

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

81st Legislative Day

2/5/2014

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PRESIDING OFFICER: (SENATOR LINK)

The regular Session of the 98th General Assembly will please come to order. Will Members please be at their desk? Will our guests in the gallery please rise? The invocation today will be given by Chance Newingham, Lifegate International Ministry {sic} (Ministries).

PASTOR CHANCE NEWINGHAM:

(Prayer by Pastor Chance Newingham)

PRESIDING OFFICER: (SENATOR LINK)

Please remain standing for the Pledge Allegiance. Senator Cunningham.

SENATOR CUNNINGHAM:

(Pledge of Allegiance, led by Senator Cunningham)

PRESIDING OFFICER: (SENATOR LINK)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Tuesday, February 4th, 2014.

PRESIDING OFFICER: (SENATOR LINK)

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 LINK)

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

SECRETARY ANDERSON:

Senate Resolution 904, offered by Senator McGuire and all

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Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Resolution Consent Calendar.

SECRETARY ANDERSON:

Senate Resolution 903, offered by Senator Martinez.

It is substantive.

PRESIDING OFFICER: (SENATOR LINK)

Will all Members at the sound of my voice please come to the Senate Floor? We will be taking action. All Members at the sound of my voice please come to the Senate Floor immediately. We will be taking action. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Harmon, Chairperson of the Committee on Executive, reports Senate Bill 2747 Do Pass.

Senator Haine, Chairperson of the Committee on Insurance, reports Senate Bills 2634 and 2662 Do Pass.

PRESIDING OFFICER: (SENATOR LINK)

We'll turn to page 2 of our Journal {sic}. Mr. Secretary, 2nd Reading, Senate Bills. Senate Bill 2597. Senator Bertino-Tarrant. Do you wish to proceed? Yes. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2597.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2633. Senator Koehler. Senator

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Koehler. Do you wish to proceed? Yes. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2633.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2677. Senator Bush. Senator Bush. Do you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2677.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. To fulfill our responsibility under Article V, Section 9 of the Constitution, we will proceed to the Order of Advise and Consent. Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on appointments set forth -- Appointment Messages 188, 196, 266, 343 and {sic} (through) 353.

PRESIDING OFFICER: (SENATOR LINK)

Senator Muñoz moves the Senate to resolve itself into Executive Session for the purpose of acting on Appointment Messages just read. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Senate will resolve

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itself into Executive Session. Mr. Secretary, Motions in Writing - Appointment Messages.

SECRETARY ANDERSON:

I have a motion in writing from Senator Muñoz, Chairman of the Committee on Executive Appointments.

PRESIDING OFFICER: (SENATOR LINK)

Mr. Secretary, print the motions {sic} on the Calendar. Supplemental Calendar 1 has been printed and distributed. On the Supplemental Calendar 1, Mr. Secretary, Motions in Writing - Appointment Messages.

SECRETARY ANDERSON:

Pursuant to Senate Rule 10-1(c), as the Chairman of the Executive Appointments Committee, I move to compile the following Appointment Messages to be acted on together by a single vote of the Senate: Appointment Messages 188, 196, 266, 343 through 353 - Illinois Workforce Investment Board.

Dated, February 5th, 2014. Signed, Assistant Majority Leader Antonio Muñoz, Chairman, Executive Appointments Committee.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Muñoz moves to compile the Appointments of -- Appointment Messages to be acted on together by a single vote of the Senate. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The motion carries. Mr. Secretary, read the compiled appointments.

SECRETARY ANDERSON:

To be Members of the Illinois Workforce Investment Board: Terry Wilkerson, Appointment Message 188; Janet Payne, Appointment Message 196; Thomas Wendorf, Appointment Message 266; Margaret Schiemann, Appointment Message 343; Grover C. Webb, Appointment

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Message 344; Sophia Siskel, Appointment Message 345; Elizabeth A. Dickson, Appointment Message 346; Michael J. Williams, Appointment Message 347; Beverly Diane Williams, Appointment Message 348; Gary Swango, Appointment Message 349; Teresa M. Payne, Appointment Message 350; Scott Frick, Appointment Message 351; Tom Ashby, Appointment Message 352; and Henry Beards, Appointment Message 353.

PRESIDING OFFICER: (SENATOR LINK)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate do advise and consent to the appointment {sic} just read.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? The question is, shall the Senate advise and consent to the compiled Appointment Message {sic}. 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 50 Ayes, no Nays, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the compiled Appointment Message {sic}. Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR LINK)

Senator Muñoz moves the Senate to arise from Executive Session. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The motion carries. The Senate will arise from Executive Session. Senator Muñoz, for what purpose do you rise?

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SENATOR MUÑOZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have a guest here with me, Annette Gaytan, who's -- lives in Senator Van Pelt's district. She's from Pilsen. I knew her dad many years ago. I worked with her older brother. We were both policemen in the -- he was in 10; I was in the 11th District. Great family from the Pilsen area. If you can welcome her, I'd appreciate it.

PRESIDING OFFICER: (SENATOR LINK)

Welcome to Springfield. Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Thank you, Mr. President. A point of an announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR LIGHTFORD:

Ladies and Gentlemen of the Senate, February is Financial Aids {sic} Awareness Month. As you hopefully know, the Illinois Student Assistant {sic} (Assistance) Commission holds workshops all year for students and families to help them understand how to choose a college, how to apply and, of course, how to pay for it. It's especially important for students who are the first in their family to go to college. This month ISAC is focusing their outreach efforts on helping families to complete the FAFSA, which is the main financial aid application for college. It's how a



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student gets access to the MAP grant - and we're going to raise that amount, right? - Pell grants, and a lot of other student aid, which means it's how a lot of students get access to college. ISAC is working with financial aid advisors and high school counselors to host workshops. So you can have a workshop in your district at any high school of your choice all over the State. The goal is to help families learn more about financial aid and to help them complete the FAFSA application. I'd encourage you to check with -- with ISAC at [www.isac.org/calendar](http://www.isac.org/calendar) to see the list of events and to share that information with your constituents. If you don't see a workshop near you, you can call ISAC and they'll work with you to get one scheduled especially for you in your district. Happy Financial Aids {sic} Awareness Month. Please take advantage of this opportunity so we can help more students attend college. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Please turn to page 2 on the Calendar. Senate Bill 1227. Senator Steans, do you wish to proceed? Senator Steans -- or, Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 6 to Senate Bill 1227.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR LINK)

Senator Steans, on your motion.

SENATOR STEANS:

Yes, thank you, Mr. President. Senate Bill 1227 moves the Governor's budget address until March 26 of this year. I -- it's a very straightforward bill. The Governor's requested this because

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they want more time to repair {sic} a budget. Obviously, there's some unusual circumstances this year with the revenue projections and what's happening with the temporary income tax, and they'd also like to put in a five-year budget plan. So the Governor has requested us to move back the date. And I would urge an Aye vote on this.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR DILLARD:

Thank you, Mr. President and Members. I rise in opposition to the woman's motion to concur here. The Republicans and myself have supported these delays in the past, when it was logical; for example, when there is a change of a new Governor. But today's request is purely political. The Governor is waiting to see who his Republican opponent is and this denies taxpayers the opportunity to have input for a longer period of time into a very crucial budget. This would be the latest delay of a budget message, until March 26th, since Rod Blagojevich became the Governor in 2003. Cuts -- it cuts our time in half for available input, for debate and questions, in what is an incredibly crucial budget year that could determine the fate of the Democrats' -- your sixty-seven percent income tax increase. And Governor Quinn's move to delay is what you do in your first year, your first year as Governor, not in your fifth. So I would urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Thank you, Mr. President. I also rise in opposition to the

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lady's motion. If Governor Quinn had just been sworn in after the impeachment of Rod Blagojevich, we'd be looking at this differently, but he's had a number of years. There's nothing in our current situation that he hasn't had plenty of time to prepare for. He needs to deliver his budget address so the people of Illinois can know what is in it and we can debate that. Taking five weeks out of that process is unthinkable. We have serious problems facing Illinois. We've got huge unemployment in this State - third-highest in the nation. And consumer and business confidence is at an ultimate low. And we have to do something to move people forward. Delaying and kicking the can down the road by delaying the budget message doesn't help that. We need to bring jobs back to Illinois. And until we -- until we foster an environment of business and consumer confidence, we're not going to do that. And if we continue to delay budgets, it hurts that even further. So, you know, voting for this is just simply...

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady, excuse me... Could we keep the noise down, please? Let's end the conservations and listen to the person and we'll go from there. Thank you. Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I'll be brief in closing. Delaying the budget address does nothing to help jobs in Illinois. We need to get this issue moving forward, bring back consumer and business confidence, so we can bring jobs back for the people of Illinois. I encourage a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis, for what purpose do you rise?

SENATOR OBERWEIS:

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To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR OBERWEIS:

Ladies and Gentlemen, in the Appropriations Committee hearing yesterday, I asked if this was a political move or if this was something that had real reason behind it and I was told, "Oh, there are real reasons. This is not political." And I suggested, under those circumstances, a possible compromise would be to ask the Governor to present at least the first year at the scheduled time, which I think is February 19th, and then if he wants to continue with the next four years of the five-year plan, to present that later at his option. To me that would make an awful lot of sense. It would kind of satisfy everybody. And for that reason, I would encourage a No vote on this bill and ask him to come back with some type of a compromise suggestion along those lines. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Kotowski, for what purpose do you rise?

SENATOR KOTOWSKI:

To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR KOTOWSKI:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong support of this legislation, because -- you know, to one of the comments that was raised by a previous speaker: I think what businesses want to see is a long-term plan envisioned for the State of Illinois. I think what the Governor's

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Office has provided us, based on law that we passed, is a three-year projection on revenues and expenses. They are going one step further in putting together a five-year plan - a five-year vision - for what it's going to take in order to continue in the right direction for the State of Illinois. So I appreciate and applaud the approach by the Governor's Office, because this is what people are asking for when it comes to financial accountability. This is the type of long-term planning and vision that we need to see happen in our State and this is what -- this is what businesses will be looking for: What's going to happen on the horizon for the State of Illinois over the next five years? What is that plan? And what does that vision look like? I ask for an Aye vote on this. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR MURPHY:

I wasn't going to address this, but the previous speaker indicated that somehow it's necessary for us to get years four and five. The Governor has been in office for five years. He didn't just get dropped in here. His old running mate, Rod Blagojevich, didn't just leave. He's been here for five years. We have three years of this already. This is a total political sham - so much for the Governor's transparency promises. There's no transparency. He's cutting in half the time that the people of this State have to actually review a very critical budget.

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Transparency, real nice, real good when it helps the campaign, but when it gets in the way, no thanks, let's sacrifice it. We've seen him do it before and he's doing it again. This is a disrespectful step to the people of this State, who deserve budget transparency. And to try and wrap this in some sort of good government, we're going to look long term, please, we've all seen this act before. Don't -- at least if you're going to do this for the Governor to get him through the primary, if you're going to do it, at least do it quietly and don't insult our intelligence by claiming that this is anything other than what it is, political cover for a Governor who wants to get through an election.

PRESIDING OFFICER: (SENATOR LINK)

President Cullerton, for what purpose do you rise?

SENATOR J. CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. I certainly rise in support of the bill, but I also wanted to reflect on the fact that as an institution, I think we should be very proud that we have Members, both Republican and Democrat, who are running statewide. And no matter what happens in November, I think, as an institution, we should be proud of the fact that we have people that aspire. The reason why I mention that is because this particular year and this particular budget that we're talking about is very interesting, because we have two Members of the Minority Party who are actually candidates for Governor and -- and anticipate becoming the Governor and actually being the Governor during the very budget that we are discussing right now, so that it would make sense that they would have a particular interest in this budget and they're expressing disappointment that the Governor is not unveiling his budget on February 19th. So what I

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would propose is that we, here in the Senate, set aside February 19th for a forum, where anyone here can present their own ideas for the budget. Surely people who have been running for Governor for five years have some ideas about what their budget should be. We've heard, at -- at a minimum, how much they think the revenue should be. Now the question is, where do you want to spend it? And so I would encourage anyone here, any Democrat or Republican, on February 19th, the day that we were going to hear from the -- the Governor, to present their ideas for the budget. I know I'm going to work on it. We'll have our staff do the same. I -- I know that -- you have the advantage of having great staff on both -- both sides of the aisle to present these ideas. Because I think people want to know, you can only -- you can't just do half. You can't just say, well, this is where I think the taxes should be at and not explain where you want to spend the difference. So, February 19th, that would be the day we'll make that forum available, whether it be -- we'll -- we'll take your suggestions as to what the best way would be to do that. In the meantime, we should pass this at the Governor's request. Obviously, we've moved the budget eight times since 1992, with various support from both Republicans and Democrats during the course of that. It's not an unusual request. The Governor stated why he needs more time. But for those who are disappointed in this, February 19th is the day. Have your budgets ready.

PRESIDING OFFICER: (SENATOR LINK)

Senator Steans, to close.

SENATOR STEANS:

Yes, thank you. I appreciate the dialogue on this issue. As noted, there have been multiple times when Governors have asked

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the Legislative Body to do them the courtesy of moving back the budget date. We did it in 1992 for Governor Edgar, moving it back to April 7th of that year. We have done it multiple times since, for Governor Blagojevich as well as Governor Quinn previously. You know, this really is an unusual budget year. We all understand the challenges that we're going to be facing with our revenues. You know, I had the honor of being at a Conference of State Legislatures' Fiscal Leaders panel this last weekend and one of the things they were highly recommending is that we do multiple-year budgets. I think it's encouraging that the Governor is going to in fact do that for us. A five-year budget plan, I think, is a -- a good move and I do think we have a lot of extenuating circumstances that we should be addressing in the budget. I would urge an Aye vote and I can also just say that it certainly will not preclude us from going ahead and doing the work and ensuring full transparency. We'll be starting budget hearings in February on this in our Appropriation Committees and we can certainly have plenty of opportunity to have the public understand the -- the challenges of our budget and weigh in. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall the Senate concur on House Amendments 1 and 6 to Senate Bill 1227. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 15 Nays, none voting Present. Having received the required constitutional majority, the Senate -- does concur with House Amendments 1 and 6 to Senate Bill 1227, and the bill is declared passed. Still on page 2 of the Calendar, we will go to Senate {sic} (Secretary's) Desk, Resolutions.



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Senator Hutchinson, do you want to proceed? Mr. -- Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 893, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hutchinson, on your resolution.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Senate. Senate Resolution 893 celebrates the centennial anniversary of the Gamma Chapter of Alpha Kappa Alpha Sorority, Incorporated, and commemorates the women and the legacy of the Gamma Chapter by designating February 12th, 2014, as "Gamma Day" in the State of Illinois.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution -- have it -- the Ayes have it, and the resolution is adopted. We will proceed to the Order of Resolution Consent Calendar. With leave of the Body, all resolutions read 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:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? If not, the question is, shall the -- the -- 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. Mr. Secretary, Messages from the House.

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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 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 70.

Offered by Senator Harmon.

(Secretary reads HJR No. 70)

Adopted by the House, February 4th, 2014. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR LINK)

On the Order of Resolutions is House Joint Resolution 70. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 70, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon moves to suspend the rules for the purposes of immediate consideration and adoption of House Joint Resolution 70. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Harmon moves the -- the adoption of House Joint Resolution 70. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Frerichs, for what purpose do you rise?

SENATOR FRERICHS:

For a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR FRERICHS:

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I want to make an announcement to the Body. A longtime -- a longtime friend of many people here in this Chamber is having a birthday party this evening. It's not often that we announce birthday parties for people, but when they hit a ninetieth birthday and they have a big party here in Springfield, I think it's worthy of our attendance. If people are not hitting the roads and going home, I'd encourage you to attend a birthday party this evening for Dick Lockhart. It's his ninetieth birthday. It'll be at the Sangamo Club at 5 o'clock this evening. I'm sure he and his family, who are coming in, would appreciate your attendance. Thanks.

PRESIDING OFFICER: (SENATOR LINK)

There being no further business to come before the Senate, the Senate stands adjourned till the hour of noon on the 18th day of February, 2014. The Senate stands adjourned.