

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

HB2536	Recalled	19
HB2536	Third Reading	21
HB3271	Recalled	8
HB3271	Third Reading	9
SB0114	Concurrence	16
SB1955	Concurrence	17
SB1961	Concurrence	17
SB1961	Vote Intention	19
SB2628	First Reading	4
SB2629	First Reading	5
SB2630	First Reading	5
SB2631	First Reading	5
SB2632	First Reading	5
SB2633	First Reading	5
SB2634	First Reading	8
SR0695	Resolution Offered	2
SR0696	Resolution Offered	2
SR0697	Resolution Offered	2
SR0698	Resolution Offered	3
SR0699	Resolution Offered	3
SR0700	Resolution Offered	3
SR0701	Resolution Offered	3
SR0702	Resolution Offered	3
SR0703	Resolution Offered	3
SR0704	Resolution Offered	3
SR0705	Resolution Offered	3
SR0706	Resolution Offered	3
SR0707	Resolution Offered	3
SR0708	Resolution Offered	3
SR0709	Resolution Offered	3
SR0710	Resolution Offered	3
SR0711	Resolution Offered	3
SR0712	Resolution Offered	3
SR0713	Resolution Offered	3
SR0714	Resolution Offered	3
SR0715	Resolution Offered	3
SR0716	Resolution Offered	3
SR0717	Resolution Offered	3
SR0718	Resolution Offered	3
SR0719	Resolution Offered	3
SR0720	Resolution Offered	3

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

SR0721	Resolution Offered	3
SR0722	Resolution Offered	3
SR0723	Resolution Offered	3
SR0724	Resolution Offered	3
SR0725	Resolution Offered	3
SR0726	Resolution Offered	3
SR0727	Resolution Offered	3
SR0728	Resolution Offered	3
SR0729	Resolution Offered	3
SR0730	Resolution Offered	3
SR0731	Resolution Offered	3
SR0732	Resolution Offered	3
SR0733	Resolution Offered	3
SR0734	Resolution Offered	3
SR0735	Resolution Offered	3
SR0736	Resolution Offered	3
SR0737	Resolution Offered	3
SR0738	Resolution Offered	4
SR0739	Resolution Offered	4
SR0740	Resolution Offered	4
SR0741	Resolution Offered	4
SR0742	Resolution Offered	4
SR0743	Resolution Offered	19
SR0744	Resolution Offered	19
HJR0052	Resolution Offered	5
HJR0053	Resolution Offered	5
HJR0066	Adopted	29
HJR0066	Resolution Offered	29
AM0363	Read into Record	5
AM0364	Read into Record	6
AM0365	Read into Record	6
AM0366	Read into Record	6
AM0367	Read into Record	6
AM0368	Read into Record	6
Perfunctory Session to Order-Secretary Anderson		1
Communication from the Senate President		1
Committee Report		1
Adjournment of Perfunctory Session		1
Senate to Order-Senator Sullivan		1

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Prayer-Pastor Shaun Lewis	2
Pledge of Allegiance	2
Journal-Postponed	2
Committee Reports	4
Messages from the House	5
Senate Stands in Recess/Reconvenes	6
Messages from the House	7
Senate Stands at Ease/Reconvenes	15
Committee Reports	15
Senate Stands in Recess/Reconvenes	19
Resolutions Consent Calendar-Adopted	28
Adjournment	29

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

SECRETARY ANDERSON:

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

Communication from the Senate President. Letter dated December 2nd, 2013.

Dear Mr. Secretary - Pursuant to Rule 2-10, I am scheduling a perfunctory Session to convene on December 3rd, 2013.

Sincerely, John J. Cullerton, Senate President.

Committee Report.

Senator Harmon, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Revenue Committee - Floor Amendment 4 to House Bill 3271; Be Approved for Consideration - Floor Amendment 4 to House Bill 2536, Floor Amendment 5 to House Bill 2536, and Floor Amendment 5 to House Bill 3271.

Signed, Senator Don Harmon, Chairman.

The following Senate committees will meet today to take up Floor amendments in addition to previously posted items: Revenue Committee at 10:10 a.m. in Room 400.

There being no further business to come before this perfunctory Session, pursuant to the directive of the Senate President, the Senate stands adjourned until Tuesday, December 3rd, 2013, at the hour of 11 a.m., or until the call of the Senate President. Perfunctory Session stands adjourned.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Shaun.

PASTOR SHAUN LEWIS:

(Prayer by Pastor Shaun Lewis)

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Thursday, November 7th, 2013.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Senate Resolution 695, offered by Senator Althoff and all Members.

Senate Resolution 696, offered by Senator Mulroe and all Members.

Senate Resolution 697, offered by Senator Haine and all Members.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Senate Resolution 698, offered by Senator Koehler and all Members.

Senate Resolution 699, offered by Senator Harmon and all Members.

Senate Resolutions 700 through 705, offered by Senator Link and all Members.

Senate Resolution 706, offered by Senator Kotowski and all Members.

Senate Resolution 707, offered by Senator Van Pelt and all Members.

Senate Resolution 708, offered by President Cullerton and all Members.

Senate Resolutions 709 through 712, offered by Senator McConnaughay and all Members.

Senate Resolutions 713 through 717, offered by Senator Althoff and all Members.

Senate Resolution 718, offered by Senator Mulroe and all Members.

Senate Resolutions 719 and 720, offered by Senator Haine and all Members.

Senate Resolution 721, offered by Senator Dillard and all Members.

Senate Resolutions 722 through 729, offered by Senator Murphy {sic} (Link) and all Members.

Senate Resolution 730, offered by Senator McCann and all Members.

Senate Resolution 731, offered by President Cullerton and all Members.

Senate Resolutions 732 through 737, offered by Senator Manar

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

and all Members.

Senate Resolution 738, offered by Senator Koehler and all Members.

Senate Resolution 739, offered by Senator McCann and all Members.

Senate Resolution 740, offered by Senator Haine and all Members.

And Senate Resolution 741, offered by Senator Koehler and all Members -- sorry, offered by Senator -- Senators Koehler, Sullivan and all Members.

They are all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar.

SECRETARY ANDERSON:

Senate Resolution 742, offered by Senator Murphy.
And it is substantive.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Andy Shofstall, with WSIL, and Tony Yuscus, with Blueroomstream.com, both request permission to record video and audio. Seeing no objection, leave is granted. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Hutchinson, Chairperson of the Committee on Revenue, reports Senate Amendment 4 to House Bill 3271 Recommend Do Adopt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Introduction of Senate Bills.

SECRETARY ANDERSON:

Senate Bill 2628, offered by Senator Sandoval.

(Secretary reads title of bill)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Senate -- Senate Bill 2629, offered by Senator Oberweis.

(Secretary reads title of bill)

Senate Bill 2630, offered by Senator Silverstein.

(Secretary reads title of bill)

Senate Bill 2631, offered by Senator Silverstein.

(Secretary reads title of bill)

Senate Bill 2632, offered by Senator Silverstein.

(Secretary reads title of bill)

Senate Bill 2633, offered by Senator Koehler.

(Secretary reads title of bill)

1st Reading of the Senate bills.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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 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 52.

Offered by Senator McCarter, and adopted by the House, November 6th, 2013. We have received a like Message on House Joint Resolution 53, offered by Senator McCarter, and adopted by the House, November 6th, 2013. Timothy D. Mapes, Clerk of the House. They are substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Appointment Messages.

SECRETARY ANDERSON:

Appointment Message 363

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Treasurer's non-salaried appointment

Pier C. Rogers, PhD

Charitable Trust Stabilization Committee

Appointment Message 364

Treasurer's non-salaried appointment

Emilia DiMenco

Charitable Trust Stabilization Committee

Appointment Message 365

Governor's non-salaried appointment

Diana Alvarez

Workers' Compensation Medical Fee Advisory Board

Appointment Message 366

Governor's non-salaried appointment

David Menchetti

Workers' Compensation Medical Fee Advisory Board

Appointment Message 367

Governor's non-salaried appointment

Neil Posner

Quality Care Board

Appointment Message 368

Governor's non-salaried appointment

James Lane

Public Guardian and Public Administrator for Crawford County

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

(SENATE STANDS IN RECESS/SENATE RECONVENES)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the 98th General Assembly will come to order. Alex Davis, WCIA 3, requests permission to videotape. Aaron Frye, with WICS, requests permission to videotape. Seeing no objection, leave is granted. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

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

Senate Bill 114.

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

House Amendments 1 and 2 to Senate Bill 114.

Passed the House, as amended, December 3rd, 2013.

We have received like Messages on Senate Bill 1955, with House Amendments 2, 3 and 4; and Senate Bill 1961, with House Amendments 1, 2 and 3. Passed the House, as amended, December 3rd, 2013. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if I can have your attention. Will all Members within the sound of my voice please come to the Senate Floor immediately? All Members within the sound of my voice, we're going to be going to the Order of 3rd Readings. It'll be final action. Please come to the Floor immediately. Mr. Secretary, Introduction of Senate Bills.

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Senate Bill 2634, offered by Senator Haine.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, when we start here, we're going to be on page 2 of the regular Calendar on the Order of House Bills 3rd Reading - page 2 of the regular Calendar on the Order of House Bills 3rd Reading, momentarily. Ladies and Gentlemen, as I announced earlier, if you'll turn to page 2 of the printed Calendar, on the Order of House Bills 3rd Reading, in the middle of the page, we have House Bill 3271. Senator Tom Cullerton. Do you wish to proceed? Mr. Secretary, Senator Cullerton seeks leave of the Body to return House Bill 3271 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 3271. Mr. Secretary, are there any committee or Floor amendments approved for consideration?

SECRETARY ANDERSON:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton, on Floor Amendment 3.

SENATOR T. CULLERTON:

If I could just explain 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. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Tom Cullerton.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton, on Amendment 4.

SENATOR T. CULLERTON:

Same, to explain it on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 4? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 5, offered by Senator Tom Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton, to explain Floor Amendment 5.

SENATOR T. CULLERTON:

Again, on 3rd, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Floor Amendment 5? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3271. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3271.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton, to explain House Bill 3271.

SENATOR T. CULLERTON:

Senate Bill -- or, House Bill 3271 is utilization of an EDGE tax credit for two corporations - one being the newly formed OfficeMax/Office Depot merger; the other being Univar. The Amendment No. 3 was the EDGE credit for Office Depot/OfficeMax. Amendment No. 4 was adding Univar to House Bill 3271. And Amendment No. 5 is actually changing the effective date of -- of both bills -- of the bill to be in July. I'll be more than happy to explain the credits, what -- what Office Depot will do if we utilize and -- and award them the EDGE credit. Right now, we are in a competition with the State of Florida for retaining or getting the newly formed Office Depot Corporation here in Illinois. OfficeMax is presently here in Illinois. Averages about six and a half billion dollars in sales. Office Depot does about eleven and a half. It would be an eighteen-billion-dollar corporation. Office Depot is headquartered in Florida. OfficeMax is headquartered here. They have named a new CEO and they are making a decision right now as to where to move the corporation. There -- for those of you who were in Executive Committee, this passed out 12-0. There were three underlying factors. One was transportation of goods to market. We surely beat Florida in that respect. Personally, I feel we -- believe that we beat Florida in educated workforce and workforce that'll be associated. Finally, there'll be tax -- tax incentives involved with it. That would be number one. Univar is coming from Washington and looking between us and Houston, Texas. This would allow them to create another sixty-nine jobs and move their headquarters to Downers Grove. And

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

then, finally, changing the effective date is pretty self-explanatory. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

A few questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for questions, Senator McCarter.

SENATOR McCARTER:

Senator, why are you bringing this to the Legislature? Is it -- is it not true that EDGE credits can be used without coming to us for approval?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton.

SENATOR T. CULLERTON:

Normally, we would just go straight through DCEO, but that would be the utilization of the corporate income tax, whereas these corporations, at this point, wouldn't be able to utilize it due to not having that return right now.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

So you're saying that they don't -- they don't have -- they don't pay corporate taxes? And so they have to take this against withholding taxes instead?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton.

SENATOR T. CULLERTON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

They are not paying enough at this present time to utilize the EDGE credits, so this would be partially with the withholding on the income.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

I understand when we create jobs, we've got a payroll number that -- that has a ripple effect in our communities that -- to -- to improve the economy. So what -- what kind of payroll are we talking about adding with each one of these companies, per year?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton.

SENATOR T. CULLERTON:

As was explained in Executive Committee, on the OfficeMax side, the two hundred-plus jobs would be average salary of seventy-two thousand, and as you heard in Revenue Committee today, the sixty-nine jobs would be all corporate executive-level jobs. So, approximately, I believe he gave the figure of a hundred thousand on the newly created jobs. So, if you do the math, which I see you're doing now, so hopefully you'll have that number for me. But, obviously, the creation of the new jobs is where the impact will be. Not only just -- I understand the -- the worry about utilizing tax credits for this, but also, when you talk about seventy-two-thousand-dollar-a-year jobs, average of two hundred people, that would allow more spending in the community - property taxes, sales taxes, retail taxes. The same goes with the sixty-nine corporate jobs based out of Downers Grove.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

SENATOR McCARTER:

One more question. How does this legislation help small businesses to be relieved from the tax burden that went up to five percent? And I'm talking about LLCs. I'm talking about S Corps. How does -- how does this legislation help those small businesses?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cullerton.

SENATOR T. CULLERTON:

I don't believe this legislation is part of dealing with small businesses at this point. That is why Senator Manar brought forward the new EDGE credit utilization in the last Session.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

Ladies and Gentlemen, the answer to that is it doesn't help small business at all. Again, we're picking winners and losers. If you want to help small business and you want to help these people at the same time - in fact, if you want to give them just as much benefit as you're giving them today - you could relieve them of one percent of their payroll cost by reforming workers' comp. Not like Indiana - that'd be more. Just take us to the national average. That would be one percent of the payroll, which would give these people just as much money and, at the same time, give small businesses the same amount of relief. That would be fair. This is not fair. This is picking winners and losers. We

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

all want new -- we all want new jobs in this State, but this is not the way to compete. I know that's a tough alternative, to reform a system that's so politically charged like work comp, but I'm telling you, you would do the same thing. Now, who's going to be next? We've got a list of people that are coming up and saying, "Listen, I'm sorry I don't pay any corporate tax, now I need to take it out of the withholding." I'd love the same thing. What would I do with the money? I'd hire somebody else. I'd buy more equipment. That's exactly what small business would do. And that's why you would increase revenues, tax revenues, in this State. But you're not going to do it, because you're picking winners and losers. You know, there's -- one of these bills {sic} came through Revenue, so I know a little bit about it. The other one went through Executive. Why? I don't know. Maybe he didn't want everybody knowing about it. I mean, I -- if I was sitting in Exec, I would have known more about it, but it didn't come through my committee. This is wrong. Just like CME, Sears, and all the other corporate welfare that we've approved, this is wrong. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator Cullerton, do you wish to close? Senator Cullerton.

SENATOR T. CULLERTON:

I'd like to urge an Aye vote. Obviously, we've seen governors from other states come in and try to pick off our businesses. This is truly an opportunity for us to take businesses from other states. Two of our favorite states that have shown up here has been Florida and Texas. This would be a utilization and an opportunity for us to take from them. So I urge an Aye vote.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, this is final action. The question is, shall House Bill 3271 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 43 voting Aye, 10 voting Nay, 1 voting Present. House Bill 3271, having received the required constitutional majority, is declared passed. Stewart Orlin, WFLD-TV, requests permission to videotape. Seeing no objection, leave is granted. Ladies and Gentlemen, if I can have your attention for an announcement. The -- the Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. All members of the Committee on Assignments please come to the President's Anteroom immediately. All members of the Committee on Assignments to the President's Anteroom. The Senate will stand at ease. (at ease) The Senate will come to order. Mr. Bzdak, with the Chicago Tribune, requests permission to take still photographs. Theodore Parra, with the -- with WGN-TV Chicago, requests permission to videotape. And John Marschitz, with WBBM-TV, requests permission to videotape. Seeing no objection, leave is granted. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Harmon, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur on House Amendment 1 and 2 to Senate Bill 114, Motion to Concur on House Amendments 2, 3 and 4 to Senate Bill 1955, Motion to Concur on House Amendments 1, 2 and 3 to Senate Bill 1961.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Signed, Senator Don Harmon, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if I can have your attention, Supplemental Calendar No. 1 has been distributed. On the Order of Secretary's Desk, Concurrence, Senate Bills, we'll start out with Senate Bill 114. Senator Forby. 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 114.

Signed by Senator Forby.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Forby, on your motion.

SENATOR FORBY:

Thank you. I want to concur with Senate Bill 114. This is a trailer bill to the Firearm Concealed Carry Act. The language was discussed by the government, State Police, and NRA. It's a - - bipartisan support. I ask you for your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on the motion? 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 114. All those in favor will vote Aye. Those opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 0 voting Nay, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 114, and the bill is declared passed. Next up on the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Calendar - again, Ladies and Gentlemen, we're on Supplemental Calendar No. 1, Secretary's Desk, Concurrence on Senate Bills - we have Senate Bill 1955. Senator Kotowski. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 2, 3 and 4 to Senate Bill 1955.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, to explain your motion.

SENATOR KOTOWSKI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1955, as amended, transfers 5.9 million from the General Revenue Fund into the Disaster Response and Recovery Fund. The money is for reimbursement to FEMA for Illinois' portion of assistance provided in the spring relating to flooding that occurred throughout the State.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on the motion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 2 and 3 and 4 to Senate Bill 1955. 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 2, 3 and 4 to Senate Bill 1955, and the bill is declared passed. Next up, we have Senate Bill 1961. Senator Haine. I believe that there's

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

been a sponsorship change on that to Senator Biss. Mr. Secretary, please read the motion. Okay, so the sponsorship is still Senator Haine. 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, 2 and 3 to Senate Bill 1961.

Signed by Senator Haine.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine, on your motion.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Sorry about the confusion. Senator Biss presented the -- the -- the amendment. The -- this bill mandates and authorizes the Attorney General of this State to represent on a constitutional challenge the various pension boards. The boards retain, under -- I believe it's House Amendment No. 3, the -- the right to appoint counsel for other matters. It's in a constitutional challenge that she would defend the State, including the pension systems.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Haine. Is there any discussion on your motion? Is there any discussion on the motion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 1961. 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, 14 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Amendments 1, 2 and 3 to Senate Bill 1961, and the bill is declared passed. Senator Bush, for what purpose do you rise?

SENATOR BUSH:

Thank you so much for recognizing me. I pressed No and apparently not in time. I'd like to add my vote to the roll call. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

That was to the previous bill, is that correct? The record will so reflect your intentions to vote No. The regular Session of the Senate will now stand in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the Senate will now come to order. Ladies and Gentlemen, just for the purpose of an announcement, we do have further Floor action. We will be -- we're waiting on some paperwork right now. So, we'll be taking further Floor action, further votes here momentarily. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolutions 743 and 744, by -- offered by Senator Frerichs and all Members.

They are death resolutions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Ladies and Gentlemen, if you'll turn to page 2 of the regular Calendar on the Order of House Bills 3rd Reading - page 2 of the regular Calendar on the Order of House Bills 3rd Reading - we're going to go to House Bill 2536. Senator Manar. Mr. Secretary, please read the bill. Mr.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

Secretary, Senator Manar seeks leave of the Body to return House Bill 2536 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have House Bill 2536. Mr. Secretary, are there any committee or Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Manar.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar, on Floor Amendment 3.

SENATOR MANAR:

Thank you, Mr. President. We have two amendments to adopt. I'd like to adopt those and debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar.

SENATOR MANAR:

Correction. We have three amendments to adopt - 3, 4, and 5 - and then I would like to debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

So, on Floor Amendment No. 3, is there any discussion on Floor Amendment No. 3? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Manar.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar, on -- on Amendment 4.

SENATOR MANAR:

Same on this one, Mr. President. I'd like to adopt the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

amendment and then debate the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on Amendment 4? Seeing none, all those in favor will say Aye. Opposed, Nay. And the Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 5, offered by Senator Tom Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, correction on that. Amendment 5 is, I believe, is Senator Manar's. Is that correct?

SECRETARY ANDERSON:

Yes, Mr. President, that's correct.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar, on Amendment 5.

SENATOR MANAR:

Thank you, Mr. President. I'd like to adopt this amendment as well and then debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Sorry for the confusion. Is there any discussion on Amendment 5? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 2536. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

SECRETARY ANDERSON:

House Bill 2536.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar.

SENATOR MANAR:

Thank you, Mr. President and my colleagues in the Senate. This bill, as amended, before us this afternoon, amends the EDGE Tax Credit Act to establish additional criteria for Archer Daniels Midland Corporation to utilize an EDGE tax credit on their employee withholding liability for three hundred EDGE eligible positions, producing what is estimated to be valued at a 1.5-million-dollar credit annually. I would like to point out to my colleagues that this bill differs dramatically from the original proposal that was put forward by ADM in the House of Representatives a few weeks ago. Many changes in this bill I would describe as a dramatic improvement. And over -- overall it seeks to balance the needs of the Decatur community as well as the needs of the State, in a balanced way. And this was the result of work from individuals in the Decatur community, from the city government, Mayor McElroy, from the Chamber of Commerce, from the EDC, and from ADM, working cooperatively to try to find a way to make sure that ADM can remain competitive in a global environment and pay attention to its home base in Decatur, which it has committed to do so through this legislation. So, again, this is much different than where we started off with this conversation, which I was opposed, but I believe this is a balanced product moving forward, which is why I have brought the bill forward to the Senate today. And I would

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

ask for an Aye vote and I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Before we open it up for discussion, Larry Johnson, with KSDK-TV, St. Louis, requests permission to videotape. Seeing no objection, leave is granted. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Questions of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates -- indicates he will yield. Senator Rose.

SENATOR ROSE:

Thank you. Thank you, Senator Manar, for your work on this. As I understand it, the original draft is no longer applicable and that now this bill will require jobs to come to Decatur or else it does not take effect at all. Is that accurate? And if it is, can you please explain how that would work?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar.

SENATOR MANAR:

That is -- that is correct. The bill would, as amended, would require the company to meet additional criteria in order to apply for and receive EDGE tax credits. And that criteria entails a couple of things. First of all, it would have to keep its global headquarters in the State and it would then also have to create a hundred jobs at that global headquarters. In addition to those job requirements, the company would be required to move one hundred jobs into the place where its North American headquarters would be located, which is its current facility in Decatur. And in addition to that, the company would have to commit to and abide by the --

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

the law, in this case, to hire a hundred positions a year for five years in order to remain eligible for the credit, which could expand up to fifteen or twenty years. So, one important thing that is in the bill, which is in current statute, is that if at any point in time during that span of years those requirements are not met, we have the ability to go back and retain money or take back money that was appropriated and devoted to the agreement. And I -- I think those, again, are ample protections in order to move forward.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rose.

SENATOR ROSE:

...you, Mr. President. If I may, to the bill. I think what Senator Manar just enunciated is extremely important. If ADM were to fail to meet the hiring standards by bringing new jobs to downstate Illinois in addition to keeping its global headquarters here in Illinois, it would not meet the criteria and no credit would be extended. Further, there's a clawback that if they should fail to meet that into the future, that the funds would come back as well. So, I -- I think Senator Manar has done a pretty good job on this. It is supported by the Decatur community, their Chamber, the -- lot of the different -- the newspapers editorialized in favor of it. I -- I want to take one moment, though, to -- to talk about something that was very important by ADM in making commitment to -- the local community of Decatur and around Macon County. As part of this, they have agreed to set aside a certain amount of funds for different entities in town - charitable organizations, schools. I -- I want to state how -- the fact that, as part of these negotiations, I've -- I've talked

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

to ADM and they've agreed to make that commitment -- educational commitment available to all the schools in Macon County, which I think is extremely important as we deal with this once it passes. The commitment they're making to, you know, not just Decatur public schools, but Mt. Zion, Maroa-Forsyth, Meridian is extremely, extremely important. Warrensburg-Latham. And their extending that commitment to those additional educational facilities, I think really -- I think makes this not just a very palatable position, but really advances the ball in all fronts. It brings jobs to downstate Illinois. And it also supports our local educational and charitable institutions in the process. And so, thank you for your indulgence, Mr. President. I would, too, would urge an Aye vote.

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:

This is -- you know, I could just repeat what I said last time about -- you know, picking winners and losers, but it's a little different this time, because this is the -- this is a area that I used to represent in Decatur. And so, as much as the two previous speakers, I -- I know about Decatur. I know the people. I love the people. I've -- I've served 'em. And I know the difficulties that they're dealing with in that town. And this is -- and, believe me, when -- when it's stated that the community is

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

in favor of this, it's not with any joy whatsoever. They're trying to make the best out of this bad situation as they can. So, let me just say, I know, to the sponsor, Senator Rose, that you've done the best you can to make something good out of this. However, at some point, we have got to address the structural cost of doing business in this State and quit picking winners and losers. Folks, I know it's hard. I know it's more complicated. And I know small businesses with five, ten, fifteen people don't have lobbyists, but they need your help. Now this may fix a few things for a few people, but it's not going to turn this State around and make it the place that new businesses will want to come to, invest in and grow in. They're not going to be able to do it, because the cost of business is way too high. Sadly, I have to urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR KOEHLER:

Thank you, Mr. President. Just to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Koehler.

SENATOR KOEHLER:

I just want to commend Senator Manar, because this is a difficult situation. I know that the Decatur community was just devastated when this announcement came out. And instead of just throwing up his hands and -- and fighting this, he really went to work for his community and turned this, really, into a positive, because now we can look forward to jobs being created in Chicago, jobs being created in Decatur. These are not easy things to do. But, Senator, you have my utmost respect on this and I'll support

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

this because what you did was you -- you -- you took this issue on and you made it a positive, when it could have very easily been a negative. So, my hat's off to you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, Senator Manar, do you wish to close? Senator Manar.

SENATOR MANAR:

Like to thank my colleagues first for the debate, Mr. President. I want to point out a couple things about this bill. It is important. And this was a difficult -- this was a difficult thing to talk about in Decatur. But as -- as -- as difficult as it was, as one of the previous speakers stated, to see this turn of events come about, it was important to leaders in Decatur that ADM keep its global headquarters in this State, because at the end of the day, that is better for Decatur and for the State than if it were to leave and go somewhere else. So that's a point worth making, I think, today. Second of all, Senator Koehler mentioned this. This is a bill that offers something to the Senate that doesn't happen too often - it facilitates job creation in both the City of Chicago and a downstate community, and in almost equal parts. And we all know that those are two areas of the State that typically get pitted against each other in a debate such as this and it -- it draws lines in the sand. And what we sought to do was to recognize that, first and foremost, ADM needs to stay here in a balanced way and we need to turn the tide on job loss in Decatur. And that's ultimately what this bill seeks to do through the EDGE credit program. And I do want to address one final thing, Mr. President. We've had debates about EDGE credits here over the years, when I was on staff and now as a Member. And if my

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

colleagues recall, we passed Senate -- or, excuse me, House Bill 1544 last May, and a piece of that bill provides for a full review of EDGE. So DCEO is well underway in that process. And the bill requires DCEO to produce recommendations on how to change the EDGE tax credit program. And I think many of the things that we've debated today and in committee on both this bill and the previous bill dealing with EDGE ought to be considered by DCEO and ultimately I hope that we will have a bill in front of us that addresses things like making sure that small business can apply for EDGE, making sure that -- EDGE credits, in my mind, should be valued more in places with higher unemployment than in places with lower unemployment. Those are things that we should debate and I just want my colleagues to know that that is well on its way, and that was contained in 1544 last spring. I just simply ask for an Aye vote in closing, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, this is final action. The question is, shall House Bill 2536 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 39 voting Aye, 14 voting Nay, 0 voting Present. House Bill 2536, having received the required constitutional majority, is declared passed. 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 of the resolutions on the Consent Calendar?

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

75th Legislative Day

12/3/2013

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 will 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 66. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 66.

(Secretary reads HJR No. 66)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 66. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Harmon moves for the adoption of House Joint Resolution 66. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Ladies and Gentlemen, there being no further -- further business to come before the Senate, the Senate stands adjourned pursuant to the adjournment resolution, House Joint Resolution 66.