

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

92nd Legislative Day

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PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the 98th General Assembly will come to order. Will all the Members be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Father Robert Jallas, St. Agnes Catholic Church, Springfield, Illinois. Father.

FATHER ROBERT JALLAS:

(Prayer by Father Robert Jallas)

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 Tuesday, March 4th, 2014.

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 970, offered by Senator Duffy and all

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Members.

It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Koehler, Chairperson of the Committee on Agriculture and Conservation, reports Senate Bill 3333 Do Pass; Senate Bill 2658 and 3000 Do Pass, as Amended; and Senate Amendment 2 to Senate Bill 2903 Recommend Do Adopt.

Senator Hunter, Chairperson of the Committee on Human Services, reports Senate Bills 3009, 3216 and 3421 Do Pass.

Senator Delgado, Chairperson of the Committee on Education, reports Senate Bills 3214 and 3274 Do Pass.

Senator Mulroe, Chairperson of the Committee on Public Health, reports Senate Bills 2659, 2763 and 3055 Do Pass, as Amended.

Senator Frerichs, Chairperson of the Committee on Higher Education, reports Senate Bill 2765 Do Pass, as Amended.

Senator Raoul, Chairperson of the Committee on -- on Judiciary, reports Senate Bills 1941, 3023, 3096, 3231, 3265, 3290 Do Pass; and Senate Bills 2782 and 3228 Do Pass, as Amended.

Senator Noland, Chairperson of the Committee on Criminal Law, reports Senate Bills 2956 and 3332 Do Pass; and Senate Bill 2937 Do Pass, as Amended.

Senator Jones, Chairperson of the Committee on Local Government, reports Senate Bills 3294, 3314, 3387 and 3408 Do Pass.

Senator Collins, Chairperson of the Committee on Financial Institutions, reports Senate Bill 3423 Do Pass.

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Senator Forby, Chairperson of the Committee on Labor and Commerce, reports Senate Bills 3038 and 3125 Do Pass; and Senate Bill -- Senate Bills 2648 and 3411 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR SULLIVAN)

James Carder with Blueroomstream.com requests permission to videotape. Seeing no objection, leave is granted. 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 56.

Offered by Senator Holmes, and adopted by the House, March 4th, 2014.

We have a like Message on House Joint Resolution 59, offered by Senator Collins, and adopted by the House, March 4th, 2014. Timothy D. Mapes, Clerk of the House. They are substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, will all Members within the sound of my voice please come to the Senate Floor? All Members within the sound of my voice please come to the Senate Floor. We'll be going to the Order of 2nds and then 3rd Readings. Mr. Secretary, House Bills. Mr. Secretary, House Bills 1st Reading.

SECRETARY ANDERSON:

House Bill 3672, offered by Senator Hutchinson.

(Secretary reads title of bill)

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House Bill 3784, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 4523, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill 4534, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 4585, offered by Senator Harris.

(Secretary reads title of bill)

House Bill 4590, offered by Senator Brady.

(Secretary reads title of bill)

House Bill 4205 {sic}, offered by Senator Biss.

(Secretary reads title of bill).

House Bill 4277, offered by Senator... I apologize. House  
Bill -- 4208, offered by Senator Biss.

(Secretary reads title of bill)

House Bill 4462, offered by Senator Sandoval.

(Secretary reads title of bill)

House Bill 4277, offered by Senator Morrison.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, once again, we're going to go to the Order of 2nd Readings and then right away to 3rd Readings. Everybody within the sound of my voice please come to the Senate Floor. Ladies and Gentlemen, if you'll turn to the regular Calendar on the top of page 2 on the Order of Senate Bills 2nd Reading. Top of page 2, the Order of Senate Bills 2nd Reading. First up on the Calendar is Senate Bill 2674. Senator Harmon. Out of the record. Senate Bill 2698. Senator Bertino-Tarrant.

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Out of the record. Senate Bill 2710. Senator Cunningham. Out of the record. Senate Bill 2760. Senator Lightford. Out of the record. Senate Bill 2803. Senator Kotowski. Senator Kotowski. Out of the record. Next up, we have Senate Bill 2854. Senator Emil Jones. Senator Jones. Senator Emil Jones. You wish to move this bill to 3rd? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2854.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up on the Calendar, we have Senate Bill 2928. Senator Link. Mr. Secretary, out of the record. Senate Bill 2939. Leader Harmon, on 2939. Out of the record. Senate Bill 2978. Senator Muñoz. Senator Muñoz. Mr. Secretary, out of the record. Senate Bill 2992. Senator Harmon. Leader Harmon. Out of the record. Senate Bill 2997. Senator Link, you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2997.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up, we have Senate Bill 3027. Senator Link. Mr. Secretary, please read the gentleman's bill.

SECRETARY ANDERSON:

Senate Bill 3027.



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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up on the Calendar - Ladies and Gentlemen, we're on page 2 of the printed Calendar, Senate Bills 2nd Reading - we have Senate Bill 3028. Leader Silverstein. Senator Silverstein. Out of the record. Senator Silverstein reappeared. Mr. Secretary, on Senate Bill 3028, please read the gentleman's bill.

SECRETARY ANDERSON:

Senate Bill 3028.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up, we have Senate Bill 3029. Senator Link. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3029.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Financial Institutions adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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3rd Reading. Ladies and Gentlemen, we're towards the bottom of page 2 of the printed Calendar, on the Order of Senate Bills 2nd Reading. We have Senate Bill 3040. Senator Raoul. Do you wish to move this bill to 3rd? Mr. Secretary, please take it out of the record. At the bottom of the page, we have Senate Bill 3135. Senator Muñoz. Leader Muñoz. Out of the record. Let's turn to the top of page 3 of your printed Calendar, again, on the Order of Senate Bills 2nd Reading. We have Senate Bill 3224. Senator Hutchinson. Senator Hutchinson, on Senate Bill 3224. Out of the record. Ladies and Gentlemen, with leave of the Body, we're going to go back to the top of page 3, on the Order of Senate Bills 2nd Reading. We have Senate Bill 3224. Senator Hutchinson. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3224.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Ladies and Gentlemen, we're going to go to Supplemental Calendar No. 1. It has been distributed. It is on your desks. Supplemental Calendar No. 1, Senate Bills 2nd Reading. First item on the agenda is Senate Bill 1941. Senator Mulroe. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1941.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senate Bill 2648. Senator Althoff. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2648.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Labor and Commerce adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Again, Ladies and Gentlemen, we are on Supplemental Calendar No. 1, on the Order of 2nd {sic} Bills 2nd Reading. Next up, we have Senate Bill 2658. Senator Connelly. Mr. Secretary, out of the record. Senate Bill 2659. Senator Silverstein. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2659.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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3rd Reading. Senate Bill 2763. Senator Sandoval. Senator Sandoval. Out of the record. Senate Bill 2765. Senator Righter. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2765.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Higher Education adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senate Bill 2782. Senator Koehler. Mr. Secretary, out of the record. Senate Bill 2937. Senator Biss. Mr. Secretary, please read the gentleman's bill.

SECRETARY ANDERSON:

Senate Bill 2937.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senate Bill 2956. Senator Syverson. Senator Syverson. Out of the record. Senate Bill 3000. Senator Biss. Mr. Secretary, please read the bill.

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SECRETARY ANDERSON:

Senate Bill 3000.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. We're in the middle of the Supplemental Calendar No. 1, Ladies and Gentlemen, Senate Bills 2nd Reading. We have Senate Bill 3009. Senator Morrison. Mr. Secretary, please read the lady's bill.

SECRETARY ANDERSON:

Senate Bill 3009.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senate Bill 3023. Senator Mulroe. Mr. Secretary, out of the record. Senate Bill 3038. Senator Raoul. Out of the record. Senate Bill 3055. Senator Biss. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3055.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health adopted

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Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senate Bill 3096. Senator Hastings. Senate Bill 3096. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3096.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senate Bill 3125. Senator Noland. Senate Bill 3125. Senator Noland. Mr. Secretary, out of the record. Senate Bill 3214. Senator Syverson. Senator Syverson. Out of the record. Mr. Secretary, Senate Bill 3216. Senator Lightford. Leader Lightford. Out of the record. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Point of -- point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Rose.

SENATOR ROSE:

Ladies and Gentlemen, I'm honored today to be joined in the gallery by Parkland College from Champaign. It's their Dental Hygiene program, a couple of their instructors and some of their

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students. So if you'd welcome 'em to Springfield. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, let's welcome our guests from Parkland College. Nice to have you here today. Thanks for joining us. Senator Koehler, for what purpose do you rise?

SENATOR KOEHLER:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Koehler.

SENATOR KOEHLER:

Didn't mean to be so loud there. Actually, I've got two announcements I want to make. One is, I want to wish a very, very happy birthday to my Legislative Assistant Roseann Visintin. And she will kill me when she sees me because she doesn't like..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, let's show our -- congratulations to Roseann. A happy birthday, Roseann. Senator Koehler.

SENATOR KOEHLER:

...President. Secondly, I want to give a good welcome to Springfield to all of our friends from A.B.A.T.E., who are in the galleries all around us. And there is a piece of legislation which they were instrumental in helping to negotiate - it's Senate Bill -- 2633 - which we'll get to eventually today. But I'd just like to have the Senate welcome all the members of A.B.A.T.E.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will our -- will our guests in the galleries with A.B.A.T.E. please rise? And welcome to the Illinois Senate. Nice to have you here today. Thanks for joining us. Senator Hastings, for what purpose do you rise?

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SENATOR HASTINGS:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Hastings.

SENATOR HASTINGS:

So today in -- in the grandstands -- yesterday we had passed a bill for the Illinois Military (Family) Relief to grant funding for grants to military families. And today I have the honor of introducing General Krumrei. General Krumrei is the Commanding General of the Illinois National Guard. He commands over thirteen thousand men and women that serve Illinois in our greatest time of need. And I know we're going to consider a few bills today and - - but I just wanted to give him a warm welcome from Springfield. And thank you for your service, sir.

PRESIDING OFFICER: (SENATOR SULLIVAN)

General, welcome to the Illinois State Senate. Thanks for joining us today. Ladies and Gentlemen, we're going to return to Supplemental Calendar No. 1. And we are on Senate Bill 3228. Senator Haine. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3228.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.



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PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senate Bill 3231. Senator Silverstein. Senator Silverstein. Out of the record. Senate Bill 3265. Senator Haine. Mr. Secretary, please read the gentleman's bill.

SECRETARY ANDERSON:

Senate Bill 3265.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now at the bottom of that first page on Supplemental Calendar No. 1, we have Senate Bill 3274. Senator Holmes. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3274.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. On the second page of Supplemental Calendar No. 1, we have, at the top of the page, Senate Bill 3290. Senator McGuire. Senator McGuire. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3290.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up, we have Senate Bill 3294. Senator

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McConnaughay. Senator McConnaughay. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3294.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up, we have Senate Bill 3314. Senator Syverson. Senator Syverson. Out of the record. Senate Bill 3332. Senator Bush. Senator Bush. Out of the record. Senate Bill 3333. Senator Bush. Out of the record. Senate Bill 3387. Senator McConnaughay. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3387.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senate Bill 3408. Senator Raoul. Out of the record. Senate Bill 3411. Senator Manar. Senator Manar. Out of the record. Senate Bill 3421. Senator Morrison. Out of the record. With leave of the Body, we'll come back to 3423 at another time. Ladies and Gentlemen, 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 the President's Anteroom? All members of the Committee on Assignments to the President's Anteroom. The Senate will stand at ease. (at ease) Mr. Secretary, Resolutions.

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SECRETARY ANDERSON:

Senate Joint Resolution 58, offered by President Cullerton.  
It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Senate Bills {sic} 3565 and Senate Resolution 634; refer to Criminal Law Committee - Senate Bills 3434, 3445, 3446, 3469, 3470, 3502, 3522, 3538, 3547 and 3558; refer to Education Committee - Senate Bills 3497, 3508, 3533, 3534, 3540, 3541, 3554, 3573, Senate Resolution 638 and Senate Joint Resolution 44; refer to Energy Committee - Senate Bill -- Senate Bills 3436, 3437, 3456, 3457, 3483, 3484, 3485, 3492, 3562, Senate Resolution 635 and Senate Resolution 912; refer to Environment Committee - Senate Bill -- Senate Bills 3431 and 3546; refer to Executive Committee - Senate Bills 3426, 3427, 3439, 3461, 3478, 3479, 3481, 3482, 3493, 3496, 3501, 3515, 3517, 3539, 3549, 3555, 3563, 3567, 3568, 3569, Senate Resolutions 855 and 969; refer to Financial Institutions Committee - Senate Bill 3566; refer to Higher Education Committee - Senate Bills 3441, 3451, 3452, 3526, 3527, 3528, 3553, Senate Resolution 903 and Senate Joint Resolution 49; refer to Human Services Committee - Senate Bill 3429; refer to Insurance Committee - Senate Bill 3501 {sic} (3504) and Senate Resolution 662; refer to Judiciary Committee - Senate Bills 3438, 3444, 3467, 3468, 3475, 3495, 3499, 3500, 3532, 3537, 3559, 3560 and 3561; refer to Labor and Commerce Committee - Senate Bills 3514 and 3530; refer to Licensed

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Activities and Pensions Committee - Senate Bill 3430, 3486, 3488, 3491, 3551 and 3575; refer to Local Government Committee - Senate Bills 3425, 3454, 3503, 3507, 3510, 3518, 3552 and 3557; refer to Public Health Committee - Senate Bills 3432, 3440, 3450, 3512, 3516, 3520, 3524, 3531 and Senate Joint Resolution 53; refer to Revenue Committee - Senate Bills 3428, 3447, 3448, 3449, 3464, 3476, 3480, 3498, 3535, 3536, 3564 and 3574; refer to Special Committee on Watercraft Safety - Senate Bill 3433; refer to State Government and Veterans Affairs Committee - Senate Bills 3443, 3462, 3521, Senate Resolution 837 and Senate Joint Resolution 51; refer to Transportation Committee - Senate Bill -- Senate Bills 3471, 3548, Senate Resolution 639, Senate Joint Resolutions 47 and 48 and 56; Be Approved for Consideration - Senate Bills 118, 216, 274, 346, 641 and Senate Bills 1996 through 2016 and Senate Resolution 684.

Signed, Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Criminal Law Committee - Committee Amendment No. 2 to Senate Bill 2583; refer to Environment Committee - Committee Amendment 1 to Senate Bill 2966; refer to Executive Committee - Floor Amendment 1 to Senate Bill 451, Committee Amendment 1 to Senate Bill 2584, Committee Amendment 1 to Senate Bill 2797, Committee Amendment 2 to Senate Bill 2797, Committee Amendment 1 to Senate Bill 3072, Committee Amendment 2 to Senate Bill 3129, Committee Amendment 1 to Senate Bill 3312, Committee Amendment 1 to Senate Bill 3409 and Committee Amendment 1 to Senate Bill 3413; refer to Higher Education Committee - Committee Amendment 1 to Senate Bill 2846 and Committee Amendment 1 to Senate Bill 3017;

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refer to Human Services Committee - Floor Amendment 1 to Senate Bill 739; refer to Judiciary Committee - Committee Amendment 1 to Senate Bill 3286; refer to Licensed Activities and Pensions Committee - Floor Amendment 1 to Senate Bill 638, Floor Amendment 1 to Senate Bill 2774 and Committee Amendment 1 to Senate Bill 3077; refer to Local Government Committee - Committee Amendment 1 to Senate Bill 3106; refer to Revenue Committee - Floor Amendment 1 to Senate Bill 345, Floor Amendment 1 to Senate Bill 500, Committee Amendment 2 to Senate Bill 2977, Committee Amendment 1 to Senate Bill 3259, Committee Amendment 1 to Senate Bill 3285 and Committee Amendment 1 to Senate Bill 3382; refer to State Government and Veterans Affairs Committee - Committee Amendment 1 to Senate Bill 3042 and Committee Amendment 1 to Senate Bill 3393; refer to Transportation Committee - Floor Amendment 2 to Senate Bill 2932.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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 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 4262.

We have received like Messages on House Bills 4334, 4336, 4340, 4403, 4405, 4417, 4522, 4530, 4569, 4586, 4606 and 4649. Passed the House, March 5th, 2014. Timothy D. Mapes, Clerk of the House.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, we're going to go to the Order of 3rd Reading, Senate Bills 3rd Reading. If you'll turn to the regular Calendar, on page 5 of the regular Calendar, towards the bottom of the page. Towards the bottom of page 5 of the regular Calendar on the Order of Senate Bills 3rd Reading. We're going to start with Senate Bill 2980. Senator Koehler, do you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2980.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. This bill was brought to me by the Township Officials of Illinois. What it does, it inserts language that allows the township clerk the option of providing a copy of a statement of financial affairs of the township to the electors, in addition to the current language requiring the clerk to read aloud the statement at the annual township meeting. I know of no opposition. Appreciate your support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 2980 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.

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On that question, there are 55 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 2980, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have Senate Bill 2985. Senator Bivins, on 2985. Mr. Secretary, out of the record. Senate Bill 2991. Senator Bertino-Tarrant. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2991.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

Thank you, Mr. President and Members of the Senate. This bill amends the Park District Code by allowing a board of a park district to borrow money from a financial institution, which requires it to be repaid within two years from the general fund. This legislation does not allow for new borrowing nor allows a local board to exceed its debt limit. This method is a cheaper, more cost-effective approach and is mirrored to a bill that passed out of this Chamber unanimously last year.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator McCarter.

SENATOR McCARTER:

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Senator, what -- what avenues for borrowing do park districts currently have?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

Tax warrants/bonds.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Why is it that that -- that option is not enough? Why do they -- why do they need another option to borrow funds?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

Most importantly, is because it is a -- a cheaper format. I -- in -- in committee, I explained that. For instance, when one of my local park districts was waiting for the OSLAD grant to come in, if they were able to do a short-term promissory note, they would have saved about fifteen thousand dollars. So it's a cheaper form of borrowing for our local government.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

And, I mean, what -- what time period are we talking about? What kind of interest rate? When we were in the committee, someone from local government said that it really wasn't that costly to -- to, you know, to get funds now; that they can't see where this would be a savings. What kind of a rate are you talking about? What kind of time? How is it going to be paid back? How do the



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taxpayers know what is being obligated on their behalf?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

Why, I can't speak on the -- the financial institute that they are borrowing from, but in regards to -- it is a two-year period and, therefore, they can -- they can repay the money through general fund, so that's a program fee, a user fee, and as I just said, such as a grant that they received.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Is there -- are there any restrictions in this bill as to where they can go to borrow this money? Can they go -- can they go to anyone? Does it have to go out -- do you have to get a -- a bid from different banks? I mean, what are the requirements on that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

The bill says a bank or other financial institution.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

To the bill: I think the -- the last answer indicates where some of the problems could be, and that is that we don't know whether, you know, it's going to be a local bank, block down the road, three blocks down the road. This is one more way, I believe, that we're obligating the taxpayers without their -- without

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complete transparency. And I think this is just the -- this is the wrong direction to go. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Righter.

SENATOR RIGHTER:

Senator, first of all, I want to thank you for the courtesy of coming over and visiting with me a little bit about the bill beforehand. And you and I had a conversation about what restrictions are in the bill with regards to repayment of these borrowed funds. And you talked about general -- that there was a restriction to general revenue funds. I want to read from the bill, and I'm looking at page -- at the very top of page 4. Okay. And I'm actually going to start at the very bottom of page 3, at the start of the sentence. "The obligation to make the payments due under the promissory note or other debt instrument shall be a lawful direct general obligation of the park district payable from the general funds of the {sic} (that) district and" other such -- other -- I'm sorry, "...other sources of payment as are otherwise lawfully available." So, taking that language in context, would you agree that the language, as it's on your bill right now, would allow the park district to repay the borrowed funds not just from general revenue funds, but from other borrowed funds as well?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

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SENATOR BERTINO-TARRANT:

We have -- we have discussed this with the park district numerous times and he has assured us that, no, that is not the situation here. That the "otherwise lawfully available" would be things such as program fees, user fees, or if a grant is repaid.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Well, now, Senator, I want to be clear on this, 'cause this is -- this is important. There are units of government, including the one that you and I serve in right now, that have kind of got in trouble by using borrowed moneys to repay borrowed moneys, and -- and I don't know, but the -- here -- so, are you -- do you agree that you could use, under this language, borrowed money to repay borrowed money? I'm -- I appreciate that -- I can't imagine you'll find a park district board member anywhere who will say, "Oh, yeah, that's what we're going to do", but would you agree that under the language, since borrowed money would be -- are legal moneys, that under this bill that they could do that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

I specifically asked that question and I was told no.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Can I ask who gave you the interpretation that the sentence, general funds or such other sources, doesn't include other sources other than general funds? I mean, who gave you that

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interpretation?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

The park district. The park district, and -- and they also wanted me to remind you too that, again, this is a bill that was mirrored from one that we did last year as well. Same language.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly to the bill, if I might? Thank you. Ladies and Gentlemen of the Senate, I have not had the opportunity to check to see if the bill that was passed earlier with regards to other units of local government also allowed them to repay borrowed funds with borrowed funds, but this bill clearly does. There is -- even the most strained interpretations of this language will not allow any thinking person to come to the conclusion that only general revenue funds could be used to repay this. We do not want to set another unit of local government on a course by saying, "You know what? You're going to pay off this credit card with another credit card." With that I would respectfully urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Syverson, for what purpose -- excuse me. Senator Bertino-Tarrant, for what purpose do you rise?

SENATOR BERTINO-TARRANT:

At this time, I'm going to pull this so I can verify that information.

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Mr. Secretary, please remove Senate Bill 2991 from the record. Ladies and Gentlemen, next up on the Calendar, we have Senate Bill 2998. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2998.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. Senate Bill 2998 amends the Nurse Practice Act. It requires that licensed advanced practice nurse maintain current, national certification after initial licensure and removes an exemption concerning advanced practical {sic} (practice) nurse licensed before the 95th General Assembly. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 2998 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. Senate Bill 2998, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, if you'll turn to the top of page 6 of the printed Calendar, we have Senate Bill 2999. Senator Martinez. Mr. Secretary, out of the record. With leave of the Body, we'll come back to 3008 and go to Senate Bill 3022. Senator Mulroe. Mr.

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Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3022.

(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 Bill 3022 amends the Access to Justice Act by requiring the task force to submit a report containing its finding and recommendations upon review of the statutory fees imposed or assessed on criminal defendants and civil litigants to the Supreme Court and the General Assembly and extending it to June 1, 2016, instead of what was originally in the bill that was passed -- which was June 1, 2014.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 3022 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. Senate Bill 3022, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have Senate Bill 3035. Senator Althoff. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3035.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. Senate Bill 3035 actually just codifies what is already current practice for the Department of Public Health. And what they do is -- this would actually protect money that we would set aside to pay for nursing home surveyors, who are the entities that go into the nursing homes to determine whether or not they're following all of our regulations. This bill will allow them not to have that money diverted to any other purpose. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 3035 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 3035, having received the required constitutional majority, is declared passed. Next up on the Calendar is Senate Bill 3036. Senator Althoff. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3036.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

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SENATOR ALTHOFF:

Yes, thank you. Senate Bill 3036 is a very simple piece of legislation. It's permissive and it allows property tax collector books to be created, transmitted, and stored electronically. Be happy to answer any questions. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 3036 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. Senate Bill 3036, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have Senate Bill 3048. Senator Holmes. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3048.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Holmes.

SENATOR HOLMES:

Thank you so much, Mr. President. Senate Bill 3048's a recommendation of the Health Care Council of Illinois. And basically what it's doing is modifying the definition of providers to include nursing homes in both the Managed Care Reform and Patient Rights Act and the HMO Act. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)



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Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 3048 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. Senate Bill 3048, having received the required constitutional majority, is declared passed. In the middle of the page 6 of the Calendar, Ladies and Gentlemen, we have Senate Bill 3056. Senator Biss. Out of the record. Senate Bill 3057. Senator Haine. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3057.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine.

SENATOR HAINE:

Mr. President, Ladies and Gentlemen of the Senate, this is an initiative of the common interest community associations and they would like to be relieved of the burden to provide a bunch of copies to people if the leases are less than thirty days.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 3057 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. Senate Bill

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3057, having received the required constitutional majority, is declared passed. Senate Bill 3071. Senator Cunningham. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3071.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cunningham.

SENATOR CUNNINGHAM:

Thank you, Mr. President. Senate Bill 3071 is an initiative of several library boards in my district, as well as the Illinois Library Association. It updates the Library Act and will give library boards the exact same procurement flexibility that the General Assembly has afforded to park districts, school boards, and other local government agencies in recent years. I know of no opposition. It passed out of committee on the agreed bill list and I'd appreciate the Chamber's support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 3071 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. Senate Bill 3071, having received the required constitutional majority, is declared passed. Senate Bill 3074. Senator Mulroe. Mr. Secretary, please read the bill.

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Senate Bill 3074.

(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. This is an initiative of the Illinois Probation and Court Services Association. Senate Bill 3074 adds to the uniform -- Unified Code of Corrections that a court may extend probation or conditional discharge that was concurrent to, consecutive to, or uninterrupted {sic} (interrupted) by a term of imprisonment for the purpose of providing additional time to complete an order of restitution. I know of no opponents. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 3074 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. Senate Bill 3074, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have Senate Bill 3095. Senator Barickman. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3095.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Barickman.

SENATOR BARICKMAN:

Thank you. Thank you, Mr. President. Senate Bill 3095, it allows the State Treasurer's Bank Services Trust Fund to pay for certain services that are pertinent to the Treasurer's Office and that Fund. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 3095 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, 0 voting Present. Senate Bill 3095, having received the required constitutional majority, is declared passed. Senate Bill 3113. Senator Barickman. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3113.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Barickman.

SENATOR BARICKMAN:

Thank you, Mr. -- Mr. President. This bill allows Milford Township High School District 233 to exceed its statutory debt limit so long as five specific conditions are met, including local voter approval. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion?

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Seeing none, the question is, shall Senate Bill 3113 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, 0 voting Nay, 1 voting Present. Senate Bill 3113, having received the required constitutional majority, is declared passed. Senate Bill 3156. Senator Collins. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3156.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3156 is an initiative of Heartland Alliance that allows the Commission on the Elimination of Poverty to establish additional goals.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 3156 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. Senate Bill 3156, having received the required constitutional majority, is declared passed. Senate Bill 3222. Senator Manar. Senator Manar. Out of the record. Senate Bill 3234. Senator Biss. Mr. Secretary,

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please read the bill.

SECRETARY ANDERSON:

Senate Bill 3234.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

SENATOR BISS:

Thank you, Mr. President, Members of the Senate. Senate Bill 3234 addresses the following situation. Right now, in law, there's a two dollar and fifty fee on the purchase of tires and there's a mechanism by which the retailer can remit the fee to the supplier and have the supplier then make the payment, but the retailer is only obligated to pay a dollar of the two dollar and fifty fee, leaving the supplier holding the bag for a dollar fifty. This simply corrects that mistake and harmonizes the current State law.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 3234 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. Senate Bill 3234, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we're going to go back to the start of the Senate Bills 3rd Reading, but we're going to skip over the ones that are shell bills. So we'll start with Senate Bill 1681. So if you'll turn to the top of page 4 of your printed Calendar, at the top of the page, we have Senate Bill 1681. Senator

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Link. Mr. Secretary, please read the bill. Senator Link seeks leave of the Body to return Senate Bill 1681 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have Senate Bill 1681. Mr. Secretary, are there -- are there any committee or Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Link.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, on Amendment 3.

SENATOR LINK:

Thank you, Mr. President. This just basically corrects a number of situations that were asked about from the other side to clarify the bill a little bit further.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. 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. Next up on the Calendar, we have Senate Bill 2363. Senator Martinez, on 2363. Out of the record. Senate Bill 2598. Senator Althoff. Senator Althoff. Out of the record. Senate Bill 2608. Senator Barickman. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2608.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Barickman.

SENATOR BARICKMAN:

Thank you, Mr. President. Senate Bill 2608 addresses problems and concerns in the marketplace regarding certificates of insurance. This is the result of a bulletin issued by the Illinois Department of Insurance. And I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 2608 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. Senate Bill 2608, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have Senate Bill 2609. Senator Noland. Senator Noland. Out of the record. Senate Bill 2612. Senator Kotowski. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2612.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Mr. President. It's a pleasure to see you today. Senate Bill 2612 is an initiative of the Department of



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Revenue. The bill provides funding to allow the Department of Revenue to hire seventy-five additional auditors. Creates a dedicated revenue stream to fund those positions by depositing five percent of revenue generated by compliance audits into the Tax Compliance (and) Administration Fund. The Department's fiscal year '14 budget included a 4.8 million dollar appropriation for the -- from the Tax Compliance Administrative {sic} Fund to hire seventy-two -- seventy-five new compliance auditors. The Department has yet to hire these auditors due to lack of revenues. The Department of Revenue is proposing to hire new auditors to identify and collect unpaid taxes and encourage voluntary compliance with tack laws -- tax laws. According to the Department, additional auditors are projected to bring in an additional eighty million to 94.6 million in financial benefits to the State for fiscal year '14 through fiscal year '16 at a cost of nineteen million.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

Questions of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator McCarter.

SENATOR McCARTER:

Senator, I'm -- I'm not sure that everyone here understands what we're about to do. If -- if you're in the committee, you know about this. But, if you could, explain to us not just how much money, but the process by how we're going to increase revenue collections and take a portion of those, and what is that portion,

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to pay for these new auditors. If you could just explain to us how that's going to happen, I'd appreciate it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Sure. Thank you very much for your -- your question, Senator McCarter. And I believe we -- we had a healthy and robust discussion in committee. You know, new auditors are going to be hired in order to collect taxes, unpaid taxes, for the State of Illinois. And the -- that percentage of money is going to be in a -- a -- you know, a dedicated fund -- or, to fund these positions by depositing five percent of the revenue generated by the compliance audits into the Tax Compliance and Administration Fund.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Senator, I think your estimate was we're going to hire twenty more auditors, I believe that was. I -- I don't know if that's the exact number, but... Senator, how many...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

If you would, tell us how many auditors are you going to hire through this process?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Sure, Senator. Seventy-five.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator McCarter.

SENATOR McCARTER:

So, if seventy-five is good, why not a hundred and fifty? Why not three hundred? I mean, how long can we take five percent of what we collect and have collected everything that really people owe?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

You know, I -- I'm not from downstate, but I'm going to give you something that will resonate with you. Pigs get fed; hogs go to slaughter. So we're starting out with seventy-five and we're going to try and collect some of the revenue that's out there that people owe the State. And hopefully, we can have some success on this front, generate some much-needed resources, and make sure that there's, you know, parity and fairness so we can be able to generate some funds.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

To the bill: I -- you know, I -- I appreciate the -- the sponsor's attempt at livestock analogies to somehow -- you know, communicate clearly to us simple folks from the south, but, Ladies and Gentlemen, to the bill, you've got small businesses in this -- in this State who are being put out of business by unfair audits, by audits that burden them to the point that they just quit. Now, people that should pay -- the people that owe tax should pay tax. But I guarantee, if you've ever been in an audit, no matter what department it's from, they will find something. They will find

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something before they walk out the door. And, typically, with the Department of Revenue, it's because of a misinterpreted statute or one that's unclear or one that has been liberalized to where the -- the small business, they don't even know what that means. They will find something. There's no protection in here for businesses, when -- when -- when -- when we come in and look and look and look and finally find something. What -- what about the cost to that small business, for their CPA, for their attorney, for the owner's time. There's nothing in here that protects small businesses. This is just a money grab. We're not that far out of align with the neighboring states, as far as how many auditors we have. We're -- we're out of line with -- with California, New York, New Jersey. I didn't know that was who we wanted to be like. With the neighboring states, we're not that far off as far as how many auditors we have. This is a money grab. Instead of just, you know, diving into people's businesses, why don't you just leave 'em alone and let 'em make money, and that'll fix your revenue problem. I think this is wrong. Putting a five percent bounty out is wrong. You can -- you can assign different companies to different auditors and they will be graded on what they collect. You're -- you will be a good -- you will be a -- a -- a good agent if you collect more than the next guy. That's a wrong way of doing business in this State. I encourage a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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.

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SENATOR RIGHTER:

Thank you. Senator Kotowski, the -- I've seen the projections that the Department of Revenue put out about how much more we could expect in tax collections if these auditors are hired. What is the basis for those projections?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Excellent question. I believe they did it based on -- Senator Righter, I think it was based on a ten-year analysis of the -- the production of the auditors who work at the Department of Revenue, and they've looked at that. I believe that's -- that's the year. Yeah, it was ten years.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Of what's happening at the Department of Revenue now, that's what you're saying. I mean, they're taking -- so what they did was they took the number of auditors they have in place and they divided that by how much tax revenue we have, and they said, okay, this is what we're getting now, so if we add more auditors, the tax revenue is going to go up. Is that what they did?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Just to restate it. They looked at it over the past ten years of what the auditors were able to -- to bring in in the State of Illinois, based on corporations or individuals that hadn't been paying taxes and reclaiming that money. Just so -- and just to...

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

No, I answered the question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Senator, you mentioned a little bit earlier - it may have been an answer to one of Senator McCarter's questions or it may have been in your opening - it -- you -- you referenced the amount of unpaid taxes that are out there. And my -- my question is, when you make that statement, are you referring to people you believe that are in the State who are not paying their taxes, that the auditors, these new auditors you believe will help track down and collect that money, or are you referring to moneys that the Department of Revenue has already identified as tax money that's owed?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I -- yeah, I think that's an excellent question. I -- I -- I would believe it would be, you know, a combination of the two.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Okay, then let's talk about both of those, Senator. Give me the number that the Department of Revenue says is currently owed in back taxes, money that they have identified already. What's that number?

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I don't have the number.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Okay. Would you agree, Senator, that that's an important number to have? Because I don't need -- you don't -- the Department of Revenue doesn't need to hire auditors to find money that they've already identified as unpaid taxes. You just got to go get it somehow, and there's a lot of tools the Department of Revenue has at its disposal in order to do that. So, of the percentage of money that the Department of Revenue believes is out there and uncollected, isn't it important to know that dollar amount that's already been identified?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Absolutely. I -- I would imagine -- you know, I don't have the percentage number - I'm -- I'm -- I just want to be clear with you - but I -- I believe the vast majority of this is -- is new revenue that's going to be identified and reclaimed. So I just want to just give you a couple bits of information, Senator, 'cause I appreciate your -- your line of questioning. Currently, the Department of Revenue's Audit Bureau generates about five hundred million of financial benefits each year at a cost of about sixty-six million. On average, the Department collects two hundred and ten million annually after identifying unpaid taxes and saves three

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hundred million annually by reducing erroneous taxpayer fund [sic] (refund) claims and improper use of credits. A couple other things to consider about this legislation, which may not have been addressed by me earlier: A large portion of the Department's audit staff will soon be eligible for retirement. By June 30, 2015, thirty-nine percent of the Department's auditors and ninety percent of its audit supervisors will be eligible for retirement. So the Department's Audit Bureau currently includes four hundred and eighty-six employees. So you're going to see a decrease in the number of auditors based on retirement, so this is going to address a couple things. It's going to address the capacity to be able to generate and -- and reclaim money that's owed to the State of Illinois that everybody else is paying, as well as address the fact that people are -- are going to be retiring and we're going to need to fill those spots.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Senator, as I understand your bill, for every hundred dollars that's collected by these new auditors, five dollars is going to come back to the Department in order to pay for the salaries of the new auditors. Am I correct in stating that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Let's be very clear and I want to restate what I -- I -- I said earlier. The cost of the new auditors, the projected cost, is 19.05 million. The revenue that's projected to be brought in, based on those new auditors, is between eighty to 94.6 million.



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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Senator, that was an answer to someone's question, but it wasn't mine. Here's my question. I'm asking about how your bill works. Is it an accurate statement to say that for every hundred dollars that the new auditors bring in, five is going to go directly back into this Department to help pay for the auditors that are hired?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you. And I -- and -- and please don't take that as any -- any reflection of the fact that your -- your question wasn't being answered. I was trying to provide you with very specific information which showed you, if you spend twenty dollars, you have the possibility of generating a hundred dollars. So that's the -- the twenty million figure -- the nineteen million figure can generate 94.6. I -- I -- I -- I guess I -- maybe I'm not entirely clear about your question, but what I'm saying is for -- let's say, I -- I guess the -- the point would be, for every dollar I spend, I get five back.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

You know, Senator, is it true that for every hundred dollars that's brought in by these new auditors that five dollars is going to go back -- is going to be kicked back into the Department of Revenue, in this Department, in order to pay the salaries?

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Well, it's going to go into this -- so you're talking about the five percent figure, the five percent of revenue generated by compliance audits into the Tax Compliance (and) Administration Fund. Yes, it is. That's true. I mean, a percentage will go back and pay for the auditors. Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

That sound that we're hearing in the background is my constituents and yours, I suspect, who are paying taxes, who are getting uncomfortable in their chair because now they're starting to feel like there's a bounty on their head. What you're telling me, Senator, is that we are incentivizing - we're incentivizing - the newly hired auditors to go out and collect money in order to help them make sure that they keep their jobs. That's -- that is the net effect of the way you've structured this bill. Isn't that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Senator, if a portion of the moneys that these new people collect is going back into the fund that will pay their salaries

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and help them keep their jobs, how is that not the incentive that you're building into the bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

The incentive is for them to do their job and we're taking it based on the -- you know, the performance of the auditors throughout the past, and they've done a -- a terrific job in Illinois. So they -- they're doing their job anyways in the State and they're generating money based on audits. So I -- I know you're trying to ascribe some kind of, I don't know, some kind of motive to them that is less than positive, but the fact is, they're public servants, and I'm sure many of 'em work in your district; they're trying to do their best for their -- for their State and make sure that they are ensuring that other people are complying with the law.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

...bill -- to the bill, if I might, Mr. President. Thank you very much. Ladies and Gentlemen of the Senate, if this bill becomes law, you are walking down a very, very dangerous path - not for the auditors, but for the people back home who are paying for all of us and the people who serve in the other Chamber and the rest of State government. I'm not criticizing the auditors; I'm criticizing the -- the set up that this bill -- the way it's written and the incentive that it brings in. The auditors will feel more assured that they are going to get paid and keep their jobs if they are able to get more money out of the people that

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they are auditing. That's what this bill does. That's the incentive that this bill drives into the people who are going to work in this Audit Bureau. Now, some might say that this is someone's idea of job creation. It's not. So when you -- if this becomes law and you go home and you get a call from a family or a business owner who was audited and had some money taken out from them that they really didn't think they owed, but they went ahead and paid it because they don't want to hire the lawyers and the accountants to defend them from the Department of Revenue, make sure and remind them, if you vote for this bill, make sure and remind them that you voted for a bill that incentivized that auditor to press a little harder, to be a little more aggressive, to put a little more money in the Audit Bureau that pays their salaries. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR OBERWEIS:

To the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for questions, Senator Oberweis.

SENATOR OBERWEIS:

Senator, I -- I just want to make sure I understand what's going on here. We have an assumption that there's a certain amount of money out there that is legally owed to the State of Illinois that's not being paid. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

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Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

Do you have figures or an estimate as to what level that is? How many hundreds of millions or whatever it might be?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I'm trusting in the -- the Department of Revenue and the Director. I will restate what I said before. They've done a ten-year analysis of the performance of their program, which I think is, quite frankly, pretty impressive, and they expect to generate revenue based on the fact that they're hiring these auditors. I think it's pretty straightforward.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

Well, you said they expect to generate revenue and I'm trying to get an understanding of -- of how much revenue. And I'll save a little time, my next question following that was going to be to ask you to compare Illinois to some of our neighbors, some of our surrounding states. If there's this much revenue that hasn't been collected in Illinois, how does that compare with other states?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I'll give you -- thank you for your question, Senator. And just to clarify, I -- I have stated how much money this is projected

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to generate a few times. But if you look at the percent -- the audit staff in other states, and the audit staff in New York is sixteen hundred and forty. Auditors per people is 8.4 per hundred thousand. California, two thousand three hundred thirty-six. Let's go closer to home. Wisconsin has three hundred and thirty-three auditors, three hundred and thirty-three auditors for 5.7 million people, 5.8 auditors per hundred thousand. State of Illinois has four hundred and eighty-six currently, before the passage of this bill, before it hopefully passes, for 12.9 million people. That's 3.8 auditors per hundred thousand people. When and if we pass this legislation, which I hope I'll get your support, five hundred and sixty-one auditors we would have on staff, and that doesn't take in the fact the ones that are going to retire in -- in a couple of years. It will be 4.3 auditors per hundred thousand people. So, you know, I think we're, you know, we're lagging other states that are, you know, close to us and other states on the coast and, you know, we're just trying to do our best to make sure that, you know, people are complying with the law just like everybody else does and make sure that we have the accountability that we need to have.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

Yeah, you just mentioned New York, California, New Jersey. How about states close to us, like Missouri, Indiana, Iowa?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I -- I -- I don't know if you just heard me. I mentioned

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Wisconsin. Yeah. I don't -- I don't have Indiana and Missouri. But, Wisconsin, I do believe Wisconsin does share a border with us, and it's -- Wisconsin, you know, that's 5.7 million, if you want to compare the two, in terms of population. It's pretty close. I don't have -- you're absolutely accurate -- I don't have information about Missouri. I don't have information about Indiana or Kentucky. But that's a state that we looked -- close by. We did our best to have a representative sampling of some of the other states.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

Is it possible you picked Wisconsin because that's the only state close to Illinois that has anything close to our numbers and that, in fact, Indiana, Missouri, Iowa, and other surrounding states actually have much more comparable numbers?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Are you suggesting, Senator Oberweis, that I would pick favorable information in order to advance my cause? What -- just trying to pass a bill here that I think is going to help people in the State of Illinois. And so we've done our best to -- to get comprehensive information on this. I'd be more than happy to research some of these other states and get the information to you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

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And the answer is, yes. I'm -- I'm asking if you specifically picked Wisconsin because it fit and you ignored other states that didn't fit. I'm wondering if it would make sense to, perhaps, hold this bill and get some of this information and come back and -- and talk about it. And let me -- let me just ask one other question to -- to get the thinking going.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis, excuse me, just one minute. Senator Kotowski.

SENATOR KOTOWSKI:

Senator, the answer was no to your question. I just -- I...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- Senator Oberweis.

SENATOR KOTOWSKI:

I didn't like -- I...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

I -- I'm not sure which question the answer was no to.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The question that you'd asked earlier about picking states. Senator Oberweis.

SENATOR OBERWEIS:

I'm a very big believer in incentives. Clearly, in -- in businesses that I manage, we try to pay people incentives to get more productivity. And I suspect, in this case, paying incentives might get more productivity, but in a case like this, I think it's very possible we can go too far. And let me just take an example. If we were to, let's say, begin to pay police more for arresting



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more people for implied possession of marijuana, or implied possession of some other drugs, or convictions, my guess is, if we incentivize them enough, you're going to have police more aggressively in the neighborhoods trying to find anything they possibly can to arrest people for. But I'm not sure that that would be good for our State. And I'm worried that we're going to do the same thing here; we're going to incentivize people to go to extremes to try to find some additional revenue in a way that would not be good for our State.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR ROSE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Rose.

SENATOR ROSE:

So actually to pick up off on that last comment, when I was an -- would you say, Senator Kotowski, that if judges were to be paid a hundred dollars every time they issued an arrest warrant that that would be fair?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rose.

SENATOR ROSE:

Exactly. The -- in fact, the courts agreed with you that

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judges should not be paid for issuing arrest warrants, yet here we are, we're going to pay these guys for the amount of folks that they can bring in to an audit. And maybe this is to the bill, but frankly, I get calls once a month from people who are being harassed. They come in, they find something that -- that my constituent, small business owner, knows can be beaten, but it's going to cost him ten thousand dollars in legal fees to beat a three or four thousand dollar audit finding so they end up paying it. You know, last year, we had a bill here because the State of Illinois changed the way it interprets sales tax for cell phones. Our Presiding Officer right now and I had a very heated conversation over that. Last week, the Department of Revenue dropped its enforcement, essentially saying I was right. But in the meantime, we've charged hundreds of small businesses all over the State of Illinois, maybe thousands for all -- all I know, erroneously, and now they gave up their court case in Cook County because they knew they were going to lose in Cook County court, in the Appellate Court. But here we are incentivizing the Department of Revenue to go out and audit people. Now maybe your life and liberty, maybe your freedom isn't at stake like it is in an arrest warrant, where you're put in handcuffs, but certainly your personal property is at stake in this. And you should not be incentivizing people to go out and find wrong. Because - guess what? - they'll find it. And they'll do it just like they're doing to my constituents every day of the week. They'll find a three thousand dollar audit here, a four thousand dollar audit here, knowing that that little guy or that little gal will pay the money, even though the State's wrong and the constituents are right, because they don't have seven or eight, nine, ten thousand dollars to go to

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court and be vindicated - and that's wrong.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Steans is our last speaker seeking recognition. Senator Steans.

SENATOR STEANS:

Now there's been some conversation about incentives and incentivizing auditors here to be going out and collecting more dollars. My -- listen, my understanding of the bill - so I just want to, first, get clarity on it - is that we're just asking the auditors to go out and actually collect what's actually due to the State. Nothing more than that. And then, I don't believe, but correct me if I'm wrong - this is really my question - that the auditors themselves are going to be benefiting in any way, shape or form by increasing the amount of money they collect. Rather, the money that they collect's going to go into GRF and help fund any State programs we want to be, you know, supporting out of GRF. But that the individual auditors are not going to be benefiting themselves based on additional revenues they bring in. Am -- what am I missing here?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for that question. Senator Kotowski.

SENATOR KOTOWSKI:

Thank -- thank you for your question. I -- I think there's this impression that's being propagated by some of my good friends over there that there's this massive incentive that's being included in, you know, people's salaries in order to do their jobs. This is -- this is a -- a budgetary vehicle to put five percent of what's generated into a Tax Compliance and Administration Fund that the Department of Revenue oversees. So I -- it's -- you know,

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it's -- it's just-- it's a vehicle for being able to do what everybody else is -- you've been calling on for the past three years, to pay as you go, to be able to -- to fund their -- their personnel and their programs, and for them to do their jobs. It doesn't alter in any way, shape or form what's required of their jobs or their process, or any of that, or best practices. It doesn't. So it's just -- it's a very straightforward piece of legislation. It's a -- it's a -- I think it's a good opportunity for us to be able to get what's already owed to the State of Illinois and to be -- also, again, I get back to this issue, to address the fact that there's going to be a lot of people who are going to be retiring in a -- in a couple years. So, you know, we're just doing our best to, you know, pass a good government initiative. I'd love to have your support on this, you know, and if we -- and I -- and I mentioned before - I think we talked to one of the previous speakers - about if there's concerns about audits that are being conducted in -- in a way that's putting pressure on businesses which is -- which is, you know, excessively burdensome the way we address it, I talked to one of the previous speakers about -- about trying to figure out a way to do that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yeah, just to the bill. I just know, having been -- sat through Appropriation hearings, that Department of Revenue has been coming to us with a request for additional auditors for a number of years. This is simply, in my view, a funding mechanism to try to get the auditors in place that we've long had a need for. The additional revenue that's come in is benefiting the

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State, certainly not incentives for the auditors to go and do undue pressure. They're not going to benefit themselves in any way. Their incentives aren't based on what they're doing other than doing the correct job for the State of Illinois. I would urge an Aye vote. Thanks.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. We had a late light come on. Senator Haine, for what purpose do you rise?

SENATOR HAINE:

To the bill: The abuses that have been referred to, Mr. President, Ladies and Gentlemen of the Senate, the alleged abuses - and some of them I get complaints about too - these are occurring without an incentive, apparently. So what it -- if there's something amiss in the Department of Revenue, it's occurring now without any incentive. Now we have a bill which has part of the money collected going into a fund to defray the auditors. I understand the -- in this day and age, tax collectors are not popular. We are now entering Lent, so I recall one of them, St. Matthew, did make it good over the years. Other than St. Matthew, there hasn't been a tax collector that has been liked by anyone. So you are going to hire more of them and -- and we in Illinois want them to at least -- maybe they should take a picture of Matthew and put it in their office so that we have an incentive to -- to diminish the number of complaints with the Department of -- of Revenue. You're taking static, my dear friend, Senator Kotowski, because of some bad decisions by auditors of the Department of Revenue. So how do we get out of it? We're going to hire auditors. Hopefully, the auditors hired by Mr. Hamer are going to be of a different quality, and there should be some

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assurance by the Department of -- of Revenue that this five percent is not going to be used to empower people to go out and collect more, unjustly from the citizens. Is there any assurance that that can be -- be done? The -- the static you're taking is in no way directed at you. This is static directed at the Department of Revenue. Some of it is unjustified; some of it may be fully justified. So we need to have assurance that this program of hiring auditors will be a new direction by the Department. We don't expect them to achieve sainthood - just don't make it onerous on taxpayers. Can you assure us of that? Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, you can address that in your closing comments. Senator Kotowski.

SENATOR KOTOWSKI:

I don't know if I should speak from the perspective of St. Matthew or St. Daniel. So, the -- I -- the fact that they're -- we're setting up a -- a vehicle, from an accounting standpoint, which says that the money that's being recovered, five percent, is a -- it's not like it's built in as an incentive component within the salaries of the auditors. It is a -- somebody said we're going to have this money that's in an area to be able to fund positions, but it is five percent; it is not like -- it's not like a bonus system or a commission system. It's, quite simply, looking at it from a budgetary standpoint that we have a Tax Compliance (and) Administration Fund that's going to help offset costs within the Department of Revenue. And so I think what the Director was suggesting was a very good and sound idea, was to be able to say that we're going to have a fund that's dedicated so we can be able to pay for positions, so we don't have to keep on going back to

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and asking the General Assembly for more money in -- in appropriations, as other departments have done through other State funds in order to pay for positions, because, as we all know, we are suffering from a -- a revenue crisis in the State and also expense challenges. So, quite simply, an excellent piece of legislation and policy. I really appreciate the questions that are generated from the other side. You know, I found them -- in some cases, I -- I get the fact that some people have been audited and there's been some challenges, but I also found, you know, some of the arguments to not necessarily have a great degree of merit. I would like people to be able to consider supporting this legislation because I think it's a good opportunity for us to be able to do what needs to be done. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The question is, shall Senate Bill 2612 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 35 voting Aye, 19 voting Nay, 0 voting Present. Senate Bill 2612, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have Senate Bill 2633. Senator Koehler. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2633.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler.

SENATOR KOEHLER:

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...you -- thank you, Mr. President, Members of the Senate. This is a bill that was brought to me by members of A.B.A.T.E. And I particularly want to thank Bob Meyers and Hunter John for their input on this. It was to correct really an oversight when we passed the bill originally. It amends the Recreational Trails Act of Illinois. The bill will place a fifteen dollar annual fee on Off-Highway (Vehicle) Usage Stamps for a vehicle with engine capacity over seventy-five cubic centimeters and a ten dollar annual fee for engines of under seventy-five cubic centimeters. It also provides exemptions for requiring the display of that stamp, that Off-Highway Usage Vehicle Stamp. Those exemptions -- and this is the important part, that if you're operating a vehicle on your own property, then you don't need a stamp. If you're operating the vehicle in a -- some kind of a competition, either locally or nationally or internationally, you don't need a stamp. It also talks about vehicles being used in conjunction with bona fide businesses as being exempt. So, again, I think this is a good piece of legislation that corrects a problem that existed, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question, Senator McCarter.

SENATOR McCARTER:

Senator, if you could clarify for some folks. I mean, there's a lot of people asking whether this is an increased fee. I do not



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believe that it is. Could you make that clear to everyone? That, I think, for seventy-five cc's or below, it actually decreases that fee, and there -- there's -- this is not an increased fee. Can you confirm that, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler.

SENATOR KOEHLER:

Yes, thank you for your question. I will confirm that. In fact, it is a decrease, because if you're lower than seventy-five cubic centimeters, it goes down to ten dollars. Let me mention though, too, that what's important is that the money generated for this is actually going to be used to help, you know, sponsor and support a ATV recreational park, and work on that has already been -- been going on with -- with DNR. And I -- I can't talk specifics on that, but this is a benefit and this is why this -- this fee is important. But it also provides the exemptions that I talked about.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Ladies and Gentlemen, the question is, shall Senate Bill 2633 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. Senate Bill 2633, having received the required constitutional majority, is declared passed. To fulfill our responsibilities under Article V, Section 9 of the Constitution, we now proceed to the Order of Advise and Consent. Senator Muñoz.

SENATOR MUÑOZ:

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Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purposes of acting on the appointments set forth in Appointment Messages 92, 263, 264, 318, 336, 340, 341, 342, 355, 365, 366 and 377.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz moves that the Senate resolve itself into Executive Session for the purpose of acting on the Appointment Messages 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. 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 SULLIVAN)

Mr. Secretary, print the motion on the Calendar. Supplemental Calendar 1 has been printed and distributed. On Supplemental Calendar 1, 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 SULLIVAN)

Ladies and Gentlemen, that was Supplemental Calendar 2 that has been printed and distributed. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

Motion to Compile Appointment Messages.

Pursuant to Senate Rule 10-1(c), as the Chairman of the

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Executive Appointments Committee, I move to compile the following Appointment Messages to be acted on together by a single vote of the Senate: Appointment Message 92 - Board of Trustees of Western Illinois University; Appointment Message 263 - State Banking Board of Illinois; Appointment Message 264 - Medical Licensing Board; Appointment Messages 318 and 377 - Illinois Workforce Investment Board; Appointment Message 336 - Public Guardian of DuPage County; Appointment Message 340 and 341 - Abraham Lincoln Presidential Library Advisory Board; Appointment Message 342 - Mid-Illinois Medical District Commission; Appointment Message 355 - Illinois Comprehensive Health Insurance Board; Appointment Message 365 and 366 - Workers' Compensation Medical Fee Advisory Board.

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

I'm fine.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any further discussion? Seeing none, Senator Muñoz moves to compile the 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, and the motion carries. Mr. Secretary, read the compiled appointments.

SECRETARY ANDERSON:

To be a Trustee of the Board of Trustees of Western Illinois University: Roger Clawson.

To be a Member of the Illinois State Banking Board: Andrew

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To be a Member of the Medical Licensing Board: Constance Marks.

To be Members of the Illinois Workforce Investment Board: Justine Hood and Francisco Menchaca.

To be the Public Guardian of DuPage County: Donald Puchalski.

To be Members of the Abraham Lincoln Presidential Library Advisory Board: Paula Kaufman and David Spadafora.

To be a Member of the Mid-Illinois Medical District Commission: Jennifer Lee.

To be a Member of the Illinois Comprehensive Health Insurance Board: Eva Serrano.

To be Members of the Workers' Compensation Medical Fee Advisory Board: Diana Alvarez and David Menchetti.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate do advise and consent to the appointments just read.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, does the Senate advise and consent to the compiled Appointment Messages. 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 53 voting Aye, 0 voting Nay, 2 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the compiled Appointment Messages. Senator Muñoz.

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SENATOR MUÑOZ:

Thank you, 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. 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 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 4713.

We have received like Messages on House Bills 4741, 4743, 4767, 5323 and 5415. Passed the House, March 5th, 2014. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, there being no further business to come before the Senate, the Senate stands adjourned until the hour of 12 noon on the 6th day of March, 2014. The Senate stands adjourned.