SENATOR SILVERSTEIN:

The better half.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Debra, good to see you. Welcome to the Senate. And your daughter and friend, so nice to have you join us. Ladies and Gentlemen, the Supplemental Calendar has arrived. Sergeant-at-Arms Dominquez. Ladies and Gentlemen, Supplemental Calendar No. 2 has been distributed. If you'll turn to the first page of that, in the middle of the page on the Order of Secretary's Desk, Concurrence on Senate Bills, and then we'll go to the second one. That is Senate Bill 1329. It's up on the board. Senator Kotowski. Senator Kotowski, on Senate Bill 1329. Mr. Secretary, please read the concurrence.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2, 3 and 4 to Senate Bill 1329.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, on your motion.

SENATOR KOTOWSKI:

Again, I must admit I was a little bit thrown. I was in the restroom and I thought I heard the voice of God and then Senator Jacobs told me it was just Senator Sullivan. So, I'm back. Going to move to concur on House Amendments 3 and 4. They become the - - the budget implementation bill. Includes necessary provisions to execute the fiscal year '14 budget plan. This includes various GRF transfers to other State funds; a sunset date extension, Illinois Grant Recovery Act; sunset deposits into the Tax Increment Fund; extends two percent transferability among personal service lines to agencies. It allows for funding for salaries and stipends for county clerks and recorders, regional offices of education out of the Personal Property (Replacement) Tax. More than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Kotowski. Just to be clear, you do want to concur on Amendments 1, 2, 3 and 4. Is that correct? Senator Kotowski, is that correct?

SENATOR KOTOWSKI:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, is there any discussion? Senator Rose, for what purpose do you rise?

SENATOR ROSE:

First of all, I -- I appreciate very much you-all and the -- the staff for giving me a brand-new switch here. So, we'll see

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

how it works on this one. I appreciate that very much.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rose, is there any chance you just wore it out?

SENATOR ROSE:

No, no. It may -- it may be. We'll see.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rose.

SENATOR ROSE:

Yeah. And I -- I do appreciate Senator Kotowski finally bringing out the BIMP. We are very happy to -- to finally have a chance to look at this. Ladies and Gentlemen - and -- and I -- I will just briefly repeat my remarks from before - this is a budget that is going to spend a billion seven more than the original budget that passed in fiscal year '13. And right out of the box, there's a -- we're a hundred and forty million in the hole from the AFSCME contract, and that's just what we've been able to identify in the last few weeks here -- or the last few hours here. I absolutely respect the effort that has been put in by Senator Kotowski, Senator Steans, and particularly the staffs of both sides of the aisle when it comes to drafting any kind of budget. But, again, as we've said before, and again and again, in that the -- the math is kind of surreptitious, but pretty soon here, in rebuttal, Senator Kotowski, I'm sure, is going to say that this actually is less than last year's budget that will close out at the end of this June. In fact, if you go back to FY'13, it's a billion seven more. As I said earlier, from our questioning of the Governor's Office on Wednesday, there is a hundred-and-forty-million-dollar hole they will have to come back in and fill - their words, not mine. In fact, one of the Senators on the other side

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

of the aisle made the exact same point yesterday on the supplemental. And I would say this, and -- and not to belabor the point, but when it comes to the whole Budgeting for Results concept, we're two or three years into this now and I find it interesting the only thing in here that has actually been reviewed for a result was the higher education budget, and it was reviewed under the performance based metric standards that actually had absolutely nothing to do with Budgeting for Results. It was Senator Maloney, Representative Pritchard, myself, that predated the entire Budgeting for Results concept and performance based metrics was a year-long study and discussion that is in place now and is moving forward. It was a small amount - it was half a percent - but it was in there. But the rest of the budget -- I mean, we've heard other speakers talk to us about twenty million dollars for this program that was the subject of an extremely critical and, frankly, damning CNN documentary and it's still in there. Where's the result there? We'll, it's twenty million dollars; that's where the result is. Ten million dollars for a new after-school program, when we can't afford to pay our school districts on time. We're prorating transportation sixty-four percent. At the end of the day, I would just urge a -- a No vote on this budget and that speaks nothing to the hard work of the sponsors or the staff on it. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Indicates he will yield. Senator Murphy.

SENATOR MURPHY:

Thank you. Senator, you know, we've -- we've had some conversation this week about some transparency on the education funding and the fact of the distortion of the general State aid in the poverty and PTELL lines. Those are not delineated in the budget, as a transparent process would have provided. Is there anything in here, in the BIMP, that will finally address the fact that that process is so skewed that money continues to go into districts such as the Chicago Public Schools, that you represent, and away from many of the district that your -- districts that your colleagues on that side of the aisle represent?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I'm such a huge fan of yours. You know that? Really, I -- you're on the other side of the aisle, but I just have a great deal of respect for you, because I -- I think you -- I appreciate your persistence to the point. You stay on it. It's the same answer given before. Obviously, we have to work to -- to improve the current formula as it is. There -- there isn't anything in the bill which addresses that issue that you raise. The formula is what it has been and we're seeking to remedy what was created by the other side of the aisle in the late 1990s.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Thank you. Well, the reason I ask in particular with regard to the BIMP, because while you pinned it on the other side of the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

aisle in the nineties - oh, you did sir, you did; and I appreciate your appreciation of my remarks - the -- the BIMP in 2003, when Governor Blagojevich brought you-all back to power, is when poverty definition was changed and resulted in a standard by which the greatest city in the Midwest, Chicago, apparently has ninety-one percent of their kids in poverty. That's what I'm referring to and that's why it's relevant to the BIMP. Because if you could do something that extraordinary in the BIMP in 2003, it seemed like maybe you could do something equally as extraordinary in 2013. But, of course, there has to be a will for there to be a way, and apparently you have all made it crystal clear that there is not a will to change what has become an utterly distorted education funding process and that, apparently, you are okay with the majority of your districts' taxpayers losing money in education and having their property taxes hit so that Chicago and inner-ring suburbs can do better. One last area, the -- this BIMP permanently diverts money from the personal property replacement tax, isn't that true?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

It -- it diverts some money for the Education {sic} (Educational) Labor Relations Board to fund that, and also to fund regional offices of education. And the purpose in doing that for the Educational Labor Relations Board is because of their -- what they do is to adjudicate cases on a local level.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

To the bill: This is the implementation of year three of a broken promise budget. The personal property replacement tax part is a broken promise by many of you to your local leaders. Last year, you said -- many of you stood up and said, I will do this. I will take your local property -- your PPRT money just this one time for regional superintendents of schools. We're just going to do it once, though. Trust us, we won't be back again. We won't do it again. Well, here we are now, again, or I should say here you are, now again, not only taking it for a second time but taking it on a permanent basis. This is a diversion from the personal property replacement tax that I trust many of your locals with whom you have good relations will be less than thrilled. Again, I appreciate, Senator, your direct answers to my questions, but I must respectfully request a No vote on the implementation of a record-busting spending budget.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, to close.

SENATOR KOTOWSKI:

I just -- quite frankly, I'm surprised by the No vote by my colleague on the other side of the aisle. He rarely votes No on budgets. And -- and can I cry foul play? You promised you wouldn't use the previous Governor's name in the -- in the debate. You promised. Okay. Well, maybe I just heard that when I was in the bathroom and Senator Sullivan called my name. So, here -- here's the -- the facts. Let's just look at, you know, the -- the implementation bill that we have here. We've laid this out very clearly for all of you who are paying attention at home. We're spending a billion dollars less in this budget, 'cause we're taking care of a lot of bills in -- in fiscal year '13, which many of you

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

validated by voting for that supplemental bill, because you knew it was going towards bills. And then fiscal year '14 accurately reflects the true cost of programs we have in our State. You know, to the issue that was raised about the spending reform law that was passed, there has been -- you know, this is equivalent of turning around an ocean liner in the Chicago River, changing the -- the spending process. But here's what we've done in the past three years. We have common statewide outcomes that were established in the State. There's now a uniform data model and methods and now we're beginning to collect the data on the impact of all the programs. We don't have all of that yet, but we're in the third year in this process; we've made significant -- significant progress. We established a commission to implement the spending reform law. We completed strategy maps. We secured funding from the Chicago Community Trust and the support of the Government Finance Officers Association. We completed logic models. We defined result areas. We have sixty-plus performance officers, Chief Results Officers in every agency across -- across the spectrum in our government. We have validated statewide outcomes. We've identified impact-level indicators and we identified outcome-level indicators. So we're moving forward in the right direction. I would simply, again, go back to the issue. This budget addresses key fundamental issues and priorities that all of us are concerned about: funding our children's education, making sure they have an opportunity to succeed, and taking care of the people who need the most help right now. It would be an abrogation of our responsibility if we didn't do that and we're doing that in this budget. And I would simply request an Aye vote. And before we finish, I want to compliment, again, the great work

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

of Kristin Richards and Becky Locker and Kim Schultz. And I also want to compliment our folks on the other side of the aisle, because you make us better because of the questions you ask, no matter how far-fetched or are -- on the lunatic fringe they are. You are outstanding people; you make us better people. Thank you and vote Aye.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1, 2, 3 and 4 to Senate Bill -- 1329. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 40 voting Aye, 19 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 2, 3 and 4 to Senate Bill 1329, and the bill is declared passed. Ladies and Gentlemen, before we go to Senate Bill 1910. Senator Kotowski - Senator Kotowski - as you just mentioned, let's give the budget staff a round of applause. Yeah, because of your recognition. An outstanding job. Ladies and Gentlemen, Senate Bill 1910. Leader Harmon. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2 and 4 to Senate Bill 1910.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Early in the Session, we passed Senate Bill 20, which was a trailer bill to the Management Act that we'd passed in the last General Assembly. It has come back to us from the House as an amendment to Senate Bill 1910. It is largely similar, although there have been some minor differences to account for the lapse in time and adjustments negotiated among the stakeholders. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will. Senator Righter.

SENATOR RIGHTER:

Senator Harmon, the original piece of legislation that we passed - not the original Management Act, but the original trailer - what -- what happened to it?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

There -- there's been a fair amount of bill exchanging, Senator. They did not respect my principle about dedicated shell bills. Senate Bill 20 came back to us as the McCormick Place bill and 1910 is now what had been Senate Bill 20.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Well, one of these days, Senator, we're going to have to do something about the annual force feeding that the House engages in

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

when it comes to the Senate. The other issue is, what -- what is the Governor's position on this? The Governor wanted the Management Act and now we're going to take some people out of the group of people that he wanted to take out of the union. Is he in favor of this piece of legislation?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Thank you, Senator. My understanding is that the Governor's Office negotiated these changes with the -- the labor organizations representing the impacted parties and that the -- the Governor's Office would therefore be in support of this.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Last question. Thank you, Mr. President. So would it be fair to say, Senator Harmon, that the Governor, rather than just choosing not to pull these people out of the union, would rather the General Assembly tell him he can't pull these people out of the union?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

I'm not sure that that's a fair characterization. These people have been deemed to be not appropriate for the designation in the -- the Management Act bill that we passed.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1, 2 and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

4 to Senate Bill 1910. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 47 voting Aye, 8 voting Nay, 0 voting Present. Senate Bill 19 -- excuse me, having received the required constitutional majority, the Senate does concur in House Amendments 1, 2 and 4 to Senate Bill 1910, and the bill is declared passed. Leader Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Mr. President, a point of an announcement.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please make your announcement.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This young man joined our staff in 2004 and it was really awesome watching him grow into an outstanding young man. He'll be leaving us on -- tonight and going on. We will still see him around. But he had his starting point here and I just want all of us to congratulate Bryen Johnson and welcome him.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Bryen...

SENATOR LIGHTFORD:

On to...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Congratulations. Thank you so much for your service, Bryen. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Mr. President, on Senate Bill 1910, I mistakenly pushed the wrong button. Would like to have pushed a green button. If you

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

would give that, I'd appreciate it. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intent to vote Aye on the previous bill, 1910. Ladies and Gentlemen, on the regular Calendar, page 3 of the regular Calendar on the Order of Senate Bills 3rd Reading, towards the top of the page, we have Senate Bill 630. President Cullerton. Mr. Secretary, please read the bill. President Cullerton seeks leave of the Body to return Senate Bill 630 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 630. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, excuse me, one second. Mr. Secretary, the sponsorship had changed to Senator Harmon. That has been indicated. It's up on the board now. Senate Bill 630. Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Excuse me. Leader Harmon seeks leave of the Body to return Senate Bill 630 to the Order of 2nd Reading. Seeing no objection, leave -- leave is granted. Now on the Order of 2nd Reading is Senate Bill 630. Mr. Secretary, are -- are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Harmon.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon - sorry for the confusion - on Floor Amendment
1.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As I'm sure the Body is aware, the House has passed over to us a -- a bill that would regulate the practice of fracking in Illinois. There are many who believe that that regulatory bill falls short of an ideal regulatory structure and have asked us instead to consider a moratorium. This amendment would impose that moratorium until such time as the General Assembly saw fit to lift it. There have been a great number of advocates scurrying around the Capitol, mostly private citizens, devoting their time and energy to try and secure a safe environment for themselves and their families and they have asked us to consider this moratorium, and for that reason, I've offered this amendment. I'd look forward to taking any questions on the amendment.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion on the amendment? Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please? Oh, I'm sorry, it's on the amendment. Can I wait till 3rd Reading? Excuse me, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Okay. No questions on the amendment. Senator Brady, do you have a question on the amendment? Senator Brady.

SENATOR BRADY:

I move for a roll call vote of the amendment.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady has requested a roll call verification {sic} on the amendment. Further discussion on the amendment? Seeing none, Senator Brady has requested a roll call on the amendment. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 28 voting Aye, 24 voting Nay, 0 voting Present. And the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have Senate Bill 630. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 630.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President. I -- I can tell from the -- the roll call adopting the amendment that I'm still shy of the thirty votes that would be required to pass this. I'd like to take this bill out of the record at the moment to give me a chance to talk to some of my colleagues and see if we can come back and pass it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, take Senate Bill 630 out of the record. Ladies

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

and Gentlemen, we're going to go to Supplemental Calendar No. 1. Senate Bill 1715. Senator Frerichs, do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1715.

Signed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Thank you much, Mr. President. Senate Bill 715 {sic} is a long time in coming. About three years ago, I filed a bill..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Excuse me, Senator Frerichs. One second, please. Ladies and Gentlemen. Shh! Ladies and Gentlemen, please, let's have some quiet in the Chamber. Senator Frerichs, please continue.

SENATOR FRERICHS:

Thank you very much, Mr. President. This bill is a long time in coming. It's been about three years since I first filed the first bill to regulate the practice of high volume hydraulic horizontal fracturing in the State of Illinois. This Body has twice passed measures over to the House that would further regulate what is currently an unregulated practice in the State of Illinois. The last couple of years, those bills have gone over there and they've not advanced. But for the last year, Members of the House and members of the manufacturing community, from the Farm Bureau, from the oil and gas industry, from a variety of environmental groups, have sat down for hundreds, possibly thousands, of hours, if you take all of the people who were involved in these meetings

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

and the total number of hours they've put into this, and they finally created something. This is going to create the strongest framework of regulations of, what we call, fracking, in the country. And for the first time, we're going to be the first State that's going to require testing of water around these well sites before the wells are actually drilled, which will create a presumption that if there is something that happens, the companies are going to have to approve. These are tough regulations that are going to protect and preserve our most valuable resources in this State. You know, the extraction of natural resources are very important for our economy. But we, as a society, cannot function without clean water. And that's what I believe this bill is going to do. It's going to make sure that we're going to go forward on a jobs bill. It is going to increase energy, home-produced energy, in this State, and it's going to do it in one of the most environmentally friendly ways possible with the strongest protections. The Attorney General's Office, various environmental groups have sat down to ensure that happens. And they've worked in good faith with members of the oil and gas industry and organized labor and manufacturing industries to make sure that's the case. So I realize that there are many of my colleagues who still have concerns about the practice of fracking and have told me they're not inclined to support this because they think the best answer is a moratorium. I think we just saw, in Senator Harmon's attempt here, that there aren't the votes in this Body to pass that moratorium. And I can also tell you, even if we took the time and he gave a vigorous debate and was able to convince some people here in this Chamber, the House has already adjourned for the evening. Nothing is going to -- no moratorium is going to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

become law if we pass it today. So, what we have is a practice that has already begun in the State of Illinois. We have proof of this happening in southern Illinois already and it's happening without proper safeguards and protections. So, for those of you in this Body who would like to vote on a moratorium, who think that it's the right way to go forward, I tell you, this is the next best thing. If you want to make sure that we have something in place so that we don't have a lot of wildcatters traipsing around southern Illinois this summer, not following these regulations, we must vote on this here today. It's a complex issue. It's been a result, as I said, of hundreds and thousands of hours of negotiation from various people. I could talk about this for a while, but I'll open it up for questions of this Body, but my hope is, at the end of the day, we'll convince you this is the right thing for Illinois; it's the right thing for our economy; it's the right thing for our water; it's the right thing for our State. I'd answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR REZIN:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Rezin.

SENATOR REZIN:

Thank you, Senator. As we discussed today in committee, I have a couple questions, if you could just walk me through, regarding the process that is set up for fracking. And I have a couple questions, as you know, regarding, you know, the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

environmental concerns. Currently, before a company comes in, they -- it's my understanding that the company digs a well and -- and tests the aquifer and makes sure that the -- the water's clean, and then when the company comes in, they monitor, you know, the chemicals in the wells and then they also -- they're continuously monitoring the wells throughout the different sites. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Yes. Under this bill, that would be the guidelines in the State of Illinois. Currently, that is not the case.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

Thank you. Thank you. But just to make this clear, currently fracking does exist, but we are, in this bill, setting forth the regulations for fracking from this point forward. Correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

That is correct. And fracking exists, clearly, throughout this country, but there's been proof, just recently a AP News story, that high volume fracking is currently underway in the State of Illinois.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

Thank you. If we could talk a little bit about the water

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

containment afterwards, so the -- the high pressure waters and the -- the -- the mixture goes down. When it comes back up, is the water contained or where does the water go?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Thank you. That's an excellent question. That wasn't one of the things I pointed out. Illinois would not be the only state to regulate that the water be contained in a closed loop storage system; we would be the second state. And that's another reason why we would have some of the toughest regulations in the country.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

Thank you. Let's talk a little bit about the -- the components in this mixture that's used for fracking. Who takes -- if somebody would want to go -- or, what agency has the components that are used in the different mixtures for fracking?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

So the companies that come into the State to engage in this practice would have to disclose the chemicals they're pumping into our ground to the Department of Natural Resources. Those that were not trade secrets would be available on a website. So if someone were contaminated -- if there was a drinking source contaminated and a doctor or some sort of medical provider wanted to know what potential sources of contamination there were, they can consult those on IDNR website. Those that are protected by

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

trade secrets could also be made available in the case that there was absolute need for a doctor or physician to have access to those.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

And let's talk a little bit about when the well is dug, and as you mentioned or as we mentioned before, the -- there's a pre-well to -- to see if the water's clean, and then as the process is occurring, should some chemical get in the well, there is in this particular bill, it's called a presumption of liability for water pollution. And it's my understanding - again, I'm not an attorney - but it is very unusual, because once the chemical is in -- or they find some kind of a contaminant in the water, it's up to the company to explain why that contaminant was not them or who caused that, as opposed to the landowner having to prove who caused the contamination. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Yeah. I am not an attorney as well, but this presumption is another strong environmental protection - a consumer protection put into this bill; that the company would then have to prove they weren't responsible for it. This presumption would apply if, one, the water source is within fifteen hundred feet of the well site; two, the water quality data showed no pollution or diminution prior to the start of operations; and, three, the pollution or diminution occurred during operations or no more than thirty months after completion. That is correct.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin, you just have a few seconds left. Senator Rezin.

SENATOR REZIN:

Thank you, and to the bill. Thank you very much. First, I'd like to congratulate the sponsor of the bill and also Representative Bradley, who, along with industry and environmentalists, put together a very comprehensive bill dealing with this issue, the highest regulations -- environmental regulations in the entire country. I commend them. It did take thousands of hours. There was give-and-take by both sides. There's, as we know, a lot of jobs that are produced from this bill, but, more importantly, we want to do it right and we want to make sure that we protect the environment. I ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MARTINEZ:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Martinez.

SENATOR MARTINEZ:

You know, I -- I -- I have these -- I have many questions about fracking and -- and what -- why we're doing this at the late hour. Again, I think, like the other aisle -- the other side of the aisle always says, you know, we wait to the last moment, to the last hour, to bring something that is very important, especially when it comes to the environment here in the State of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Illinois. You know, there's a lot -- there's been a lot of talk, but there was -- we're looking at a moratorium to at least continue to either put a task force together so we can continue to look at what fracking and all its -- you know, all the findings out there about fracking. What I hear, too, is that in 2014, we have a major health and environmental assessment due out in 2014. I don't know why is it that we have to do this today and that we cannot wait until those reports come in. Another thing, too, is, I was also kind of amazed to see that just last week all the environmental groups were against this bill, even the Attorney General's Office was not quite on board with this bill, and even today in committee the Attorney General's Office did say that while the Attorney General still has some issues, they are now on board with this. You know, so again, there's still a lot of questions out there that need to be asked. You know, we're talking about water contamination. We're talking about the environment. We're talking about many areas in -- in -- here in Illinois that are going to be affected. I understand that they're doing this right now and it's being done, that regulations will probably be put in place, that it's going to create jobs. I get that. You know, and we are for jobs, we are, to make sure that people are employed, that, you know, that the industry booms, but at the same time, having people come here and want to drill and do all this without us with certainty know, that these studies that are still pending out there, that the EPA still is not quite on board, at least on the federal level, that we now have to say it's the time for us to do this, you know, and we should just vote Yes. You know, I -- I am just very scared about the environment. I'm very afraid of what these reports might have to say about what fracking has done in

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

other states. I would hope that we can wait a little bit, but I have a feeling this bill going, you know, and I just want people to be cautioned that this is something that I don't think our own Attorney General is very sure of at this moment, based on the report and the -- and the testifying today in -- in our committee. So I'm going to vote Present because I really believe that more work needs to be done here. I think a moratorium, even if it's not even two years, it can be one year, that we wait at least until this report comes out in 2014. I think we can wait a little when it comes to the lives and our environment and what we have to do. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR JACOBS:

Point -- a point of information. Senator, we are -- we have formed a joint task force, Senator Rezin and myself, under the guise of the Senate Energy Committee, and we are going to stay on top of this fracking issue, 'cause we did talk about, in committee, that we are concerned about what can happen with fracking. We want to make sure that the products from fracking don't get into our water. We want to make sure that our air quality stays that -- what -- as it should be, so we will be visiting that site with Senator Forby to look and make sure that we're getting updated information. And when we come back, I want to assure you that there's no way in heck I'm going to allow anyone to destroy the Shawnee National Forest, because it's a beautiful place. And I saw the movie Gasland. I know what could possibly happen. So we have to be very -- very much aware.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

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

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. To the bill: I'm going to guess that two to three years ago, most of us in this Body - I know -- I know -- I -- I'm guilty of it - had no idea what fracking was. I started to get letters, basically against it to start with, and -- and then spent a little time talking to some of the oil and gas people. They knew all about it because they had been doing it for the last sixty or seventy years. So this is not something that's completely new. It's been going on. It is extremely important that we do the best job we can to regulate, in particular, ground water incidents. I think that we've bent over backwards with this bill. I know Senator Frerichs has, as -- as he said, has been working on this for about the last three years. We have gone to great lengths to make this something that's safe. One of the -- one of my fears all along was that we were going to wait too long, to really miss an opportunity that many other states are taking advantage of. You know, this is something that, I think, could have passed us by. All of us talk about jobs. We -- we -- and sometimes we don't really know what we're talking about - we are hoping, we're guessing, and we're trying to sell an issue. This is -- this is a -- an issue that we -- jobs are going to be there for sure, very likely lots of those jobs, depending on what they find, a lot of jobs in southern Illinois, and certainly we need it. I know we need it all over the State. Southern Illinois has depended on two things to be successful. One is farming and the other is coal. Coal, as you know, has sort of gone by the wayside. Farming is probably as

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

profitable as it's ever been, but think about what has happened to the farming industry. Where it used to take ten people and ten families, it now takes one. And that's a real problem for the farming industry and for southern Illinois. This has great promise and I'm -- I'm happy that we're able to get this done and I think you're going to see some tremendous results from it. So hopefully we can vote and get enough votes to pass this thing and get this industry -- get this industry started and then -- and then really watch it, that it is doing some of the right things. So, thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HUNTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Hunter.

SENATOR HUNTER:

I concur with Senator Martinez on everything that she's indicated regarding this bill. I was the original sponsor of this bill when it was Senate Bill 1418. And the reason why I supported the moratorium, as well as the task force, is because there's been so many rumors out there about -- about the possibility of earthquakes, the possibility of water contamination, the damage that this bill could -- that fracking could possibly have on the environment. And so I felt that our Illinois Department of -- of Natural Resources did not have enough data; they did not have enough information for me to make a meaningful decision. So, therefore, I supported the sponsorship of the moratorium, as well

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

as the task force. I don't know why we're in such a rush. Every -- darn near every bill we pass, we're always tooting that we're going to create so many jobs, you know, but not enough jobs are being created. And I don't know how many jobs we plan to create under -- under -- under this regulation bill. I would rather wait until there is some scientific data. I would like to have some public investigations going on to find out exactly what is to the extent the damage that fracking is causing or is not causing. I have no idea what is it. Senator Jacobs mentioned that there was a task force formed. I don't recall seeing any legislation or no resolution or anything indicating that a task force was formed. So, can -- can -- Senator Jacobs, can you or someone tell me more about this task force? When was it formed and what is in -- its intent?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

I'm not sure I heard the question, but I think the question had to do with this would be part of the Energy Committee Senator Jacobs just recently put together. The subcommittee of the Energy Committee.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

I, you know, I'm -- I am going to vote against this bill. I'm sure that that's not a surprise to anyone here, because I was for the task force as well as the moratorium, because I would rather have more data so that I can make a -- make a decision whether we're doing the right -- going into the right direction or

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

not. So I will be voting No and I would be encouraging -- encouraging as many people as possible to vote No on this bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator McCarter. Woops! Excuse me. We'll come back to Senator McCarter, in just a minute. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Thank you, Mr. President. I rise in support of Senator Frerichs' bill. And I've always known Senator Frerichs to be someone who is concerned very much about the environment. I want to point out, the Attorney General is not opposed to this bill. And most major environmental groups signed in as a proponent of this bill. As the sponsor's pointed out, there's fracking going on today. This ensures safeguards; it sets up a regulatory framework. We just read that the Texas governor was in Illinois touting his economy just a couple of weeks ago. And one of the major things that allows Texas to be in better financial shape than us is oil and gas and petroleum. And I'm a realist. I'm hoping this turns out to be a great boom, but we need to keep our State's options open and this could be a tremendous, tremendous economic shot in the arm, as Senator Luechtefeld said, to southern and southeastern Illinois, but it's more than just that area. Senator Rezin's district is one of the major beneficiaries in northern Illinois, the railroad industry, the trucking industry, the homebuilding industry, laborers. Somebody just told me their mother works for a title insurance company and they have more work in the white collar area than they know what to do with. So this is a very prospective possible boom to many, many different

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

industries in Illinois, including the hotel, restaurant, and other industries that would be associated with it. I would point out one thing that we need to keep in mind, and, boy, do I hope that someday we have this problem, but in North Dakota, because it's been so successful up there, they have infrastructure issues, because they're growing and building so fast. So I look forward to working, hopefully in -- in the -- in the near future with Senator Frerichs on trying to figure out how we're going to pay for the infrastructure that comes with the housing boom and all the new jobs that come with this. But, Senator Frerichs, and all of you, Senator Rezin, staff, have done a great job on this bill and this could be a bright economic future for many, many Illinoisans and help our State treasury in the meantime. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

I -- I rise today in -- in favor of this bill. You know, I -- I'm one of the few -- now I am -- I am probably the only Republican that's ever been on Sierra Club's list of -- of issues in support of my bills. But I -- I'm going to tell you what, this is a commonsense, responsible bill. There's been a lot of work that's been put into this. There is a task force involved -- in the bill, already. And I'm telling you, this is going to benefit

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

my community in a big way. And so -- somebody asked me, if you could walk away with one thing, what could you walk away this Session? It's this bill. Because this bill is truly going to put people to work in southern Illinois, right in the heart of my district, and I'm grateful for everyone that put all the work into this bill, to listen to all the concerns. It's the most highly regulated bill in the United States. It's the most responsible bill. It -- and it brings in revenue to this State that will benefit the whole State, not just southern Illinois. That revenue is going to go throughout the State. This is a good bill, going to bring jobs, not -- not just from my -- my district, but for you as well. I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR T. CULLERTON:

Questions of the sponsor, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Cullerton.

SENATOR T. CULLERTON:

Senator Frerichs, thank you very much for -- for finding such a great...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton, just one second, please. Ladies and Gentlemen, we're having a hard time hearing the speaker. Ladies and Gentlemen, please, let's keep the visiting down. The hour is getting short. Senator Cullerton, please proceed.

SENATOR T. CULLERTON:

Senator Frerichs, thank you very much for putting this group

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

together of proponents. This is an amazing group of people who are usually against each other on almost -- consistently on almost every issue and you found a way to work them together. Two quick questions. Do you have an anticipated amount of jobs that this will create for this industry?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Right now, we have estimates and there's a wide range. I mean, there are jobs that will obviously come with the drilling. There are jobs that will come with transportation. And then there are ancillary jobs that we think will come, as you've seen in other states. When you have a large source of natural gas, it lowers the price of natural gas; you see manufacturing that is relying on natural gas coming into that area. And you see -- I think it was a bill we passed earlier today, when they talked about the fertilizer plant in Douglas County, in Senator Rose's district. Part of the reason they're coming here - and fertilizer industry has not been in the United States for a long time - it's because of the access to low-cost, plentiful natural gas. I think you'll see other industries like that. You've seen in Pennsylvania and Ohio a rebirth of their steel industry, because of the steel going into it and because of the lower energy costs. The -- Illinois Chamber of Commerce released a study, and this is a wide range, they say, a low scenario, a thousand jobs, direct, indirect and induced, and possibly forty-seven thousand jobs coming out of this. That would be a big boost for southern Illinois. And I also want to thank some of the other sponsors -- or some of the other proponents who stepped up and pointed out, although those jobs may

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

be there, it's going to improve the job we do here by bringing more money into -- into the State, making some of the difficult choices we've been making these last few days a little easier.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton.

SENATOR T. CULLERTON:

Thank you, Senator Frerichs. And then, also, what would be the, I guess, cost to the State? Is there a cost for the State implementing fracking?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

So, obviously, regulations like this are going to require State employees to monitor. There's going to be costs, but the great thing about this is the industry is saying, we're willing to put our money forward. And the cost to apply for a permit, I think, is thirteen thousand five hundred dollars, or something close to that. I don't have all the numbers. There's also a severance tax associated with this. I don't believe this is going to be a net winner for the State of Illinois, and that is because many people, and there are too many to begin to thank and give credit to, sat down, through a lot of long, sometimes tedious meetings, to reach an agreement that is going to create jobs, create revenue, and do it in a responsible way, protecting our natural resources.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton.

SENATOR T. CULLERTON:

Thank you, Senator Frerichs. I will just speak to the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

I stand in support of this bill as well. Senator Frerichs just outlined a perfect description of a jobs creator - very minimal cost to the government, very minimal cost to the taxpayers. The reality, that this will create jobs; this will create income. The fact that you worked with so many varying groups and had so many people who are usually on opposite sides come together to find a solution speaks -- speaks very largely at how tall you stand for Illinois, but not only how good this bill really is. So thank you very much, Senator Frerichs, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Van Pelt.

SENATOR VAN PELT:

Yes, to the bill: I'm standing in support of this bill because I understand -- I've been looking at fracking for some -- for some time now, trying to learn more about it, and I realize that we already have fracking going on in Illinois right now. But the -- there's -- you know, this -- this bill provides a very strict regulation of fracking. So if we vote No on this bill, what we're saying is that fracking may continue with no regulation. This bill says, no, fracking as it continues, must have regulation. So even while we're doing our task force, we're studying, or whatever we're doing to learn more about fracking, this bill is important to be sure that we have a strong, strict regulation process going on with fracking right now. So I urge an Aye vote. I support this bill and I support the future of our State and the benefits that we may get as a result of our successful fracking industry. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator McCann.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR McCANN:

To the bill, Mr. President. Mr. President, thank you. I rise in hearty support of the gentleman's legislation. I think this is an awesome piece of legislation for the State of Illinois. It's an awesome piece of legislation for us to advance out of this Chamber and see -- to become law. We all run, I think every one of us, fifty-nine of us, run on the platform of jobs, jobs, jobs, and at some point, we have to come here and turn our words into action. And this is an opportunity to create tens of thousands of jobs, to create a sustainable source of fuel and energy. It will also create substantial revenue for the State of Illinois. We all -- again, that aisle divides us, but we all agree that the State of Illinois needs more revenue. Sometimes we differ on where the revenue needs to come from. This is where revenue needs to come from, the jobs and the capital investment that this will -- bill will bring to Illinois. Senator Frerichs, I commend you for the fantastic job you have done in shepherding this bill through the process. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR FORBY:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Forby.

SENATOR FORBY:

I want to thank -- thank Senator Frerichs and Representative Bradley for what they did and the work they done -- done. You know, the major part about this bill -- you've been hearing the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

problems in the State of Illinois is about jobs, about balancing the budget. Here's a deal going on that will put people to work and balance the budget. There's not been any figures being thrown around. If this goes the way it has and the way it should go, this should be in the billions of dollars, tax money for the State of Illinois. That's huge for our budget. And another thing is, you know, you're talking about counties. I heard a lot of people talking about it, but ninety percent of all this fracturing is going to be in my district. I've talked to my water people. In my district down there, we got a lot of water wells. We -- I bet I got six counties down there, or seven, that gets their water from wells. I've talked to the engineers. The counties have -- had resolutions supporting this bill. So they're all for it. And another thing is, they're talking about studies and moratorium and all this. We've been doing it for forty to fifty years in my district. You can study for the next ten years; you wouldn't get any different answers. It'd be the same. If you want to put a year, two years, it'd still be the same answer. It would never change. So, today, let's pass this bill. Let's put the State of Illinois back where it should be. Let's put people to work. Let's drop the unemployment down where it is. I would like to see all green votes up there. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Last speaker seeking recognition, Leader Harmon.

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Harmon.

SENATOR HARMON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator Frerichs, Article XI, Section 2 of the Illinois Constitution states that "each person has the right to a healthful environment." Does Senate Bill 1715, in any way, impair or preempt that right?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

No. Nothing in Senate Bill 1715 is intended to impair or preempt the right of a person to enforce the person's right to a healthful environment under Article XI, Section 2 of the Illinois Constitution of 1970, pursuant to Section 2-701 of the Code of Civil Procedure.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, Section 1-96 defines induced seismicity as "an earthquake event that is felt, recorded by the national seismic network, and attributable to a Class II injection well". What is meant by "felt"?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

"Felt" is meant to define earthquakes of magnitudes within the felt range, which generally is about magnitude 2.0 and higher. The national seismic network would record an event within that range and the protocol for controlling seismicity could be triggered if deemed possibly attributable to the Class II injection well for high volume hydraulic fracturing fluids. A special report from an individual in the area saying that they felt seismic

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

activity is not necessary to trigger the protocol.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President. To the motion. Ladies and Gentlemen of the Senate, a few moments ago, I presented to this Body a bill to establish a moratorium on the practice of fracking. And I want to thank the twenty-seven of you who joined me in supporting that amendment. Having surveyed my colleagues, it is clear to me that -- that several of those folks were -- were doing me the kindness of supporting the motion as a procedural effort and would not be able to support the bill on 3rd Reading. And for that reason, if I were to call the moratorium bill, it would come up well short of the required constitutional majority, and -- and so I'm -- I'm not going to ask us to return to that order. In that context, I reluctantly support this regulatory bill. I think it is about as good a regulatory bill as we could offer, though I do share concerns of my colleagues and the advocates who question whether any regulatory bill is sufficient. The proof will be in the pudding. Unfortunately, if we're wrong, the consequences will be dire, but I do appreciate Senator Frerichs bringing as stiff a regulatory bill as we have. It's a model for the nation, and God willing, it's good enough. Godspeed, Senator Frerichs.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Frerichs, to close.

SENATOR FRERICHS:

Thank you, Mr. President, and I want to thank all the proponents who stood up to speak on behalf of this bill, to talk about the many positive attributes of it. You've made closing

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

easy for me. There's not much left to say. I do want to say to my colleagues who still have some misgivings, some colleagues who feel reluctant to support this, who would prefer to have a moratorium in place, I understand your concerns. However, what we -- what we're not -- the choice here today is not between fracking and a moratorium. The choice is between regulated responsible fracking and the wild west of wildcatting that does not have transparency, that does not have increased standards for our well casings, that does not have increased standards for containing the water that comes back up -- back up, versus putting it in open pits. That's something that brings a lot of concern to me. That if we were not to be able to pass this today, that that's what the State of Illinois would be facing. So it is not between a moratorium and fracking. Fracking has already come in to the State, and the question is, can we do this in such a way that protects our environment and sets up a framework so that the industry can create these jobs? For my colleagues who have concerns, especially Senator Hunter, my colleague Senator Jacobs has heard those concerns. He's wanted to extend an invitation to you to join the subcommittee on fracking that is going to be monitoring this over this summer and in the near future, in your role with Human Services. I do need to address some statements by some of my colleagues earlier, who said that as of a couple of weeks ago, the Attorney General's Office was opposed. That is not the case to my best understanding, and I've been in conversations with them. For those who've said that up to a few weeks ago -- and many environmental groups were not supportive of this. That also is not the case. You can see a long list - and I'm reluctant to begin naming for fear of missing some of them. But the Sierra

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Club has worked as part of this. Natural Resources Defense Council has worked as part of this. Environmental Law and Policy Center have been part of these negotiations and they've had their best experts at the bargaining table to make -- table to make sure we had the strongest regulations in place possible. A lot of people gave me credit for this. I cannot take all of it. There are many people up here in the galleries tonight and they know who they are. I can't begin to name all of them, but people from the Governor's Office, from the Attorney General's Office, from the environmental community, from the oil and gas industry, from other industries out there, from the Farm Bureau to Manufacturers' Association, all sat down to produce something that I think we all really can be proud of. I don't think I need to say anything more. My colleagues here in the Senate stood up to say why we need to pass this and, with that, I would request a favorable vote and look forward to seeing many green lights on the board.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. The question is, shall the Senate concur with House Amendment 1 to Senate Bill 1750 -- 1715. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 52 voting Aye, 3 voting Nay, 4 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1750 -- 15 -- 1715, and the bill is declared passed. Ladies and Gentlemen, on the Supplemental Calendar No. 1, towards the bottom on the first page, we have -- oh, excuse me, I said Supplemental Calendar 1, I meant to say Supplemental Calendar No. 2. Ladies and Gentlemen, Supplemental Calendar No. 2, on the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Order of Secretary's Desk, Concurrence, Senate Bills, bottom of the first page, Senate Bill 2155. Senator Frerichs. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2155.

Signed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Thank you very much. This bill wouldn't have been necessary if not for that last vote. A lot of people stood up and said this is going to transform southern Illinois, that it's -- already millions of dollars are being pumped into the economy for opportunities for mineral rights down there. We anticipate a lot of construction that's going to change much of the landscape and change tax structures. Senate Bill 2155 would require the Department of Revenue to forward severance tax information to the Chief County Assessment Officer of counties for the purposes of assessing property taxes at the county level. Senate Bill 2155 also declares that any increase in assessed value due to hydraulic fracturing be considered new property for PTELL purposes. We anticipate a lot of economic activity down there and the -- Association of County Assessors brought this forward to request this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2155. All those in favor will vote Aye. Opposed,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 and 2 to Senate Bill 2155, and the bill is declared passed. Still on Supplemental Calendar No. 1, Mr. Secretary, at the top -- excuse me, Supplemental Calendar No. 2, still on the Order of Secretary's Desk, Concurrence on Senate Bills, we're going to go to Senate Bill 1006. Senator Raoul. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1006.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 106 -- 1006, as amended by the House, rolls out an expansion of electronic recording of custodial interrogations, from -- from homicide cases to eight offenses, on a gradual schedule, rolling it out to the offenses of criminal sexual assault of a child and aggravated arson in the year 2014; to aggravated kidnapping, aggravated vehicular hijacking and home invasion in 2015; and aggravated criminal sexual assault and aggravated battery with a firearm in 2016. This is an initiative of the Better Government Association. It's supported by the Illinois State's Attorneys Association and the Cook County State's Attorney. I urge your support.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Righter.

SENATOR RIGHTER:

And thank you for your indulgence, Mr. President, since we did not have a committee hearing on this. It's my recollection, Senator Raoul, when the bill left this Chamber, it was a permissive bill. In other words, it -- it -- it created an exemption in the eavesdropping statute to allow law enforcement to tape - videotape, audiotape - any interrogation with regards to a felony. Now it's back and it's a mandate on law enforcement and lists a certain number -- a certain kind of -- or, a certain number of felonies, the ones you just read off. Where -- were you part of the discussions that went on over in the House to change the bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

I was kept aware of the discussions. When I originally introduced the bill, I introduced it as a mandatory bill and I had targeted, actually, these -- some of these offenses. And my preference was for it to be a -- a mandatory bill, and then a request was made to -- for it to be a permissive bill. The same parties who were involved in that discussion were involved in the discussions in the House and it was agreed upon to make it a mandatory bill that are focused on these finite eight offenses on

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

a gradual manner -- in a gradual manner.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

What -- what is it -- is there -- is there a common theme among these particular felonies that in -- puts them in the group of, okay, we're going to videotape these, as opposed to felonies that maybe are similar or the same grade that we're not going to subject to videotaping and audiotaping? I mean, maybe I'm asking you more than you know about what went on in the House, but why these, what is it, nine -- eight or nine, as opposed to the other -- other felonies of a similar or the same grade?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

These were the felonies suggested by the State's Attorney's Office. They're highly violent felonies that -- it was based on the concern about volume. It was -- it was determined that these are the ones that they could handle the -- the -- the expansion on.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Think one more question. Can you give us an idea of where the law enforcement groups, the Chiefs of Police, the County -- the Sheriffs' Association, those groups, where they are at on this piece of legislation? I think, since, again, we didn't have a committee hearing, that's pretty important for the Body to know.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

I'm told they were all neutral -- they're all neutral on the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion. Senator Raoul? We're okay?

SENATOR RAOUL:

I'm okay.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Wish to close?

SENATOR RAOUL:

I urge your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1006. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 3 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 1006, and the bill is declared passed. Ladies and Gentlemen, still on Supplemental Calendar No. 2. Let's go to -- Mr. President {sic}, let's go to Senate Bill 1409. Senator Harmon. Mr. Secretary, please read the bill {sic}.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 3 and 4 to Senate Bill 1409.

Signed by Senator Harmon.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The House amended Senate Bill 1409 to create the Elmwood Park Railroad Relocation Authority Act {sic} (Elmwood Park Grade Separation Authority Act). I -- I move to concur in -- in the House's amendment.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1, 3 and 4 to Senate Bill 1409. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 40 voting Aye, 13 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 3 and 4 to Senate Bill 1409. Mr. Secretary, let's go to Senate Bill 1659. Senator Van Pelt. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1659.

Signed by Senator Van Pelt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Van Pelt.

SENATOR VAN PELT:

Yes, Mr. President. Senate Bill 1659, the amendments -- there's two amendments from the House. One guts the bill and one puts the same information back in the bill. So I know that's

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

strange, but that's the tax credit bill that we passed with bipartisan support early on in this Session, where there's a fifteen-hundred-dollar tax credit for businesses that help -- that hire ex-offenders. I urge your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1659. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 41 voting Aye, 14 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 1659, and the bill is declared passed. Mr. Secretary, let's go to the second page and let's go to Senate Bill 2332. 2332 on page 2 of the Calendar, Supplemental Calendar No. 2. Senator Hutchinson. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 2332.

Signed by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you. The changes that were made in the House actually just makes this bill permissive. It passed with a huge overwhelming majority and I would appreciate your support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion? Seeing none,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

the question is, shall the Senate concur in House Amendment 1 to Senate Bill 2332. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 2332, and the bill is declared passed. Ladies and Gentlemen, we're still on Supplemental Calendar No. 2, possibly. Mr. Secretary, yes, we're going to still remain on Supplemental Calendar No. 2, front page, Secretary's Desk, Resolutions. We'll start at the top of the order. We have Senate Resolution 352. Senator Brady. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 352, offered by Senator Brady.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. This resolution's genesis came about -- a couple factors. One is the high rate of gun crimes and homicides in the northeast corner of the State, City of Chicago, coupled with the Syracuse University study that said that the U.S. Attorney's Office in that district filed fewer claims -- or cases in -- of all U.S. districts in the United States. In other areas, like Richmond, Virginia, where the local authorities cooperated with the U.S. Attorney's Office, they were able to reduce gun crime by half. This simply originated as a resolution asking Dick Durbin and Mark Kirk to nominate a U.S. Attorney who would use the resources in that office, along with local law enforcement, to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

crack down on felonies that involved a gun. As I said, the successes in Richmond -- in Richmond, Virginia, were great. I think we can benefit from that in Chicago. I worked with Senator Cullerton to amend the resolution and I thank him for his cooperation. Due to the timing of now recently having a nominated U.S. Attorney, it simply asks that individual in that office to combine their efforts. The benefits are several fold. The laws, in many cases, can help put these criminals behind bars, preventing them from reoccurring crime. There are additional resources that will help the local authorities that will crack down on more crime. And, thirdly, as we all know, our prisons are overcrowded and this will cause these individuals, when tried in federal court, to go to a federal prison, relieving some of the overcrowding. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on the resolution? Seeing none, as the -- excuse me. Question is, shall Senate Resolution 352 pass. All those in favor will say Aye. Opposed, Nay. The Ayes have it and the amendment {sic} is adopted. Next up on the Calendar, we have Senate Resolution 357. President Cullerton. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 357, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

Thank you, Mr. President, Members of the Senate. Senate Resolution 357 disapproves of Executive Order 13-05, which is an executive reorganization order. This order seeks to abolish and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

consolidate entities under the executive branch that the Governor has determined to be obsolete or duplicative. The order contains two main issues. First, the order fails to adhere to the requirements of the Executive Reorganization Implementation Act; and, secondly, the order improperly claims that the General Assembly does not have jurisdiction over the entire order, despite the fact that it contravenes several statutes and was delivered to the General Assembly in its entirety. So it's fairly technical, but it's important for us to follow the Constitution and disapprove of this Executive Order of the Governor's. I move for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on the resolution? Seeing none, as this resolution requires -- a roll call vote will be required -- excuse me, this resolution does require -- a roll call vote required. Ladies and Gentlemen, the question is, shall Senate Resolution 357 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 1 voting Nay, 2 voting Present. Senate Resolution 357, having received the required constitutional majority, is declared passed. Next up, we have -- Senator Rezin, for what purpose do you rise?

SENATOR REZIN:

Thank you, Mr. President. I'd like to be recorded as a No vote for Senate Bill 1006, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intent. Senate Resolution 358. Senator Van Pelt. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senate Resolution 358, offered by Senator Van Pelt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Van Pelt.

SENATOR VAN PELT:

Yes, Mr. President. Senate Resolution -- Resolution 358 directs the Commission on Government Forecasting and Accountability to conduct a study on the fiscal impact realized from transferring a prison -- prisoner from his incarceration address to his last known address for population purposes. Urge your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on the resolution? As this resolution requires the expenditure of State funds, a roll call vote will be required. Ladies and Gentlemen, the question is, shall Senate Resolution 358 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 36 voting Aye, 16 voting Nay, 0 voting Present. Senate Resolution 358, having received the required constitutional majority, is declared passed. Next up, we have House Joint Resolution 40. Senator Biss. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 40, offered by Senator Biss.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

Hi. Thank you, Mr. President and Members of the Senate. This -- this resolution is about a priority of the Asian Caucus. They

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

are interested in, hopefully, eventually advancing legislation to make the doings of State government visible and accessible in all languages that are broadly spoken in the State. That might be expensive or administratively difficult, so rather than pass a bill to mandate it, we instead decided to create a task force to study the question. I ask for your support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, as this resolution requires the expenditure of State funds, a roll call vote will be required. The question is, shall House Joint Resolution 40 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Joint Resolution 40, having received the required constitutional majority, is declared passed. Next up, we have House Joint Resolution 43. Senator Harmon. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 43, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Joint Resolution 43 establishes a legislative task force charged with preparing a report on how the Supplemental Nutrition Assistance Program benefits can be distributed more evenly throughout a month without increasing hunger in the State of Illinois. It passed the House unanimously. I'm not aware of any

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, as this resolution requires the expenditure of State funds, a roll call vote will be required. The question is, shall House Joint Resolution 43 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 1 voting Nay, 0 voting Present. House Joint Resolution 43, having received the required constitutional majority, is declared passed. Mr. Secretary, on the Supplemental Calendar No. 1 {sic}, on the Order of House Bills 2nd Reading. That'll be at the top of the page, Ladies and Gentlemen. We have House Bills 2nd Reading. We have House Bill 2897. Leader Harmon, do you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2897.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon, on Floor Amendment 2.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It seems like somehow a fitting way to end the legislative agenda

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

for me for the year. I'm amending a -- a House bill on 2nd Reading to turn it back into something that looked like a House bill that had been on 3rd Reading before Senator Kotowski borrowed it for other purposes earlier. I'm -- ask to adopt the amendment, put the bill back on 3rd Reading and let it stew over the summer.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Ladies and Gentlemen, if you'll turn back to Supplemental Calendar No. 1. Mr. Secretary, we're going to actually go back to the regular Calendar. On page 8 of the regular Calendar on the Order of Resolutions, we have HJR 24. It's up on the board. Leader Clayborne. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 24, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. House Joint Resolution 24 designates the 1-70 Mississippi River Bridge connecting Illinois and Missouri as the Veterans Memorial Bridge. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Thank you. Is there any discussion? Seeing none, as this resolution requires the expenditure of State funds, a roll call vote will be required. Question is, shall House Joint Resolution 24 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. House Joint Resolution 24, having received the required constitutional majority, is declared passed. Senator Haine, for what purpose do you rise?

SENATOR HAINE:

A point of information. I understand the..

PRESIDING OFFICER: (SENATOR SULLIVAN)

State your point.

SENATOR HAINE:

The Republican Caucus is offering pork chops and Schwan's ice cream in the back for all those interested.

PRESIDING OFFICER: (SENATOR SULLIVAN)

We'll check that out momentarily. Ladies and Gentlemen, Mr. Secretary, I believe now we will be going to Supplemental Calendar No. 1 on the Order of Secretary's Desk, Concurrence, Senate Bills. Senate Bill 1687. It's up on the board. Senator Biss, do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1687.

Signed by Senator Biss.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR BISS:

Thank you, Mr. President and Members of the Senate. This is a -- this is a -- a pretty significant agreement on a -- on an issue that we've talking about for quite some time. As you know, the State University {sic} (Universities) Retirement System employer share is -- of its payments are made entirely out of GRF, which is problematic in a variety of ways, but fixing it, that is problematic too. So what was arrived at here was an agreement with the employers, with the community colleges and the universities, to gradually, over time, on a forward going basis, shift the normal cost of those pensions to the employers. The shift would take place at essentially a half a percent of payroll per year. So it would take, under current law, at least a number of years, and it would be accompanied by a mechanism of individual employer accounts and a enforcement mechanism that is very closely modeled after the way IMRF works. As we all know, IMRF is a pretty well-funded and well-operated pension system. The agreement was reached in part because the bill contains significant measures to provide relief for the employer so that they can assume this cost in a -- in a reasonable way. That relief includes the following measures: First of all, the composition of the SURS Board of Trustees will be changed. There will be six employees and six employer representatives on the Board. There will be several different measures to protect the employers against unfunded benefit increases, both at the institutional level and at the General Assembly level. There are measures to provide relief on the cost side from the procurements and inventory control compliance. And there is also, actually, a measure that was in the initial Senate Bill 1687 to help implement the return-to-work

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

legislation that we passed last year in a way that will be effective and affordable. Finally, the legislation also moves us - and I think this has -- this has not been talked about much, but it's important - moves us to an actuarial funding schedule for the State University {sic} Retirement System, to a thirty-year hundred percent funding schedule. So this is a -- it's a pretty significant issue. It's -- I think, just to be clear, it's important to say, this is not a comprehensive pension reform bill. Don't vote for this so you can go home and say you voted for pension reform. If this passes, we're not going to pretend that we have solved the pension problem. But it's an important issue. It's a real policy problem, a real error in incentives in current law, and it's a reasonable negotiated solution for which I encourage your support and would be very happy to take questions and hear discussion.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR JACOBS:

Mr. President, I rise to move the previous question, so we can move this bill to its proper place.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Jacobs. There's one, two, three, four, five, six, seven, eight, eight or so vote -- Members seeking recognition. Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Brady.

SENATOR BRADY:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Senator, is it -- it's our understanding that what you're trying to do here is place the prospective costs of pensions, as they relate to payroll, to the employer, community colleges and universities. And -- and, to some extent, there are many of us that think that that's right in some regards. The problem that I have with this bill is, the way I believe it's drafted, it also holds those employers responsible for any increase in unfunded liabilities in the rear, based on the actuaries miscalculating investment returns and age. In other words, if -- if we have a hundred billion dollars in unfunded liabilities today at seven and three quarter percent interest, where the average age of a man is seventy-four and a woman is eighty, that's what they've calculated. But if, for some reason, those investment returns drop below seven and three quarters to six percent, and if, for some reason, medical science advances our life expectancy, then those underfunded liabilities will grow and they will now become the burden of that unit that you're placing this liability on. Is that not correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

I think the one word answer to your question is, no. That's not correct. Here -- here's what is correct. There's a liability today and that liability, as you put it, is based upon certain assumptions - investment return, mortality, future raises and so forth - and those assumptions may, unfortunately, turn out to be incorrect and to underestimate that currently accrued liability, and to the extent that they do so, those errors are on us. Now going forward, the going-forward liability is put on the employers. And so to the extent that five years from now the employers make

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

a certain payment toward the going-forward normal cost and then that payment turns to be inadequate to fund that liability, then, yes, that would turn into an unfunded liability that would be the responsibility of the employers and that unfunded liability would be paid down over a thirty-year rolling amortization, which was negotiated with the employers because they felt that in addition to being actuarially responsible, it was a truly manageable way to amortize it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

The -- the problem we have with this is that -- is the way - - in addition to that, and -- and we still have some question about that, but in addition to that is the fact that the State of Illinois has a terrible problem today with its bond rating. And we all know that the reason we have that is because of the huge unfunded liabilities we have. If those local units of government now are expected to pick up some of that liability, don't you think that would have an adverse effect on their bond rating? And -- and given the fact that recently, because we've not paid those -- those units of government the money we've appropriated, they've had to go out and borrow in some cases, would that not increase their cost of borrowing?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

Well, Senator, I am not a -- you know, sometimes I think I have a frustrating job, but I'm sure glad I don't work for Moody's. I don't. I'm not an expert. I will tell you that the employers

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

are incredibly concerned about this very question. There was, in the last couple months, a tremendous amount of publicity around, specifically, the phenomenon of public universities in Illinois having bond rating problems because of the State's fiscal challenges. And they negotiated this and are not neutral, but in support of this bill, because, I would argue, can't speak for them, but because, I would argue, it's done in a way which is manageable. It relieves a modest amount of fiscal pressure from the State, which can be used for a variety of purposes, any one of which would be helpful to the institution. There's no costless measure we can take on this issue, but I think for a question that's of such extraordinary sensitivity to the employers, I would take their support of the bill very seriously.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

Thank you and thank you to the sponsor. Just quickly to close. Ladies and Gentlemen, I -- there's no question in my mind and the people I talked to that this is going to increase the cost of borrowing on the universities when we shift this burden to them. We have not provided any pension reform for these universities. And the universities have told us, for every one percent increase in payroll of cost shift, they have to increase tuition by two percent. We're already losing our students to other states because our tuition is too high. And when we lose them to other states, they're more likely to get a job in that other state. And when they get a job in that other state, we not only create a distance between us and them, but they're likely to live there permanently. This is not going to help our economy. This is not going to help

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

keep students in Illinois. It's not going to help students afford a higher education. I -- I think it's far too early for this legislation. I'd urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

...the bill.

SENATOR McCARTER:

I -- you know, I -- I've heard this -- I've heard the arguments, but I've heard numerous times it said by the sponsor that we need to take the support of the universities and colleges seriously. Well, you know what, I think we need to take the taxpayers seriously here, because they're the ones that are going to foot the bill. They've -- they've been very upfront with us that they're going to shift this directly to the property taxes and to -- and make the cost of education more expensive. It's cheaper to go to Mizzou than it is to go to the U of I, if you live -- if you live in Illinois. And there's a reason for that -- because the cost is too high. This is -- this is the wrong move. I understand the principle of people -- people being responsible for their own burden and their own pension burdens. And in fact, you know, I've -- I've had that within the -- the pension bills that I've put out, but that's always come with something in return. That's always come with relief from mandates or some way to pay for that. There's no way for this to be paid for except by the property taxpayers and increased rates in tuition. So I urge a No vote.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Rezin.

SENATOR REZIN:

Thank -- thank you, Mr. President. Question for the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Rezin.

SENATOR REZIN:

Senator, does this bill -- or, does this pension cost shift come with the ability to levy or any new revenue?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

No, it does not. And to the comment of the previous speaker, the -- there are two sets of employers, universities and community colleges. Universities have no levy of any kind. Community colleges do and, of course, most of them are in property -- property tax-capped counties. The bill includes no levy provision at all.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

Thank you. It -- going to the normal cost. So, over the course of many years, you -- this plan calls for taking the normal cost, which is the cost of the pension, and -- and, over the course of the years, pushing it down. And the previous speaker before, he did talk about, and we have talked about in the working group, the inability to figure out what that -- the unknown cost is, which is the -- any kind of assumptions that have changed or the investment that may -- may not be as good as we anticipate, that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

kind of unknown cost, which, for the community colleges, would be very hard to budget for. So I understand, the normal cost, they could budget for. But do you agree with me that it would be difficult to take that unknown cost of any assumption change or investment change and it would be difficult to budget for?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

No. No, I don't. And this is an important point. There -- the -- any debt that arises is amortized on a thirty-year rolling basis. So it's not the case that if you've got a really bad market year, all of a sudden your payment's going to skyrocket. You -- you've got thirty years to amortize the difference and it's rolling. That is the sensible, reasonable way to do this to make it manageable, particularly for smaller employers. By the way, you'll notice that the downstate fire and police pension funds that you would think would be subject -- subject to the same kind of problems, they actually are on, currently, a fixed amortization, which is much, much harsher and much more difficult to plan for.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

But -- but if -- you said it's a thirty-year rolling, but if you had several years in a row where investment returns weren't that good, then, in -- in theory, it could be difficult or the -- the community college would have to make up for those differences.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Well, the community college would, over a thirty-year rolling amortization, have to make up those differences. In theory, it could be difficult. I just want to stress that I -- I think we're having a conversation now about whether or not we should have defined benefit pensions in the public sector. That's what this conversation is. Because as long as you have defined benefit pensions, you're going to have this kind of risk. Now we can have that conversation. It's a big, hard, complicated conversation, but I'm pretty sure that the sense of this Body is that we should maintain having defined benefit pensions in the public sector. If that's to be the case, then it seems to me that that risk is going to be held somewhere and the strong economic argument is for having the risk and the responsibility of paying held in the same place where salaries are set.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin, you have about a minute left.

SENATOR REZIN:

Thank -- thank you. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill.

SENATOR REZIN:

And I appreciate and, Senator Biss, I understand it's good policy. I mean, we've had this discussion over and over again, to put the cost of the pensions down where the decisions are being made. We understand that. But at the end of the day, if a college does not have a savings to pay for this, or there's only so many ways to do it, you can, one, either use your savings, you can increase tuition, layoff teachers, or increase property taxes. And again, that is a concern that we have and we ask for a No vote.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Senator, first, can you -- I know we -- we discussed this somewhat in committee, but can -- and maybe you outlined it in your opening, and -- and I apologize if you did, I'm going to ask you to repeat it - the opponents and proponents, to the best of your knowledge.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

I think it's fair to say that the proponents are the employers and the opponents are primarily organized labor organizations that represent employees.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, I want to talk about -- in two parts here, let's talk about the universities and then let's talk about the community colleges. The universities, obviously, do not work off of a property tax base to any extent. So, in your conversations with them, what is your realistic expectation of how they'll handle the additional costs that they'll be asked to pick up through this?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

Well, first of all, I want to stress - one or maybe even two of the previous speakers said -- made a very bizarre statement that there's no mandate relief in this bill - much of this bill is mandate relief. And so part of the agreement was reached by virtue -- was -- was reached with the expectation that that mandate relief would be used to reduce costs. I think the other key part of the expectation here is that this is a step - a small step, but a step - toward restoring the State's fiscal position. I think we all know and we all complain a lot on this Senate Floor about how low our appropriations are for higher education as compared with even -- even on a nominal basis, twenty, twenty-five years ago. Frankly, as the SURS payment has eaten up a larger and larger share of our budget, I think there is a view held by the employers that if this is a step towards stabilizing our fiscal position and a step towards enabling us to engage in more appropriate levels of spending on public higher education, that in the long run, they'll be better positioned.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter, you have about a minute and a half. Senator Righter.

SENATOR RIGHTER:

Senator, you said that you were surprised or -- about someone saying there's not mandate relief in the bill. You said there absolutely is mandate relief in the bill. I'm going to ask you to go a step further down that road and tell me exactly what that mandate relief is.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

Well, one of the critical aspects is some relief from aspects of the Procurement Code. For example, an increase from fifty-four thousand six hundred dollars to a hundred thousand dollars regarding various supplies and services and -- as the amount to trigger the Procurement Code for various -- purchases of various supplies and services, an increase from nineteen thousand nine hundred and ninety-nine dollars to a hundred thousand dollars for various professional and artistic services, as well as an increase of the level that triggers the mandate of inventory controls, tagging and -- and reporting and so forth, from five hundred dollars to twenty-five hundred dollars in the ordinary situation, or a hundred to two hundred and fifty in the high-risk situation. Additionally, there is currently on the books a law regarding the return of -- return to work of retired SURS annuitants, which is not manageable as -- in current law, and this bill includes some fixes to that which are important in enabling the universities to carry out their mission at a reasonable cost.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter, you just have a few seconds left. Senator Righter.

SENATOR RIGHTER:

To the bill, if I might, Mr. President. Thank you. Ladies and Gentlemen of the Senate - and I know the hour is late and we're hopefully approaching the end of our business - in the end, this bill is about a policy issue that I think Senator Biss is trying to take on, but it's also about tuition increases and property tax

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

increases, which maybe you've heard a little bit from your constituents about. In the end, the way community colleges will pay for this...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Shh. Shh. Shh. Shh. Shh. Shh.

SENATOR RIGHTER:

Thank you, Mr. President. The way community colleges will pay for this will be through raising property taxes or raising their tuition. The way universities will pay for this will be through raising their tuition. Northern Illinois University, who was part of the agreement here, said itself, in the House last week, that for every one percent of these costs it takes on, it would equal a two percent tuition increase. Now maybe that's true, maybe that's not true, maybe that's applicable to every institution of higher learning, maybe it's not. But when you're getting contacts from your constituents about crushing property taxes and you're getting contacts from your constituents who say I can't afford to send my kid to college anymore because tuition is so high, is this the message you want to go back home with and say I made those two things just a little bit harder? Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Not yet. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill. Senator Murphy.

SENATOR MURPHY:

Appreciate you putting the mike on just a smidge early. To

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

the bill, Mr. President. I have some good news and some bad news. The good news is, this is probably the last time this Session I'm going to be speaking. The bad news is, you guys put it on the tee for me, yet again. I -- I feel a little guilty, Senator Biss, because, you know, your -- your - and I mean this - your -- your -- your efforts on really moving pension reform were noble. And a lot of the other Members touched on some of the problems with this. It's particularly galling when I listen to parents in my district who are going to pay full freight on tuition because they make just enough money to not get any help and then they have these university presidents -- presidents say that they agreed to this, when they're just going to pass the bill to the people I represent - is outrageous. And to call it an agreed bill based on that, when you didn't bring the taxpayers into the loop, I -- I think is a misstatement. But more broadly, I mean, this has -- this issue's been brought up in the context of pension reform. Now we're sitting here at 9:15 and the House did what the House always does - they galloped out of here early. And they're already up or down 55, whichever way they're going, saying, sorry, Senate, you can do whatever you want to do, but we're done. They won the race again, I guess. But I was reminded earlier this Session of a quote from Speaker Madigan in November of 1994, after our side took total control of State government. He said, there's no excuses anymore. You can't scapegoat us Democrats. You guys have everything. You -- you over there have the largest supermajorities in modern Illinois history. The biggest issue... Yeah. Oh no, that's right. Come on, whoop it up, 'cause you've thrown it -- you've -- you've -- you've stressed it all week - the biggest supermajorities in modern history. The biggest issue facing the people of Illinois

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

in a generation and you've failed to deliver. We're sitting here, going home. The Governor is going to bring "Squeezy" out again tomorrow, because you guys couldn't figure out how to communicate with the supermajority of the same party on the other side of the building. There couldn't be a more stunning indictment of your failure of leadership than this right here. This constitutes all that's left of pension reform, with the great Democrat majority that was finally going to solve this huge problem, and it goes out in a small poof of a cost shift pushed onto the taxpayers trying to send their kid to college. What an absolute embarrassment. This bill, in its current form, is bad policy. Your failure to deliver on the biggest issue facing the State is shameful and I hope the people of this State are paying attention and do something about it before it's too late.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar.

SENATOR MANAR:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Manar.

SENATOR MANAR:

Senator Biss, I have a technical question about the language of the bill. During our debate today, I was actually -- I was reading the bill, and on page 59, the language that describes how the additional member to the Board of Trustees is selected, calls upon nominees to come from an association of community college boards organized under a Section in the Public Community College Act, and then it also gives consultation privileges to the City Colleges of Chicago, which are also part of the Community College

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

Trustee {sic} (Trustees) Association. So my question is, is that a drafting error or was it intentional to give the City Colleges both input on the nominee level and the consultation level for the additional trustee?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

So I'm not aware of the history of that. My initial understanding was it was an effort to make sure that both community colleges outside the city college system and the City Colleges themselves have equal input. But if -- if that's not the way in which the -- the text of the bill works out, we'll certainly be happy to address that in subsequent action.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar.

SENATOR MANAR:

So, to just -- one -- I guess to ask the question a little bit different way. It -- the City Colleges are part of the Trustee {sic} Association and they also are part of the bill in the next sentence. So, would it be your intention to give them, I guess, two bites at the apple in terms of selecting another trustee?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

I -- I believe the answer to that is, no. But, again, we can talk with the initial framers of this and address this in future action, if need be.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

SENATOR MANAR:

Final question, Mr. President. Thank you. Do you think that the agreement, regarding the provisions of this bill, from the community colleges was predicated on the belief that the selection of this trustee was going to come from all community colleges in the State and not just from the City Colleges?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar. No? Last speaker seeking recognition, President Cullerton.

SENATOR J. CULLERTON:

Thank you, Mr. President, Members of the Senate. I -- I am in support of this bill. I would, however, like to point out that there is a provision here that is some concern to folks, because the bill purports to change our rules and require that if we were to move a -- a bill from 2nd Reading to 3rd Reading, that we'd need a three-fourths vote. I believe that that is improper and that it -- it is inoperative; it would not serve to change the Senate rules. If we did not follow that statute, I believe that if anybody sued us, that they would not prevail. However, I think it's really important to use this bill to talk about the need for pension reform. This is a pension reform bill. When people talk about us having the worst-funded pension system in the nation, for the most part, it's because they are not aware of the fact that we have this anomaly of the State being responsible for so many non-State employees to the pay the employer portion - the local school

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

districts and the universities and community colleges among them. If we only had to pay for the State employees, we'd have a hundred percent funded and a lot of extra money. The local school districts, as you know, pay very little, next to nothing, towards the employer portion. Even though they negotiate the salaries, they send the bill to us. That's what also happens with universities. It also happens with community colleges. So, to his credit, the Speaker, noting that, said, you know, we have to start slowly having those folks have some skin in the game and start to shift the cost back to -- relieve the State from that obligation. What I think is going to happen and the reason why the unions are opposed to this bill is because the employer's going say, hey, they passed a law in Springfield saying we have to start putting some of your money into your pension system. And so maybe, you know, that six percent pay raise that -- that the actuaries think you're going to get every year for thirty years, maybe it'll be a little less than that. It doesn't have to be any tuition tax increase or any property tax increase. It should be something that is born, quite frankly, by the employees. It's their pension system. But we're the ones, here, the ones of us who have to pass a budget, that should be the beneficiaries of that obligation being shifted to them over time, phased in with plenty of time to negotiate the new contracts. That's what this is about. It's a pension reform. And with the money that they give us, it goes into the pension system. And the money we have to put in goes down, so that we can use it, as we have just seen in our budget, to pay old bills and to give more money back to higher education. It's that simple. That's why we should vote and pass the bill. So, you know, I know you guys have talked about pension reform.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

You talk about your four -- you know, in concept, cost shift, but then when it's time to actually vote for it -- so let's vote for it. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Biss, to close.

SENATOR BISS:

Thank -- thank you. I -- I do want to say a few closing remarks that I think are important here. I regretted the -- I didn't get a chance to answer any questions from Senator Murphy about whether there was a sixty-seven percent tax increase in this bill, but he did say something pretty interesting in his comments. He said that there becomes a moment when there are no longer excuses. Life is hard. Doing things is difficult. Addressing fiscal challenges comes with pain, and every single time you do it, there's an argument about the pain. We hear a lot about the alleged unemployment that results from tax increases. We hear a lot about the fact that by failing to fund early childhood education, we're missing out on a seven to one return on -- on our investment. We hear a lot about how ill-considered Medicaid cuts can create more liability elsewhere. Every time we try to take a step that has some fiscal benefit to the State, there's an argument about why it's not going to feel good. So, today we hear that every one percent of cost shift will result in a two percent tuition increase. The testimony in committee this morning was very, very, very well-crafted. The person giving testimony explained that that was something that somebody said at a -- at a public meeting a year ago. And then, in committee on the House side, when the employers testified on this bill, they said they would not raise tuition. So someone said one thing in a meeting

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

a year ago; someone said something else in committee this week. The truth is hard to know and the cost shift comes with real cost to the employers, which will not be easy to bear. But guess what? Everything is hard. Everything that saves money is hard, all of it. And this makes a lot of sense. It makes sense because of the skin in the game argument and it makes sense because when they send us the bill, it's a hidden subsidy from the State to God knows what - giant pensions to athletic directors, while the community colleges get less; higher salary institutions get benefit for more subsidy, lower salary institutions benefit less. This is going to save money. And if we think it's providing too much hardship for the institutions for their -- their faculty and employees, and especially for their students and the students' parents helping to pay the tuition, we can do something. We can appropriate that money in the budget to higher ed in the way that makes best sense to us that helps people who need it most. By doing away with the secret black box subsidy and making smart policy, we can do that right. We'll have the choice of how to spend that money in a way that the dollar goes the farthest. If we don't take this action, we have no choice, the black box stays the same, the incentives are screwed up, and we've once again failed to do something difficult and potentially painful that can save a little bit of money and make a little bit of difference. Now I'll close this way: I think my position on pension reform is pretty well known in this Chamber, and this has not been a happy day, week or month for me in that respect. I think we should pass this bill. If we do, I'm not going home proud. I'm not going to go home expecting parades and confetti. I'm not going to go home expecting a hero's welcome. We will not have achieved comprehensive pension reform.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

But we will have taken one step that is a true legitimate reform of something that actually does not make sense in the pension system that we will be rectifying. It'll hurt a little bit, but it makes good economic sense and we're in trouble as a State. And, for the love of God, if we can't do this, what can we do? Please vote Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1687. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 21 voting Aye, 33 voting Nay, 5 vote -- voting Present. Having not -- having failed to receive the required constitutional majority, the motion fails. On the regular Calendar, Ladies and Gentlemen, we're going to go to House Bills 3rd Reading on page 5. Let's go to House Bill 1441. It's on page 5 of the regular Calendar on the Order of House Bills 3rd Reading. There it is up on the board. President Cullerton. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1441.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

Thank you, Mr. President, Members of the Senate. It's kind of nice to know that I can present this bill and Senator Murphy will not be speaking against it, since he had pledged not to give

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

anymore speeches. Believe it or not, this is the fifth year in a row that we will have passed this bill for -- if we're successful, fifth year in a row - fiscal years '10, '11, '12 and '13. And the reason why you might be surprised that we passed this bill those years is because there wasn't a lot of publicity about it. But we propose this bill again. This bill cuts the pay and per diems of General Assembly members for the fifth-straight year. It imposes furlough days on General Assembly and it continues reimbursement reductions for lodging, meals for fiscal year '14. It also freezes the cost-of-living adjustment for General Assembly members, executive branch constitutional officers, appointed officers on boards and commissions. It's a reduction of over three thousand dollars for each one of us. If you don't want to vote for it, vote No. If you want to vote Yes, vote Yes. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 1441 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 51 voting Aye, 5 voting Nay, 0 voting Present. House Bill 1441, having received the required constitutional majority, is declared passed. To fulfill our responsibilities under Article - - Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate resolve itself into Executive Session for the purpose of acting on appointments set forth in Message 119.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz moves that the Senate resolve itself into Executive Session for the purposes of acting on the Appointment Message just read. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Senate is resolved into Executive Session. On Supplemental Calendar 1 is the Order of Executive Appointments - Appointment Messages. Excuse me, Mr. Secretary. My correction. My mistake. On Supplemental Calendar No. 2 is the Order of Executive Appointments - Appointment Messages. Mr. Secretary, Appointment Message 119.

SECRETARY ANDERSON:

Mr. President, the Committee on Assignments recommends that the Senate do advise and consent to the following appointment:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate advise and consent to the appointment just read.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the Appointment Message just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 54 voting Aye, 3 voting Nay, 0 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the -- to the appointment just

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

read. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz moves that the Senate arise from Executive Session. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Senate has arisen from Executive Session. President Cullerton.

SENATOR J. CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. I'd like to just first mention to my colleagues on the Democratic side of the aisle, after we adjourn, which will be shortly, in a few minutes, I would like us as a caucus to come back into my office. We have a -- a few remarks I want to make to you as a caucus. To the whole Senate, I want to tell you how -- what a great job we've done this year. I would want to -- normally at this time, I would thank the staff, but I think I'd like to thank Senator Sullivan for thanking the staff during the course of the evening and I appreciate it very much, because I really know that all of us know how hard these folks work and many times through the weekends, many times through the -- overnight. And it includes those people working in the Secretary of the Senate's Office, as was noted before. I know that there's been a number of freshmen in this class. This is the great thing about the Senate. We have -- believe it or not, an average Senator in this Senate has only been here for about six and a half years. We have folks, like me, who have been here for a while with some institutional knowledge, but we have a whole bunch of young ideas and fresh ideas every two

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

years and this class had a particularly talented group of -- of Senators, who are here for the first time and in -- on both sides of the aisle. I don't think we've had as much cooperation in the five years that I've been the President as we've had this year. It's really been an honor to work with you. And I want to -- hope you have a nice summer and hope that it's a long summer and hope that it might be a while before we have to come back. I don't know for sure that that's going to be the case. I can't tell for sure, but I just want to thank everybody for their hard work. Thank you very much.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 359, offered by Senator McCann and all Members.

Senate Resolution 360, offered by Senator McCann and all Members.

They are both death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Messages from the House, Mr. Secretary.

SECRETARY ANDERSON:

Message from the House by Mr. Mapes, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 45.

Offered by Senator Lightford.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

(Secretary reads HJR No. 45)

Adopted by the House, May 31st, 2013. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ANDERSON:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And the resolutions are adopted. On the Order of Resolutions is House Joint Resolution 45. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 45, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lightford moves to suspend the rules for the purpose of immediate consideration and adoption of House Joint Resolution 45. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Lightford moves for the adoption of House Joint Resolution 45. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. There being no further business to come before the Senate, the Senate stands adjourned pursuant to the adjournment

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

5/31/2013

resolution. The Senate stands adjourned.