

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

108th Legislative Day

4/9/2014

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

The regular Session of the 98th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Reverend Dennis Holtschneider, President, DePaul University, Congregation of the Mission.

THE REVEREND DENNIS HOLTSCHNEIDER:

(Prayer by the Reverend Dennis Holtschneider)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please remain standing for the Pledge of Allegiance. Senator Jacobs.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Tuesday, April 8th, 2014.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Hunter.

SENATOR HUNTER:

Madam 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 LIGHTFORD)

Thank you. Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. James Carder, Blueroomstream.com, requests permission to videotape. Leave is granted. Stephen Bourque, WICS, requests permission to video.

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Leave is granted. Ladies and Gentlemen of the Senate, will you please come to the Senate Floor for Floor action? Members of the General Assembly, please come to the Senate Floor for Floor action. LAs, please get your Member to the Senate Floor as soon as possible. Thank you. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 1080, offered by Senator Koehler and all Members.

It is a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Resolutions Consent Calendar. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Amendment 2 to Senate Bill 121, Senate Amendment 2 to Senate Bill 217, Senate Amendment 3 to Senate Bill 218, Senate Amendment 1 to Senate Bill 220, Senate Amendment 1 to Senate Bill 223, Senate Amendment 2 to Senate Bill 226, Senate Amendment 1 to Senate Bill 231, Senate Amendment 2 to Senate Bill 2628, Senate Amendment 1 to Senate Bill 3225, Senate Amendment 1 to Senate Bill 3276 and Senate Amendment 2 to Senate Bill 3521 Recommend Do Adopt.

Senator Collins, Chairperson of the Committee on Financial Institutions, reports Senate Amendment 2 to Senate Bill 640 Recommend Do Adopt.

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, reports Senate Amendment 1 to Senate Bill 122, Senate Amendment 1 to Senate Bill 452, Senate Amendment 2 to Senate Bill 452, Senate Amendment 2 to Senate Bill 642, Senate

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Senator Harmon, Chairperson of the Committee on Executive, reports Senate Amendment 1 to Senate Bill 229, Senate Amendment 1 to Senate Bill 726, Senate Amendment 1 to Senate Bill 728, Senate Amendment 10 to Senate Bill 2758, Senate Amendment 8 to Senate Bill 2758, Senate Amendment 9 to Senate Bill 2758, Senate Amendment 2 to Senate Bill 3144, Senate Amendment 3 to Senate Bill 3144, Senate Amendment 3 to Senate Bill 3312, Senate Amendment 3 to Senate Bill 3318 Recommend Do Adopt; Senate Resolution 1052 Be Adopted.

Senator Forby, Chairperson of the Committee on Labor and Commerce, reports Senate Amendment 1 to Senate Bill 1103, Senate Amendment 2 to Senate Bill 1103, Senate Amendment 1 to Senate Bill 2003, Senate Amendment 1 to Senate Bill 3038, Senate Amendment 2 to Senate Bill 3411 and Senate Amendment 3 to Senate Bill 3514 Recommend Do Adopt.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Mr. Secretary, House Bills 1st Reading.

SECRETARY ANDERSON:

House Bill 3744, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 490 {sic} (4090), offered by Senator Rose.

(Secretary reads title of bill)

House Bill 4205, offered by Senator Forby.

(Secretary reads title of bill)

House Bill 4491, offered by Senator Morrison.

(Secretary reads title of bill)

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House Bill 4496, offered by Senator Jones.

(Secretary reads title of bill)

House Bill 4576, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 4636, offered by Senator Raoul.

(Secretary reads title of bill)

House Bill 5290, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 5322, offered by Senator Raoul.

(Secretary reads title of bill)

House Bill 5331, offered by Senator Collins.

(Secretary reads title of bill)

House Bill 5333, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 5348, offered by Senator Morrison.

(Secretary reads title of bill)

House Bill 5433, offered by Senator Manar.

(Secretary reads title of bill)

House Bill 5464, offered by Senator McCann.

(Secretary reads title of bill)

House Bill 5584, offered by Senator Muñoz.

(Secretary reads title of bill)

House Bill 5593, offered by Senator Bertino-Tarrant.

(Secretary reads title of bill)

House Bill 5606, offered by Senator Manar.

(Secretary reads title of bill)

House Bill 5657, offered by Senator Koehler.

(Secretary reads title of bill)

House Bill 5686, offered by Senator Hunter.

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(Secretary reads title of bill)

House Bill 5696, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 5697, offered by Senator Hastings.

(Secretary reads title of bill)

House Bill 5703, offered by Senator Morrison.

(Secretary reads title of bill)

House Bill 5819, offered by Senator Manar.

(Secretary reads title of bill)

House Bill 5845, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 5925, offered by Senator Hunter.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Mr. Secretary - please reflect {sic} your Calendars to page 15 - will you please read the constitutional amendments? House Joint Resolution Constitutional Amendment No. 1 in its full length for the second time. 2nd Reading. Mr. Secretary.

SECRETARY ANDERSON:

House Joint Resolution Constitutional Amendment 1.

(Secretary reads HJRCA No. 1)

2nd Reading in full of this House joint resolution constitutional amendment.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Mr. Secretary, please read House Joint Resolution Constitutional Amendment No. 52 for the second time. 2nd Reading.

SECRETARY ANDERSON:

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House Joint Resolution Constitutional Amendment 52.

(Secretary reads HJRCA No. 52)

2nd Reading in full of this House joint resolution constitutional amendment.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Senator Hastings, for what purpose do you rise?

SENATOR HASTINGS:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point, Senator.

SENATOR HASTINGS:

So I have the honor and privilege today of introducing three of the greatest dentists in the south suburbs of Chicago. I have Dr. Weathersby, Dr. Holba, and Dr. Moore. If you guys would please rise. We'd like to give 'em a warm Springfield welcome. Thanks for being here, guys.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please rise and be welcomed to the Illinois General Assembly. Will all Members at the sound of my voice please come to the Senate Floor for Floor action? We will be going to 3rd Readings, the top of page 10 on 3rd Readings. Members, please come to the Senate Floor for Floor action. Ladies and Gentlemen of the Senate, last call. Last call. We will begin 3rd Readings. Please bring yourselves to the Senate Floor immediately. Thank you. On the Order of 3rd Readings, Senator Sullivan, on Senate Bill 3374. He indicates he wish to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3374.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam Chairman {sic}. Good morning. Senate Bill 3374 amends the Downstate Teachers Article of the Illinois Pension Code and extends the sunset date to 2018 and it allows retired certified teachers to return to teaching in subject shortage areas without impairing their retirement status. I know of no opposition to the bill. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Good morning as well. Is there any discussion? Seeing none, the question is, shall Senate Bill 3374 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3374, having received the required constitutional majority, is declared passed. Senator Frerichs, for what purpose do you rise?

SENATOR FRERICHS:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point, Senator.

SENATOR FRERICHS:

Thank you very much. My colleague, Senator Hastings, introduced some of the finest dentists from the south suburbs. I want to introduce some of the finest dentists from east central Illinois. We have visiting us, here in the gallery today, Dr. Barry Howell, Dr. Mike Refatto, Dr. Dave Wickness, and Dr. Brad

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Barnes. Please join me in welcoming them to Springfield.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please rise and be welcomed to the Illinois General Assembly. Senator Hutchinson, on Senate Bill 3397. Senator Hutchinson. Senator Hutchinson. Out of the record. Senator Hutchinson, on Senate Bill 3398. Senator Hutchinson. Out of the record. Senator Biss, on Senate Bill 3405. Senator Biss. He indicates he wish to proceed. Mr. Secretary, please read the gentleman's bill.

SECRETARY ANDERSON:

Senate Bill 3405.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Biss.

SENATOR BISS:

Thank you very much, Madam President, and thank you Members of the Senate. Senate Bill 3405 concerns the subject of patent trolls, which is a bit of an idiosyncratic topic. Patent trolls are entities that purchase large collections of often defunct or -- patents or patents owned by maybe bankrupt entities, then they develop a often tenuous claim to have intellectual property rights over some very common consumer product or business-to-business product and then send often tens or even hundreds of thousands of demand letters threatening to sue and demanding a kind of medium-size settlement to make the suit go away. Senate Bill 3405 tries to take a bite out of this -- this activity and -- and place some hurdles before the most deceptive type of such activity by amending the Consumer Fraud and Deceptive Business Practice {sic} (Practices) Act to list four different types of practices that are

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themselves not allowed under the Act, thus creating a private right of action for someone who is a victim of this kind behavior. Happy to take any questions and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 3405 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3405, having received the required constitutional majority, is declared passed. Senator Raoul, on Senate Bill 3408. He indicates he wish to proceed. Please read the gentleman's bill.

SECRETARY ANDERSON:

Senate Bill 3408.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Raoul.

SENATOR RAOUL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 3408 states that all property owned by a county of more than three million inhabitants, or one -- one or more municipalities within such counties {sic}, for which a land bank has been created pursuant to an ordinance or intergovernmental agreement be tax exempt. Also, when such property is leased to an entity whose property is not exempt, the property shall remain tax exempt as long as it is being used for land bank purposes for a period more -- of no more than ten years.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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Is there any discussion? Seeing none, the question is, shall Senate Bill 3408 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3408, having received the required constitutional majority, is declared passed. Senator Manar, on Senate Bill 3409. Senator Manar. Senator Manar. Out of the record. Senator Manar, on Senate Bill 3411. Senator Manar, on Senate Bill 3411. Out of the record. Senator Steans, on Senate Bill 3412. The lady -- Senator Steans seeks leave of the Body to return Senate Bill 3412 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 3412. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

Yes, thank you, Madam President and Members of the Senate. Senate Bill 3412 removes the specific references to the ISAT and PSAE and replaces the specific tests with the framework for the new assessments. This is our next step in working on the Common Core. The bill requires State Board of Education to assess students annually, as we do currently, but just takes away the reference to what the specific tests are that we'll be using. There's been a group of teachers under ISBE that's been working very heavily on assessments for this. The bill also puts in place an assessment review committee that will continue to be looking at

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this over time. Big issue will be how to implement this rolling forward over time and there's plans definitely to be, as we get a -- hopefully, a waiver on the No Child Left Behind from the feds, to be able to smoothly transition to any new assessment system that gets put in place. This is very much in line with Senate Bill 7 that we passed a number of years ago. It's sort of our next step along those lines. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

She will yield. You're speaking to the amendment, Senator?

SENATOR RIGHTER:

I'll wait till it's on 3rd Reading, if you don't mind, Madam President. Thank you for pointing that out to me.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Absolutely.

SENATOR RIGHTER:

Something that I should have noticed by the big bright letters on the board already, but thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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3rd Reading. Now on the Order of 3rd Reading is Senate Bill 3412. The lady indicates she wish to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3412.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

I, too, should have noted that I was speaking on the amendment before, so what I said before.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Now that the bill is on 3rd Reading, I wonder if the sponsor would entertain a few questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

She will yield, Senator. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Steans, I have looked through the analysis that our staff has put together and I listened as carefully as I could, considering the noise in the Chamber, what you had to say. The two words that I did not hear were Common Core. And I want to know if -- what, if anything, in this bill is related to what is being talked about in just about every education circle on the planet as Common Core?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

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SENATOR STEANS:

This doesn't impact the Common Core at all. This is setting up assessment systems around it. This isn't changing any standards that we're using or have in place at this point.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

So, these assessments are not aligned with Common Core?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

Let me clarify. We've already adopted the Common Core in Illinois. We're not changing anything around what we adopted. These are going to be assessments that are aligned with the Common Core. Correct.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Okay. I'm sure that you've heard a lot of feedback from stakeholders in public education in Illinois with regards to this bill and the assessments and Common Core. Let's start with the - the high school administrators, from whom I've heard some. Can you talk to me a little bit about the concerns you've heard from them?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

I think most high school administrators that I hear from, and there have been a lot that have been involved in the discussions

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around the assessments - I mean, as I say, these have all been developed with teachers' input and teachers reviewing all of the assessment tools that will be put in place - but there's some concern about whether or not we also will continue to do the ACT. This bill does not impact that at all. It's certainly my hope and desire that we will continue with the ACT as well, at least through a transition place, till we know where universities and colleges are going to be going and what they will be using for admissions. That, I think, is not impacted here. We can certainly still continue to do the ACT and sort of phase in the new assessments at the high school level. I think that is where I've heard the most concern.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Senator, does the -- does the putting in front of the schools these new assessments -- I mean, one of the concerns I've had is that -- I've heard, excuse me, is that it makes the ACT -- I mean, there's only so much money to administer so many assessments and it drives a budget issue for them, and as you've correctly noted, I mean, colleges typically -- I mean, ACT is a big -- a big deal for colleges to measure a student's -- whether or not they should be admitted to college or where they belong, you know, when they're bringing them in. I mean, have you heard specific concerns about the resource issue from the school districts?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Ladies and Gentlemen of the Senate, will you please lower your voices? There is a debate on the Senate Floor. If you would please lower your voices. Thank you very much. Senator Steans.

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SENATOR STEANS:

Yes, and that is really an appropriation question. It's certainly one that I feel strongly that we should be providing the resources for both the ACT and any new assessment that's done aligned with the Common Core, certainly for at least some period of time. We're looking at different options of that. One would be doing a voucher so that you -- I mean, over time maybe doing both for some period and then maybe moving to a voucher so that all low-income -- based on free and reduced lunch, so we're getting a voucher for low-income. I think that's a question for the appropriation process and one that I feel very strongly about as well.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Okay. Can you elaborate a little more on the voucher process, Senator, that you just -- you just touched on it briefly, because I'm not sure that I have a good understanding of that?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

You know, I think that's a process that would have -- be getting worked out with ISBE. I don't know that there's been details on that. But there's different ways it'll get looked at over how do we actually transition this and make sure we're still providing the ACT for all those who want to continue to be taking it?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

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SENATOR RIGHTER:

But can't an argument be made - and this is where I'm going with this, Senator - can't an argument be made that this -- that's not going to be good for the students who might not otherwise take the ACT or are -- aren't serious about going to someplace where the ACT is a primary driver of a decision to admit - in other words, vocational students? I mean, what about students who fit in that category?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

So, a couple things. One, I think what most high school administrators I talked to - and I think it's important to note that the School Management Alliance is neutral on this bill; they are not -- they are fine with it - is that the ACT is not an assessment of school kids' aptitudes. Most people will say that's not really indicative of how well you do in college. People think that your GPA and other things are far more. Think there's widespread acknowledgement of issues on that. That said, until we know what colleges will accept the new ones, there's a real issue on what's going to happen in admissions, which is why I very -- too feel strongly about making sure we have some sort of a transition process and have it continue to be available for people who want to take the ACT. So that's very much the goal. As I said, we've been working with the federal level to try to get a waiver from the No Child Left Behind that enables us to try to look at how we phase this in. We haven't gotten that approval yet. We're hoping we will. It's imminent, and we'll be looking at the whole transition plan in light of that.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Senator, what about the technology issue in the schools? I mean, I -- I'm sure that -- I hope that you would admit that there's a lot of school districts in this State; therefore, there are a lot of students in this State who are not in school districts that are prepared in terms of technology to give -- to -- to take these assessments, because, it's my understanding, they've got to be done online. I mean, one, do you recognize that to be a significant issue for, I would guess, tens of thousands of students across this State, and if it is, how do you deal with it and move this process forward at the pace that it's moving right now?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

That's a great question; glad you asked it. And there is a paper and pen option. You don't have to take it online for that very reason. Now, for schools that are equipped to do it online, this will be available online, which I think is also a huge step forward, because it's both good for the kids and the teachers in the classroom to get the immediate feedback and assessment. You can really then use it, particularly as it's now going to be aligned to their curriculums, in a formative way, so that they can actually understand, real time, how well what they're teaching is getting absorbed by the kids and reflect that in their teaching practices moving forward. For those that don't have the technology in place yet, though, there is a pen and paper option. We understand that not all schools will be equipped, so the pen and

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paper option will be there.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Senator, but why -- it's my understanding that there's an extra cost per assessment for -- in order to take the paper and pen option. And -- and here's the irony of this, Senator - and this is where I'm going with this - is that the school districts that don't have the online technology for the assessment will tend to be the poorer school districts, the ones that don't have that much money, and they're the ones who are going to get charged more by your bill. So the school districts and the students who are in the poorest of areas are the ones who you're going to say, sorry, you got to pay more to take this assessment. How is that -- how is that right for those students in those school districts in these poverty areas?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

No, the -- the plan is that this is the assessment dollars that included the State Board's budget, so it's not charged to the schools.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

So how much money are you talking about to pay for that piece of it?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

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SENATOR STEANS:

I -- I don't have the dollars in front of me, Senator Righter. I can get back to you with that.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Now -- and, Senator, I'm -- I'm -- that -- that -- that does trouble me, because, I mean, in a -- in a -- in a Session when we are hearing talk of budgets that are exploding or that there are areas where we have to increase spending or we can't look for further ways to drive efficiencies into State spending, you're standing here presenting a bill that's going to cost the poorer districts more money and you can't tell me how much money that's going to cost. I mean, help me better understand why we need to do this now then.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

Well, as I -- as I said, first of all, it's not going to be costing the districts more, because I think this -- dollars will be included in the budget from ISBE, so it will not be any additional charges. The way assessment dollars are done right now are through the ISBE budget. As a -- you know, this is a -- it is going to be an appropriation issue and that's where we need to be looking at it and making sure we're covering these costs. I'll go back to the fact that this has been done entirely with teacher input, going to these new assessments. We've adopted the Core standards with that input, and now getting assessments that are aligned to that is just a critical step forward in advancing the

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way our kids are learning in the State of Illinois. This is the next step. We've always known it's coming along the line every step of the way. And as we heard when we were discussing the education funding formula approach in subcommittee yesterday, if we don't resource this, it's hard to expect our schools to keep moving forward in all the advancements we've been asking them to do. So, that is something that is key and I think it's something that we're all very aware of and will continue to be doing.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

To the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator.

SENATOR RIGHTER:

You bet. You bet, Madam President. Ladies and Gentlemen of the Senate, there may be lots of good ideas in Senate Bill 3412. There may be pieces of assessment tools that are aligned with Common Core that might be good ideas, but the State Board of Education is asking for twenty million dollars more in their assessment line, which is a fifty percent increase - twenty million dollars more to help pay for an assessment tool that is going to be for a lot of students the first time they've ever sat down in front of a computer screen and taken an assessment. So, how are the students in your districts going to handle for the first time sitting down and being assessed online? We're going to pay more to do that when they're not prepared for that. How are your constituents back home, the ones who have been talking to you in your events back home about how thrilled they are, your teachers,

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about how thrilled they are about Common Core -- how often have you heard a teacher in your school districts back home say, "You know what, I'm pleased as punch with standardized testing. I love it when the State Board of Education comes eighteen -- every eighteen months or every two years and says, hey, we got a new tool for you to measure how you're doing in your job"? Let's just take a break. Let's just take a breath here. We're going to spend twenty million more that everyone is saying we don't have to put in front of students an assessment that they are clearly not prepared for. We do not have to do this now. I understand there are people in Springfield or maybe in Chicago or maybe even Washington who think we have to do this and we've got to do this beginning in the fall. No, we don't. No, we don't. It's easy for those people to say that because they don't have to worry about a budget. They don't have to worry about tax increases. They don't have to worry about deficits and unpaid bills. We do not have to do this now. Let's let the students and the parents and the teachers back in our districts -- let's give 'em a break. Let's give them a rest, and let's see -- let's wait a little while to see before we really need to move forward on this. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR McCARTER:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The lady indicates she will yield. Senator McCarter.

SENATOR McCARTER:

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Senator, I -- I know -- well, you may be aware that I have got a Resolution 638 that's asked for us to delay implementing these standards mainly because not all of our schools are able to -- to fund these new requirements. Now, obviously, we're going -- we're zooming right past that because we're -- this is part of that implementation. Considering what you're doing here, wouldn't -- and -- and -- and the -- you're aware of the new funding formula that Senator Manar has come out with and is still being debated. Hopefully, we're going to come out to something that's reasonable and it will bring some clarity and some predictability to our school districts as to what they're going to get so that they can budget. Wouldn't you think it would be wise to pass that bill and get an agreement as to what schools are going to be funded before we go ahead with more burdens like this one? No matter what you feel about Common Core, whether you like it or you don't like it, I mean, whatever your opinion is, wouldn't -- wouldn't you think it would be wise to wait to pass the formula, the school funding formula, before we do this?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

Well, first, I'm delighted to hear that you are a fan of the funding formula work that EFAC has been doing under Senator Manar's leadership. I -- I am as well and look forward to supporting that. This is the next step. Everybody's looking for -- the -- the superintendents of the schools are looking forward to having these assessments in place, aligned to the standards that have already been adopted by the schools. So the State has been working hard on already doing these. And this is the next step and there's

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general agreement on that, that this is the way we should be going as a State. There's not a -- a hankering for them to stop moving forward on this.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator McCarter.

SENATOR McCARTER:

To the bill. You know, when -- when you realize you're not going to get an answer to the question, the best thing is just speak to the bill. So that's what I'll do, because you didn't answer the question. The -- and you tried putting words in my mouth as to my agreement that I'm in favor of this funding formula, which is four hundred and twenty pages and I'm not sure anybody on this Floor really knows what it is, I mean, completely. Some know better than others, but most of us don't. So to -- for anyone here to say that you know what's going to come to your school district, I don't think you know that. And until we do -- until we know who are the winners and the losers of that formula, why would we put more burden on 'em, whether you like Common Core or you don't? Now, I have my own opinions. That's not the -- that's not the discussion in this bill, but whether we're going to implement it prematurely is. We should not. We should slow this process down, have more discussions on Common Core itself and whether it should be implemented when we're not able -- our school districts are not able to fund the implementation of it.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Bertino-Tarrant, for what purpose do you rise?

SENATOR BERTINO-TARRANT:

Thank you, Madam President. To the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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To the bill, Senator.

SENATOR BERTINO-TARRANT:

Today, I stand in support of this legislation for a -- a few reasons. First, I -- I understand the argument with assessment, and if we could make the perfect assessment system in a school, I would be on that committee to -- to help out. But this test, if -- if you understand the process of the new Illinois learning standards and what this assessment is going to do, it is -- first and foremost, it's -- it's looking at student growth. A lot of the complaints with the ISAT has always been that it's a one-shot deal and schools are judged on that one-shot deal. This looks at a student's progression, and I think that's so critical as we see kids grow from the -- the fall to the -- to the spring. Second is, if we do not move forward, we're going to have a disalignment {sic}. Right now, we have the new Illinois learning standards and they're going to be testing on the -- the old ISAT. So, once again, we're going to have discrepancy and we're going to see scores go down and, again, not a true picture of what our students and our -- our public school systems are doing. And, finally, what I do like about this, my son just was able to take a pilot just last week and it is a performance-based test. So it is not just the -- the rote answers where you -- you have a question and you respond. This is looking at how kids can critically think. So, for those three reasons, I -- I support this bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR ROSE:

Thank you, Madam President. To the bill.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill, Senator.

SENATOR ROSE:

Common Core is about data points. It's about data points of the longitudinal data testing people. So you know what I went out and got? Some data points. I surveyed all fifty-five of my school superintendents in and around the 51st Senate District. Said, "What do you guys think about this PARCC testing?" What do you think? Guess what, folks? And for those of you who are downstaters, you better listen to this. Eighty percent were against. Of those who responded, eighty percent were against, because the schools aren't ready to do the testing. They don't have the computers in place to do the testing. They don't have the opportunity to do the testing. They don't have the time to do the testing that's required by PARCC. Of my school superintendents, educators, that responded, which is well over half of 'em responded, eighty percent weren't ready. Of the remaining twenty percent, they said, "We think it's a good idea, but it's not ready." "We think it's a good idea, but it's not ready." So right then and there, you have a hundred percent of the school superintendents who say it's not ready in my area. If you're a downstater, you better pay attention to this. If you're a parent, no matter what school district it is, you better pay attention to this. Common Core math is a disaster in this State. I put on my Facebook the other night, "Hey, K through 5 parents" - put this on at 10:30 at night - "what do you think of Common Core math?" By 8 a.m. the next morning, I had sixty replies on it on Facebook. Two of my favorites - "I have a PhD in pharmacology and I can't help my third grader with their math." Another one of

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my favorites, "I TAed calculus at the University of Illinois and have a degree in engineering, but I can't help my kid with their math." Three weeks ago, I kid you not, I stood in my high school gymnasium, watching my fourth grader win his basketball game. I stood there with three engineers, including one who works for the University of Illinois College of Engineering, one of the best colleges of engineering in the entire country, let alone the world - I sat there with three engineers and a doctor and you know what the topic of conversation was between the five of us? I have a law degree from a top twenty school. You got a doctor and three engineers. Not one of us can help our second, third, fourth or fifth grader with their math. People are angry beyond belief about this. We are rushing something through that is not ready. Am I frustrated? Heck, yes, I'm frustrated. Two nights ago, my son was in tears because he couldn't do the math problem. I went to my parent-teacher conference and sat there, and I said - we were at the end of the three-day session - and I said, "Teacher, what are the other parents saying about this? Am I the only one?" She says, "I'm sorry. I can't help any of these kids with this new math." Every parent that sat there is frustrated beyond belief and we're going to go change the testing and test this and test that when we aren't even teaching the basics. They switch in the middle of the school year. They don't tell anybody. They don't give parents any kind of help at all. What are we testing? I know what you're going to get. You're going to get a bunch of zeros in math between second and fifth graders, because nobody knows what they're doing. I went and talked to the principal on our day off, last Friday. Said, "Mr. Starwalt, I need to meet with you." So, with all due respect, to sit here and say this was

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developed with the help and the input of teachers, give me a break. I haven't met one teacher in K through 5 yet who -- "Oh, yes, we're so ready to take these tests. My children are prepared." Now to be perfectly honest, and brutally, this is limited to Common Core math. It's not ready. As regards to this particular bill, my superintendents in downstate Illinois tell me they don't have the technical, they do not have the technology in place to comply with PARCC yet. All they've asked - even the ones that say it's a good idea, but we don't -- we're not ready yet - "Why are we rushing this?" We're in a rush to test a bunch of kids who can't even do their basic math yet. You know, it's always dangerous when you look at things off the Internet, but there was a great response to a teacher whose kid got the -- got the problem wrong even though he had the right answer. And it was some kind of goofy number line thing and -- and he got the -- he got it wrong, even though his answer was right, and the -- the teacher sends it home to the parent, says "Parent, help your kid understand why it's wrong." Parent writes back, "I have a degree in electrical engineering. I have training in differential equations. And in the real world, simplicity is" -- "simplicity is valued over complexity", and then he did the standard drop-down math, "so this is the answer", and "I can't explain why your teachers are telling you're wrong, because you're right." Now, that's something on the Internet. Three weeks ago, that happened to me. My kid had the right answer and he was counted wrong. So I said, "What? What? Did I miss something?" I had an A-plus in geometry in high school and I'm talking about fourth-grade math. So I got a calculator and I checked, and guess what? He was right. He was right. But now we're going to test something that isn't right, that isn't ready,

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and we don't even have the technological tools to do it. And don't take my word for it. I polled all my superintendents. They don't have the computers to do these tests. So by all means, go ahead, rush another thing through, screw it up again. But, hey, guess what, we can all say we're for the kids. Great.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Sullivan in the Chair.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you. Thank you, Mr. President and Members. And question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, I -- Senator, I have -- I think over the years -- over the years, we have -- and if you've followed education for a long time, we -- we do change a lot. I mean, if we get a new Governor or we get a new President, there's a new program. And then we -- we try that for a while, then we go -- we go to another one. And -- and I -- I think there is some merit to what's been said on this side, especially -- I'm not real sure we're ready to do this. I'm not too sure we have the technology in those schools to do that. It does seem that this is a train that's moving and it's -- and it's going to keep moving in that direction. I have a question of you, and if it's an unfair question, say so and we'll go -- I'll sit down. Would you, for the entire Body, explain to everyone in here -- with a short definition, if you would, tell me what is Common Core?

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Well, so Common Core -- first of all, I think there's a lot of rhetoric around that that's not the -- the actuality of it. I know there's a lot of concern out there now that this is somehow some federal mandate that was getting driven down onto the states, when, in fact, it was all done at the State level and that's how it bubbled up. In fact, Superintendent Chris Koch was one of the founding members of the state superintendents across the country coming together to develop a new set of learning standards. There is enormous support from educators, the state superintendents, who are the ones who drove this, from business groups, we've heard from the military, about trying to develop the -- a common set of standards. The idea behind it is to help critical thinking more deeply in their subject matter over the ages and that -- you know, so you take any particular issue. It's not just sort of a fact base, but it's a skills base now, testing that engages kids in much more critical thinking. This itself is not changing what we're doing on those standards. We've already adopted those. It's now aligning our assessments to those standards that have been put in place a number of years ago in the State of Illinois. And, as I say, this was driven by states and almost every state in the country, with just a few exceptions, have adopted these standards as well.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Again, that was not -- that was not a short definition and

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I'm not real sure I know what it is yet, and I've been to several meetings to try to find out. I come back saying, I'm not exactly -- obviously, it's a -- teaching methods, things like that. But it is -- it is rather complicated. I think it's -- it's something that, you know, this train is moving and it's -- it's going to continue to move in that direction until we get a different Governor or maybe a different -- a different President. They'll -- they'll have another idea of what they think kids can learn better with. So, again, thank you. Appreciate your -- your thoughts.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LIGHTFORD:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Lightford.

SENATOR LIGHTFORD:

Well, Senator, I know there is a lot of conversations that are taking place about a very complex issue, but I wanted to put just a little bit of background around it, because we did adopt the Common Core in 2010. So now we're at the place in 2014 where we have to align an assessment tool to those Common Core standards. I don't know that we've had wonderful feedback statewide from a lot of our school districts, because they basically don't like the change. No one really wants to go in and change the way we do all of our standardized testing, but we're at that juncture. We all voted for it and it's been fully implemented and now we have to assess it. This bill that we're talking about now passed out of

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our Education Committee on a bipartisan roll call, because you guys voted for it, because you also voted for Common Core. So let's not stand on the Floor and make a big mockery because you can't do your son's math in the third and fourth grade. I can do my son's math in eighth grade and I'm not a lawyer, a doctor, or a Indian chief. So what we have to do is acknowledge that we're at a juncture. Whether we like it or not, we have to align the assessment with the Common Core in order for us to judge whether or not it's working. So we're actually putting ourselves in the position so that we can come back and say, "We don't like this. This isn't working." We need to have a tool to measure, as legislators, for ourself to determine whether or not it's working. So I want us to not get caught up in all of the hoopla and realize that we have no choice at this point. We're at a position that we have no choice. Now I think Righter brought up some very critical - didn't mean to say his name, hope he's not in the room - but he did bring up something very critical with the ACT. That is so important. I am so in line with his argument and concern about the ACT. I've expressed that concern with our State Superintendent and they're working out a way that we can determine what universities are willing to accept - ACT, not accept ACT. It's been around so long, that's all we know. But there's -- change has come, so we have to figure out how to be in line when reforming our education system and moving us forward in the twenty-first century. We can't get -- we can't fall behind any further. We rank last in every category. If we continue to come out with these substandard reasons why we shouldn't reform our system, our kids will continue to fail. We want them to be competitive. We want them to be able to compete with other children all across the

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country. It's really not happening - perhaps for a select few. The goal here is to measure student growth, not wait till the kid gets to the end of that year and find out, woops, they're not doing so well, but to measure them earlier on in the school year and then to also see where they need to move to, so that you can reassess them before they leave that school year, so that we can stop moving kids who cannot read. Kids who can't read in third grade and they're in high school and they still can't read, that's a problem, and we have to stop allowing that to happen. We have to stop moving kids who are not prepared to move, who cannot read, who cannot perform the basic mathematical skills, who have no idea about science. So if your child is in the third grade and can't do the math, you will want them to be assessed earlier on, so that they can be reassessed. You wouldn't want them to wait and be assessed at the end of the school year and they can't get the help that they need. So this is a tool that we have to have in place at this juncture whether we like it or not. But we have the power, as the General Assembly, to come back and say, it's not working. But we need a measurement for ourselves as well. I would encourage an Aye vote on this bill and then we hold the State Superintendent's foot to the fire and make sure that these schools have the technology that they need. We have to hold the schools' system to the fire that they bring our kids up to the level that they need to be, otherwise we're not doing ourselves justice here for education reform. We say we want it, but we don't want to vote to make it happen. I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

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SENATOR REZIN:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Rezin.

SENATOR REZIN:

Thank you. Just a clarification, was Common Core passed by the Senate or was it passed through JCAR through rules?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes, it was -- it -- it was something that was adopted by the State Board of Education and went through JCAR. So, thank you for the clarification.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

So we did not vote for Common Core on the Floor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

That's correct.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

Thank you. To the bill, please. I have sat through many meetings regarding the Common Core. I've listened to many business groups. And I do appreciate what is going on here with the help of the State Board and with Superintendent Koch, but I, like many of my colleagues on the Floor, have heard from many

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superintendents, not about Common Core and whether they're for it or against it, but asking us to slow down this process. I've heard from many superintendents who have said, in May, because of all of the testing that they have to do with AP classes, with ACT, and now with potentially PARCC, that they have seven days to teach. All we're asking here is to slow down the process and ask to let and allow the school districts to catch up to be able to implement this test over broadband if many of -- school districts, like I have in my district right now, are going to have to take the test -- take the written test and probably assume the cost of the written test, and give us -- give them a break for the next year. So, having said that, I -- I think that we're headed in the right direction, but I do think that we need to look at this and slow it down and -- and apply the test after -- the year after next. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Murphy.

SENATOR MURPHY:

This bill, like a lot of 'em out here, has obviously evoked some pretty significant passion on both sides. And we've had a lot of debates out here and I don't know if my friends on the other side of the aisle would nominate me as the arbiter of what crosses the line and what doesn't in debate out on the Floor, but I have to rise in defense of my colleague and to maybe ask that we take

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a step back. Senator Lightford, who I respect, who works hard on these issues, I think you crossed the line. You insinuated that Senator Rose, 'cause he couldn't do his kid's homework, which you know he was upset about, you insinuated that somehow he wasn't very intelligent in your remarks. That's the way I read it. That's the way I read it. And I think that crosses the line out here. Maybe you didn't mean it that way. I mentioned your name in my debate on purpose in case you wanted to do something about it. Thank you, Senator.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DELGADO:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Delgado.

SENATOR DELGADO:

As the previous speaker mentioned, this has been a very spirited debate, a very moving one, because as you notice, folks, there's quite a few components, and having been a very strong, strong labor supporter, even one of my best labor unions in my city would -- had put in a slip against this. At the end of the day, Senator Steans and our committee - and I'm the Chair of the Education Committee - and we had -- and -- and many of the Members made some eloquent arguments and there are many issues that has to be addressed. We're with you. I say to my friends in my labor communities that, on this one here, I feel very uninhibited. We need to bring things to the middle and we can move this in a slow and a deliberate way. And I appeal to ISBE to take heed of what

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has been discussed here on this Floor. But we had approximately, oh, one, two, three, four, five, seven, twelve Aye votes in Committee. Senator Steans has been doing a -- a -- a -- a protracted process with making sure we're whittling this out little by little, taking everyone's concerns at hand, and even the Chairman, as I, too, had questions. But I understand, many in my community don't want the ISAT test. Parents were protesting and teachers didn't want to implement it. This will help remove that burden. So as we continue to pick fruits off this tree, you could tell this dialogue will continue. And so I'm saying to all my communities out there, that although I would vote with the conscience of all my community members and -- and what my labor friends would say, or if it's because I'm not crazy about Common Core, or if it's because I say it doesn't -- one size doesn't fit all, if I say it doesn't help children of color, special ed needs aren't met - this is a process that is allowable and so therefore I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, Senator Steans, to close.

SENATOR STEANS:

Thank you, Mr. President and Members of the Senate. This is an important issue, so I really appreciate the debate. I -- I -- I want to just close with some remarks that were made in committee by a school superintendent, Tim Farquer, of Williamsfield Schools. He said that we should be moving -- that this was important to him and his district because new assessments aim to measure deeper learning, new assessments align to span elementary and high school, which has been sorely missing, to ensure that we have that

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transition well all the way through our learning system, that this new assessment will provide an early window into teaching and learning so that we can more quickly catch kids who are not meeting the standards and get them up to speed, that they'll provide more timely results. This is great for both the kids and the teachers, so that they can more quickly align their -- what's -- what is or is not working in the classroom to what the kids need to be learning and that we need to evolve them. We know that. There are going to be implementation bumps and that's why there is an advisory board with teachers and administrators to, ongoing, look at the improvement of the overall implementation. I've heard a number of concerns today about the speed with which, you know, these -- as mentioned, it was in 2010 that the learning standards were adopted. It's now 2014. That said, this is a big change. It is my hope and expectation that should we be getting a waiver from the No Child Left Behind that then we can really sit down and work on what is the right implementation schedule. We might be able to provide a little bit more time. We're certainly going to be looking at any ways that we can do that, but we can't move to a new assessment system without passing this bill. Very much encourage Aye vote. As I said, no district should be paying more. We're going to have pen and paper options and be looking at that in the appropriation process. Do appreciate the concerns that there are out there about implementation, but it's clearly the right thing to be doing. And I appreciate your support. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Shannon O'Brien with UIS Illinois Issues requests permission to photograph. Seeing no objection, leave is granted.

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Ladies and Gentlemen, this is final action. The question is, shall Senate Bill 3412 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 32 voting Aye, 16 voting Nay, 2 voting Present. Senate Bill 3412, having received the required constitutional majority, is declared passed. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

I'd like to verify the roll call, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rose has requested a verification. Will all Members please be in their seats? The Secretary will read the affirmative votes.

SECRETARY ANDERSON:

The following Members voted the -- in the affirmative: Bertino-Tarrant, Biss, Clayborne, Tom Cullerton, Cunningham, Delgado, Frerichs, Haine, Harmon, Hastings, Hunter, Hutchinson, Jones, Landek, Lightford, Link, Luechtefeld, Manar, Martinez, McGuire, Morrison, Mulroe, Muñoz, Noland, Raoul, Silverstein, Stadelman, Steans, Sullivan, Trotter, Van Pelt, and President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR ROSE:

Is Senator Silverstein here, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

I'm sorry, who did you ask for? Senator Silverstein...

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SENATOR ROSE:

He just walked in.

PRESIDING OFFICER: (SENATOR SULLIVAN)

...is in the back of the Chamber. Any -- are there any other Members?

SENATOR ROSE:

Is -- Senator Jones have his chair turned? Ah, he does. I would say this and I will withdraw and I appreciate the opportunity, but when you have...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rose, this is...

SENATOR ROSE:

No, no.

PRESIDING OFFICER: (SENATOR SULLIVAN)

No, no.

SENATOR ROSE:

I -- I had my name used in debate.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rose, do you question the -- do you question the presence of any other Members voting in the affirmative, yes or no? Thank you. On a verified roll call, there are 32 voting Aye, 16 voting Nay, 2 voting Present. Having received the required constitutional majority, Senate Bill 3412 is declared passed. Senator Kotowski, for what purpose do you rise?

SENATOR KOTOWSKI:

Thank you -- thank you, Mr. President. I would just like to be recorded as voting Aye on the previous bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intent -- that was your

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intention. Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. Since we're on the topic of education, I think it would be nice for the -- the group to welcome -- or the Body to welcome our Illinois State Dental Society that is here today and the dentists that are up here in the President's Gallery. And -- and thank you for all of your good oral health that you give the people of Illinois. And I would also, on behalf of -- on behalf of Senator Stadelman and myself, we'd like to also welcome the Leadership Rockford group that is here, a group of business leaders through the -- a program the Rockford Chamber puts on. Comes down and observes what we do here. And so, on behalf of Senator Stadelman and myself, we'd like to welcome the Rockford Leadership group and have our Body welcome them as well. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Let's welcome our guests to the Illinois Senate. Great to have you joining us here today. Thank you so much. Senator Hutchinson, for what purpose do you rise?

SENATOR HUTCHINSON:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point.

SENATOR HUTCHINSON:

Thank you, Members of the Senate. I'd also like to take this opportunity to introduce some folks that are here from my district and around the State with the Manufactured {sic} (Mobile) Home Owners Association of Illinois. They're actually in the gallery right above me, behind us here. And if we could give them a warm

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Springfield welcome. They come every single year. They get able representation by Ms. Terry Nelson, who I know all of us have met at one point or another.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Senate. Senator Kotowski, for what purpose do you rise for a second time?

SENATOR KOTOWSKI:

Thank you. Mr. President, point of personal privilege. I would just like to acknowledge...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Kotowski.

SENATOR KOTOWSKI:

Thank you for not interrupting me, Mr. President. I would like to acknowledge -- Mary Skelton is my Page for the Day today. Could we -- she lives in Roselle. She is the mother-in-law of Danielle D'Alessandro, who is a great advocate down here in Springfield. She is a -- she works in IT, admires candy - so if any of you have a sweet tooth, talk to her afterwards. She does a lot of work in fundraising for MS and cancer. She's a great person and she's -- then she's going to take over for me. Somebody has to learn how to press the Yes button here. But, Ladies and Gentlemen, Mary Skelton. Give her a great Springfield welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mary, welcome to the Illinois Senate. Thanks for joining us. President Cullerton in the Chair.

PRESIDENT CULLERTON:

Ladies and Gentlemen of the Senate, if I could have your attention for just a second. I'd like to introduce a dignitary to say a few words. Wojciech Wegrzyn is the Undersecretary of State

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for the Ministry of Justice of the Republic of Poland. He has served as Poland's Undersecretary of Justice since April of 2012. Until that time, he was President of the District Court of Krosno and a judge of the Civil Division since 1991. Between 2003 and 2009, he was the chief of the Commercial Division of the District Court in Krosno. He graduated from -- in law from Jagiellonian University in Krakow. He also completed postgraduate studies in civil law at the University. He is married and the father of a daughter. Please welcome Wojciech Wegrzyn to the Illinois Senate.
UNDERSECRETARY OF STATE WOJCIECH WEGRZYN:

(Remarks by Undersecretary of State Wojciech Wegrzyn)

PRESIDENT CULLERTON:

Senator Lightford in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Ladies and Gentlemen of the Senate, please direct your attention to the Calendar on page 10. Senate Bill -- Senate Bill 3414. Senator Steans, on Senate Bill 3414. Out of the record. Senator Morrison, on Senate Bill 3421. The lady indicates she wish to proceed. Mr. Secretary, please read the bill. Senator Morrison seeks leave of the Body to return Senate Bill 3421 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 3421. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Morrison.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Morrison, on the Floor amendment.

SENATOR MORRISON:

Thank you, Madam President, Ladies and Gentlemen of the

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Senate. I would ask that the Body adopt this amendment and I'll discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 3421. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3421.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Morrison.

SENATOR MORRISON:

Thank you, Madam -- Madam President. Senate Bill 3421 will encourage and incentivize mandated training -- mandated training -- reporter training, excuse me. It provides the Department of Financial and Professional Regulation will have the authority to accept continuing ed credit for mandated training from the Department of Children and Family Services on how to recognize and report child abuse. I know of no opposition to this bill. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

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Senate Bill 3421 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3421, having received the required constitutional majority, is declared passed. Senator Sullivan, on Senate Bill 3423. He indicates he wish to proceed. Please read the gentleman's bill.

SECRETARY ANDERSON:

Senate Bill 3423.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Sullivan.

SENATOR SULLIVAN:

Thank -- thank you, Madam Chairman {sic}. Senate Bill 3423 amends the Collateral Protection Act and -- and declares that mortgage servicers subject to Section 1463 of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act that comply with this Act in their forced placement of hazard insurance on residential properties are also in compliance with the Collateral Protection Act. This is an initiative of the Illinois Bankers Association. It reflects an effort to ensure consistency between State and federal law. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 3423 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, there are 55 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3423, having received the required constitutional majority, is declared passed. Senator Morrison seeks leave of the Body to return Senate Bill 3433 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 3433. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Morrison.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Morrison.

SENATOR MORRISON:

Thank you, Madam President. I would ask the Body to adopt the amendment for discussion on 3rd.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 3433. Mr. Secretary, please read the lady's bill.

SECRETARY ANDERSON:

Senate Bill 3433.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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Senator Morrison.

SENATOR MORRISON:

Thank you. Senate Bill 3433, as amended, will provide, beginning on January 1st, 2016, that every person born after January 1st, 1991, will obtain a valid boating safety certificate in order to operate a motorboat with over ten horsepower. This is a bill that has been discussed, negotiated, has had many stakeholders participate in various hearings. I think it's an excellent bill and will create a safer environment on our waterways in Illinois. I'm happy to answer questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

To the bill, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill, Senator.

SENATOR ALTHOFF:

As stated by Senator Morrison, this has been a collaboration and I'd like to thank her for all of her hard efforts. She actually accepted some of our amendments and our suggestions on this side. It really is a good bill and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Further discussion? Seeing none, the question is, shall Senate Bill 3433 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3433, having received the required constitutional majority, is declared passed. Senator Harmon, on Senate Bill 3437.

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Senator Harmon, on 3437. He indicates he wish to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3437.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 3437 amends the Public Utilities Act, the portion relating to the Commission's Office of Retail Market Development. It recalibrates the date by which they must start filing reports. Not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 3437 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3437, having received the required constitutional majority, is declared passed. Senator McGuire, on Senate Bill 3441. The gentleman indicates he wish to proceed. Please read the bill.

SECRETARY ANDERSON:

Senate Bill 3441.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator McGuire.

SENATOR MCGUIRE:

Thank you, Madam President. Ladies and Gentlemen of the Senate, Senate Bill 3441 creates the Illinois Distance Learning Act. This Act allows our State, Illinois, to participate in M-SARA, the Midwest State Authorization Reciprocity Agreement, which establishes reciprocity between states willing to accept each other's approval of accredited institutions of higher education which offer distance learning across state boundaries. I know of no opposition and I ask for an Aye vote, please.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 3441 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3441, having received the required constitutional majority, is declared passed. Please turn your Calendars to the top of page 11. Senator Clayborne, on Senate Bill 3450. The gentleman indicates he wish to proceed. Please read the bill.

SECRETARY ANDERSON:

Senate Bill 3450.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Leader Clayborne.

SENATOR CLAYBORNE:

Thank you, -- Madam President and Members of the Senate. 3450

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is a shell bill. All the stakeholders are continuing to meet and we just want to pass this on over to the House where we will continue to meet and try to get something accomplished. So the amendment has not been adopted. It's just a shell bill. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Sponsor indicates he will yield. Senator McCarter.

SENATOR McCARTER:

Senator, I think this is the beginning, and hopefully the -- the bill that'll contain an agreement with nursing homes and -- and -- nursing home patients' rights, resident rights, but doesn't the bill -- I'm sorry for not looking at it. I think it does contain something, doesn't it? I mean, this is not just a -- a simple statement that it's an Act regarding managed care. I -- I thought it had the intentions of the bill in it.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

It -- it does have the intentions of the bill, but it's not the substance of what they really want done.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator McCarter.

SENATOR McCARTER:

Thank...(microphone cutoff)...that. Thank you.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter, for what... Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The sponsor indicates he will yield. Senator Collins.

SENATOR COLLINS:

I just have a question, Senator Clayborne. In the bill -- I know you're still working on the bill, but it -- does it in any way mandate that even an ill -- a -- a nursing home that fails to meet the requirements that ensures the safety of their residents would be mandated or required to be signed on with managed care. So what I'm saying is, does it any way benefit those nursing homes that we might want to call into question because of their -- negligence in care? So, I'm just asking that question.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, to -- to generally answer your question, it does have some language in it, but it is not nowhere near what the nursing homes want. There have been some agreements. We've come to probably about three or four things that we've agreed to, because we're running out of time. I don't believe -- I've told this to the managed care companies. I haven't -- they haven't raised any opposition to us continuing to negotiate. So we're just moving this forward.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Collins.

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SENATOR COLLINS:

Thanks, Senator. I would encourage to continue the talks, because, as you know, I was involved in a lot of nursing home issues in my district, where they failed to provide the care that I thought was warranted by the residents. And I don't want them to benefit from this legislation, where they're still able to align with managed care and yet it doesn't serve the constituents. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter, a change of heart? Would you like to speak on this bill?

SENATOR RIGHTER:

Yes, Madam President, I would. Thank you. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Senator Clayborne, I -- there was an amendment filed to this bill, it's my understanding, that is either still in Assignments or went to committee and was never adopted onto Senate Bill 3450. Can you walk through -- well, before you do -- I'm not going to ask you to do that, but is that amendment that's been filed, is that kind of the -- the piece of paper that the negotiations are working off of?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, it is.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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Senator Righter.

SENATOR RIGHTER:

Okay. Senator, given that, it's my understanding - and correct me if I'm wrong - that if that language became the law that it would require the contracts that have already been signed, as we have continued as -- as a Chamber and as a General Assembly and as a State government to move forward with managing care in the Medicaid system, that it would actually require those contracts to be tore up and renegotiated because they would not fit within the parameters of the law. Is that -- can you tell me whether that's true or not?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

That is true and I think that we've made some adjustments I think that managed care -- or both sides believe would require maybe some change, but we have not come to a total agreement. But we do believe that some issues that have been raised may need some clarification.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Again, based on the amendment that was filed but not adopted, did you receive feedback or have you received feedback from groups about if that became law, or something similar to that became law, would that -- that increase costs for the Medicaid program? In other words, the more -- generally, the more requirements that you put into a -- a contract or the more -- the more, I'm going to say, bureaucratic points you

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put in, you're going to drive up the cost of that. Have you also been told that?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

That -- that -- yes, we have had those discussions. That issue has come up and that's one of the reasons why we have not adopted the amendment. Senator Righter, we continue to talk. There are clarifications that we're coming -- that we're dealing with from the Governor's Office, managed care, as well as HFS, that -- some issues that weren't anticipated, weren't contemplated, and we are trying to work those issues out.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

And thank you for your indulgence, Madam President, and -- and your patience, too, Senator Clayborne. Because, I mean, we move shell bills on 3rd Reading on occasion. We try not to make a practice of it. Rarely do we do it on issues of this magnitude. So, going back to the amendment, which you say will be the centerpiece, or it continues to be the centerpiece for the negotiations, what are the specific pieces in that amendment that I could look at and you would say those things are not going to happen? When the bill is signed by the Governor, if there is a bill signed by the Governor, these things will not be in there. Can you tell me what those would be?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

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Senator Righter, that's hard to answer, but -- but I'd say this, the marketing piece is probably not going to move forward. There are some provisions in the marketing piece that already exist. We just wanted to make some clarifications as to what can be done in the agreement and what the nursing homes felt needed to be done to protect their interests as it relates to those individuals who will be seeking to sign up some of the nursing home residents.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Senator Clayborne, in looking at the amendment, the amendment requires that contracts be of a minimum length of three years. I'm curious why you want to put in law a required length of contract.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Righter, it's hard - and -- and -- and I am being patient - it's hard to debate something that hasn't been adopted and it's not going to be adopted. So, I -- I -- I don't know what you're seeking to accomplish. But I will say this, one of the issues -- the reason why that was put in there was to make an evaluation of how well the program was proceeding and to make a determination what needs to happen. Obviously, because we have not finished negotiating, there's a lot of room for compromise, both sides. And I assure you that we're going to come up with something that both sides will be happy with, and the intent is to make sure that managed care gets an opportunity to control their

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costs and, at the same time, balance that with making sure that the residents receive the care that they need.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Well, Senator, I do appreciate your patience, but I'm not the one who's asking the Chamber to approve a bill that doesn't have anything in it. So I'm just doing my best to find out what it is, when your Members and the Members on this side of the aisle push a button, what it is they might be pushing a button for. So, give me a little bit of a break here, because the bill doesn't have anything in it right now. There is another provision in the amendment that is the basis for the negotiations that says that if an MCO, a managed care organization, does not make payment within sixty days that the State taxpayers, the Medicaid system, will make that payment. Is that -- is that something that you believe or intend to have in the final package?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

Again, Senator Righter, I can't overemphasize that we're still negotiating. It's hard for me to tell you what's going to be in the final bill, but I -- I will tell you this, that, obviously, if there is an agreement, it has to come back to this Chamber. Again, most of the time in a negotiation process in -- in any bill, a lot of times one side who sponsors a bill will ask for the world, but they're willing to negotiate and come up with a compromise for the end result of making sure that costs are managed, as well as making sure the -- the patients receive the

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health care and services that they need.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Okay, Senator, I -- I agree with much of what you've said and here's the concern I have, and I talked about the -- the -- the recorded vote for Members, and, you're right, they -- this bill may come back and so they'll get a second bite at the apple, but they've already bit into the apple once and they'll be defending a vote when they weren't sure what it was they were voting for or against. Now, may -- I would like to respectfully make a suggestion, is why don't we keep the bill here and we write the bill? Let's have the Senate write the bill. Because this game is played every single year, Senator, and I'm not sure why we fall for it. 'Cause here's what's going to happen: You're going to send a bill that has nothing in it over to the House and the House is going to sit on it and the Speaker and his people are going to look at and they're going to wait until, I don't know, a couple/three hours left in the Session and then they're going to send it back over here and you and everyone else in here is going to be in the position of, you know what, you can eat it, you can take our language, or we'll go out and tell everyone that you weren't really for a patient -- patient managed care bill of rights. Why put the Senate -- why put the Democrat majority in the position of -- of eating what the Speaker's going to serve up here? Because he'll adjourn and go home, and that bill will be over -- this bill will be over here and we will have nothing to say for it except to vote it up or down. Why don't we get the extension on the deadline, write the bill that we want, and then

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send it over there and put it on their porch? With that, Madam President, I'll sign off. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator Righter. Senator Clayborne, to close.

SENATOR CLAYBORNE:

Thank you, Madam President. And -- and, Senator Righter, I -- I can only say to you that the intent is to make sure -- and I think you were one of the sponsors of the managed care in this State. You brought it forward. So, we're trying to make sure that we manage cost as well as make sure that the patients, the recipients, receive the care that they need. And, obviously, one of the challenges you have is those -- those individuals who are in the nursing homes have health issues. It's not like the nineteen- or twenty-year-old that you sign up. These individuals will need care and their care will cost and we have to make sure that there's a balance between the providers and the managed care companies. I'm going to do the best that I can, Senator Righter, to make sure that this is a bill that's balanced, that addresses the original intent. We -- we -- there's nothing that prevents a bill being passed in the House that's sent over here. I think that we have an obligation to continue to sit down and negotiate this bill and move forward for those who are concerned about costs and for those who are concerned about those receiving the care that they -- that they -- that is prescribed and they need. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall Senate Bill 3450 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?

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Take the record. On that question, there are 42 voting Yea, 11 voting Nay, 3 voting Present. Senate Bill 3450, having received the required constitutional majority, is declared passed. Senator Frerichs, on Senate Bill 3451. Out of the record. Senator Biss, for what purpose do you rise?

SENATOR BISS:

For purposes of an introduction, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Yes. Please state your purpose.

SENATOR BISS:

Thank you. Members, I'd like to introduce to you Donald Stricklin, who is here visiting from my district for the day. He lives in Winnetka, goes to Washburne School up there, is a passionate catcher on the baseball team and plays basketball, when necessary, in the winter, if weather won't allow for baseball. He appears to have once been to a Bears game with Senator Kotowski, but, nonetheless, wanted to come join the Senate Chamber today, and is also here with his father in the gallery, David Stricklin, who some of you may know as well. If you'd all please join me in giving a warm welcome to Donald Stricklin.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Welcome to the Illinois General Assembly. You're welcome. Senator LaHood, for what purpose do you rise?

SENATOR LaHOOD:

Thank you, Madam President. I also have a point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point, Senator.

SENATOR LaHOOD:

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Thank you, Madam President. My Page for the Day is here and I want to welcome her. It's Lauren Gwillim, and Lauren is a seventh grader from Peoria, at St. Vincent de Paul, and she is the daughter of Todd and Susan Gwillim. Her dad is here, somewhere, today in the Capitol. And Lauren enjoys swimming and diving and track and piano. She also spent four and a half years in China, when her dad was working for Cat over there, and speaks Chinese. And she's interested in writing and participating in music, and she'll be attending Notre Dame High School in Peoria in two years. I'd like everyone to give her a warm welcome. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Welcome to the Illinois General Assembly. Welcome. Senator Brady, on Senate Bill 3456. Senator Brady. Out of the record. Senator Syverson, on Senate Bill 3465. The gentleman indicates he wish to proceed. Please read his bill.

SECRETARY ANDERSON:

Senate Bill 3465.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. This is a bill that's...

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Just one second, Senator. We'd like to adopt your amendment. Just one moment. Senator Syverson seeks leave of the Body to return Senate Bill 3465 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 3465. Mr. Secretary, are there any Floor amendments approved for

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consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Syverson, on your amendment, please.

SENATOR SYVERSON:

Thank you, Madam President. The amendment just makes some technical changes that were worked out between the Medical Society and we can debate that on the 3rd if we'd like.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 3465. Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. This is legislation that really address...

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 3465.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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Okay, Senator Syverson, here we go on Senate Bill 3465.
Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. Third time's a charm. This is just some legislation regarding the surgical centers that have been worked out, really dealing with some definition corrections based on new federal law, bringing them into compliance, and addressing some other clarifications that needed to be worked out. And I know of no opposition to the legislation.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 3465 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3465, having received the required constitutional majority, is declared passed. Senator Dillard, on Senate Bill 3468. The gentleman indicates he wish to proceed. Please read the bill.

SECRETARY ANDERSON:

Senate Bill 3468.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Members. This bill is an initiative of the DuPage County State's Attorney and it attempts to make the statute dealing with involuntary admission of minors

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consistent with corresponding statutes dealing with the involuntary admission of adults under the Mental Health and Developmentally {sic} (Developmental) Disabilities Code. It sets out the conduct that a police officer must personally observe, but will lead in the end to getting the juveniles the kind of attention that they need from mental health professionals quicker, and it's good for the juvenile and their parents or guardians. I'd be happy to answer any questions, but know of no opposition. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 3468 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3468, having received the required constitutional majority, is declared passed. Senator Dillard, on Senate Bill 3469. Please read the gentleman's bill.

SECRETARY ANDERSON:

Senate Bill 3469.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This, too, is an initiative of the DuPage County State's Attorney. And as we've known from other pieces of the legislation recently on the Floor of this Body, there has been a tremendous increase in the amount of heroin overdoses, especially in the metropolitan Chicago area, and the DuPage County

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State's Attorney, having lived in this real world, wants to make it easier for the sentencing of those who are trafficking heroin between counties. And what this does is it allows a judge to take into consideration the trafficking of heroin from one county to another and -- in terms of sentencing, and this is an important new measure as we try to stay ahead of this new heroin scourge that's out on the streets. Again, I'd be happy to answer any questions and know of no opposition - other than from, perhaps, heroin dealers.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR T. CULLERTON:

To the -- to the bill, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill, Senator.

SENATOR T. CULLERTON:

I'd like to thank Senator Dillard for bringing this forward. It is a - well, he calls it a scourge - it is actually becoming a huge epidemic out in DuPage County. It's becoming a huge epidemic throughout this State. So any -- any opportunity we have to be more aggressive on it; any opportunity we have to give our State's Attorneys more power. I thank Senator Dillard for bringing this forward and I -- I ask for an Aye vote as well.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Further discussion? Seeing none, the question is, shall Senate Bill 3469 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, there are 57 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3469, having received the required constitutional majority, is declared passed. Senator LaHood, on 3471. Out of the record. Senator Tony Muñoz. Senator Muñoz, on Senate Bill 3476. Senator Muñoz. Out of the record. Senator Muñoz, on Senate Bill 3478. Senator Muñoz, on Senate Bill 3478. Out of the record. Senator Martinez, on Senate Bill 3486. Senator Martinez. Out of the record. Senator Muñoz, on Senate Bill 3509. Senator Muñoz. Out of the record. Senator Manar, on Senate Bill 3512. Senator Manar. Out of the record. Senator Althoff. Senator Althoff seeks leave of the Body to return Senate Bill 3513 to the Order of 2nd Reading. Leave is granted. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Althoff.

SENATOR ALTHOFF:

Thank you -- thank you very much, Madam President. This amendment actually is an initiative of the Department of Finance and Professional Regulations {sic} (Financial and Professional Regulation). And I'll incorporate it in my explanation on 3rd Read.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

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No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 3513. Mr. Secretary, please read the lady's bill.

SECRETARY ANDERSON:

Senate Bill 3513.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Madam President. Senate Bill 3513 creates the Nurse Licensure Compact. It permits practical and registered nurses to have their license recognized and be viewed as in good standing in any Compact state. There are currently twenty-four Compact states. Illinois would be the twenty-fifth. We have retained, with Amendment No. 1, all of the disciplinarian/oversight/public safety provisions that currently exist in Illinois statute within this bill. So all of our nurses are still subject, regardless of whether they are from Missouri or from Iowa, they are still subject to the laws and provisions of Illinois. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 3513 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3513, having received the required constitutional

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majority, is declared passed. Senator Holmes. Senator Holmes seeks leave of the Body to return Senate Bill 3514 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 3514. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Holmes.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Holmes, on the amendment.

SENATOR HOLMES:

It's just allowing a one-time seven-day extension for selecting a neutral interest arbitration chairman. But the rest is incorporated in the bill. I can explain it on 3rd.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 3514. Please read the lady's bill.

SECRETARY ANDERSON:

Senate Bill 3514.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Holmes.

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SENATOR HOLMES:

The -- the bill makes two changes to the Illinois Public Labor Relations Act and one change to the Minimum Wage Law. First, the bill prevents rival unions from filing election petitions after an interest arbitrator has been appointed. Currently, the rival unions can file a petition between ninety and sixty days prior to the expiration of a labor contract as well as after the expiration of a contract during interest arbitration. And often that process is costly, and if union representation changes in mid-arbitration, it voids the award. Second, the bill changes the interest arbitrator's selection process, allowing parties to agree to an arbitrator or the board will select an impartial arbitrator. And, finally, the bill adds an exemption to the overtime compensation portion of the Minimum Wage Law for employees whose union has agreed to an alternate shift schedule as allowed by the Fair Labor Standards Act.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR RAOUL:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The sponsor indicates she will yield. Senator Raoul.

SENATOR RAOUL:

Senator Holmes, I note that Senator Righter is your cosponsor, chief cosponsor, on this bill, so he probably won't be asking you any questions on this. So I want you to walk me along a little bit as to what this bill really does. Take me on a -- take me on a walk and explain to me what this bill really does.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Holmes.

SENATOR HOLMES:

Senator, I'm going to walk you outside the Chamber and push you down the stairs. Are there any further questions?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any further discussion? Any walking through? Seeing none, the question is, shall Senate Bill 3514 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 3514, having received the required constitutional majority, is declared passed. Senator Hunter, on Senate Bill -- Senator Hunter seeks leave of the Body to return Senate Bill 3521 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 3521. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Hunter.

SENATOR HUNTER:

Thank you, Madam President. Senate Bill 3521 creates the Illinois Young Adult Recreation Corps and it defines the responsibilities and qualifications for those participating in the program under the Illinois Veteran, Youth, and Young Adult Conservation Jobs Act. And I would ask for an Aye vote. And know of no...

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 3521. Mr. Secretary, please read the lady's bill.

SECRETARY ANDERSON:

Senate Bill 3521.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Hunter.

SENATOR HUNTER:

I would just simply ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 3521 pass. All those in favor will say {sic} Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yea, 0 voting Nay, 2 voting Present. Senate Bill 3521, having received the required constitutional majority, is declared passed. Senator Hunter, on Senate Bill 3522. Out of the record. Ladies and Gentlemen of the Senate, please turn your Calendars to the top of page 12, the top of page 12 on Senate Bill {sic} 3rd Readings. Senator Stadelman, on Senate Bill 3530. Senator Stadelman, on

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Senate Bill 3530. The gentleman indicates he wish to proceed.
Please read the bill.

SECRETARY ANDERSON:

Senate Bill 3530.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Stadelman.

SENATOR STADELMAN:

Thank you, Madam President, Members of the Senate. 3530 is a shell bill. Discussions with all the stakeholders continue on legislation called workshare legislation. For those who are not familiar, workshare basically allows businesses more flexibility during an economic downturn. Instead of laying off an employee, businesses would be able to simply reduce hours, and those employees would be able to work at reduced hours and still collect unemployment benefits but, obviously, at a reduced rate. In other states, this has been passed with bipartisan efforts and both business and labor have been supportive. It was my intent to have an agreement by now and obviously been at a committee level, but we're running into a deadline, so I'd appreciate your opportunity to move this forward. Discussions will last probably a couple more weeks as far as language and specifics of the bill. But I ask for an Aye vote. I'm trying to move this out to allow us to continue discussions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR McCARTER:

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A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Sponsor indicates he'll yield. Senator McCarter.

SENATOR McCARTER:

Senator, I mean, these issues are very important to all employees and employers. Why wouldn't you just extend the deadline or -- request that the deadline be extended on this so we can have something in our -- in -- in our understanding to go over to the House?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Stadelman.

SENATOR STADELMAN:

Well, I feel we're very close and so this -- it was suggested this would be the best vehicle to move forward this bill and they will add the language on and obviously be able to come back here in the Senate.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator McCarter.

SENATOR McCARTER:

Senator, are you -- are you -- on a -- on a separate issue, are you aware that three years ago that there was a decision made, an agreement, that there would be no reforms to unemployment insurance for five years?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Stadelman.

SENATOR STADELMAN:

Ah, yes, I am. And obviously this would be a part of an agreed bill process as well. I guess the situation with this particular bill is a timing factor as well. We need to pass

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legislation in this State by the end of the year to take advantage of roughly four million dollars that the federal government is providing for IDES to implement this program. So there's an urgency to get something accomplished this year and won't be able to wait until that period has ended.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator McCarter.

SENATOR McCARTER:

To the bill. Ladies and Gentlemen, this is -- the agreed bill process doesn't nullify the agreement that you're not going to make reforms to unemployment insurance for five years. For the last three years, I put five bills on the table that would significantly reform unemployment insurance in this State and make us competitive with the neighboring states. Most already have it, but we put a moratorium of five years on reforms; yet we're going to pass a shell bill for a potential reform through this house. I -- I -- it seems just a little hypocritical to do this. Folks, let's take this seriously and -- and address these bills. If you don't like 'em, that's fine, but hear the bills. If we're saying we're not going to wait five years now, and we're -- and we're going to let this go, it would have been better if we had something to vote on and then we could have sent it over. But if we're going to start this clock again, let's -- and -- and the five years is up, please, hear real reforms. If you don't like 'em, vote 'em down, but at least hear 'em for the sake of employers and employees in this State.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Further discussion? Senator Stadelman, to close.

SENATOR STADELMAN:

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This is obviously a win-win for employers and businesses and -- and employees, and I feel this will be an agreed bill process. Again, I just -- the point, it needs to be -- just a timing fact here. Legislation needs to move out of here by the end of the year to take advantage of millions -- millions of dollars from the federal government to implement this program. So I just urge an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall Senate Bill 3530 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 voting Yea, 17 voting Nay, 2 voting Present. Senate Bill 3530, having received the required constitutional majority, is declared passed. Senator Sandoval, on Senate Bill 3538. Senator Sandoval. Out of the record. Senator Harmon, on Senate Bill 3548. Senator Harmon. Out of the record. Senator Trotter, on Senate Bill 3557. Leader Trotter indicates he wish to proceed. Please read the gentleman's bill.

ACTING SECRETARY KAISER:

Senate Bill 3557.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Leader Trotter.

SENATOR TROTTER:

...very much, Mr. {sic} President, Members of the Senate. Senate Bill 3557 requires every person conducting business under an assumed name in a county with more than four million inhabitants

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to file for a renewal of that certificate every five years and pay a twenty-five-dollar renewal fee. All certificates on record would be required to renew after that five-year effective date {sic} in this amendment. This is an initiative by Cook County Clerk David Orr for him to clean his files. Since the Act was enacted in 1941, over five hundred thousand individuals have registered in Cook County. Many of those individuals are deceased. This would be a great opportunity -- give them the opportunity to clean up their files if this is passed.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR RIGHTER:

Will the sponsor yield, Madam President?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Sponsor indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Trotter, the information I have is that this bill would create a new set of fees charged by the Clerk in Cook County. Can you -- or any other county that chooses to adopt that. Can you elaborate on that, please?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Trotter.

SENATOR TROTTER:

Senator, to my knowledge, they were not a new set of fees. There's already a fee that is required with any filing. The twenty-five-dollar fee is -- is a fee that the -- Cook County has agreed upon. It is a fee that they pay now. In this instance, instead of paying it one time and -- and that one fee being in

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perpetuity, it says that you have to pay this fee every five years to do the work.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Senator Trotter, you're right. You have cleverly figured out another way for Mr. Orr to take in more money into his office. Rather than raising a new fee, you've -- you're -- this sets up a renewal process that's not mandated in law. So, by forcing the renewals, then people who might otherwise not be having to pay a fee to the Clerk will now have to pay a fee to the Clerk. Is that an accurate statement?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Trotter.

SENATOR TROTTER:

No, it is not, and if I may elaborate, the deal is, is we haven't created anything new. But, again, we've asked our governments to become much more streamlined so that in effect that they can operate much better. Again, since 1941, the -- this signing up for your business with the Cook County Clerk's Office has been a process that's been there. Cook County, which is its own entity and -- and, along with the City of Chicago, has home rule powers, have opted to charge twenty-five dollars. As you pointed, it's the same twenty-five dollars, but those individuals -- instead of having a data system that's full of names of people who have died since 1941, this will allow them to streamline that operation so that they can conduct business better in the County of Cook. The option is on any other county to do it as well.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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Senator Righter.

SENATOR RIGHTER:

To the bill, if I might, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill, Senator.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Senate, just to clarify and I think, hopefully, save a little time. I'm reading from the actual bill. "Failure" - this is for people in Cook County - "failure to renew the certificate before the renewal date shall result in the cancellation of the person's assumed name in the index..." And it goes on to say that "the County Clerk shall collect a fee of twenty-five dollars at the time of the {sic} (each) renewal." That is a mandate that does not now exist in law. That is a fee now that people are not paying. For all of you who believe that it's not quite expensive enough to do business in Cook County, you should vote for this. If you think that people in Cook County aren't quite paying enough money to the Cook County government, that we can squeeze a little more out of -- money out of them, you should absolutely not just vote for Senate Bill 3557, but you should put your name on it. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you for silence in the Chamber, finally, after hours. Senator Trotter, to close.

SENATOR TROTTER:

You know, for individuals who really believe that government has a responsibility to be -- to -- to help them transact their business, this is a -- a good law. This cleans up the records. So those individuals who have Joe's Wrecking Service and there may

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be four other Joe's Wrecking Services on the books because the other three or four Joes have died, this cleans up that record so, in fact, as you're doing business in -- in Cook County, where I'm a taxpayer, that it -- it's a -- a system that our Cook County Clerk believes will make him more efficient and it makes us, again, more business friendly. So I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall Senate Bill 3557 pass. All those in favor will say Aye -- vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 voting Yea, 17 voting Nay, 0 voting Present. Senate Bill 3557, having received the required constitutional majority, is declared passed. Senator Silverstein in the Chair.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

With leave of the Body, we're going to go back to Senate Bill 3548. Senator Harmon, on Senate Bill 3548. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 3548.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Just a parliamentary inquiry - we did adopt the committee amendment, is that correct? Thank you. The bill, as amended -- well, last year, we passed a bill to create the Elmwood Park Grade Separation Authority to deal with the second

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most dangerous railroad grade crossing in the State. This is a trailer bill to cure some technical deficiencies and to -- to remove some lingering angst over how it was structured. I am not aware of firm opposition. The Railroad Association still has some reservations, but was very helpful in -- in allowing us to put together this package. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Any questions? If not, the question is, shall Senate Bill 3548 pass. All those -- any discussions? If not, question is, shall Senate Bill 3548 pass. All those in favor will vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Aye -- voting Aye, 5 voting Nay, and 0 voting Present, and the bill will be reported as passed. Senate Bill 3558. Senator Hutchinson. Do you wish to proceed? Senator Hutchinson seeks leave of the Body to return Senate Bill 3558 to the Order of 2nd Reading. Leave is granted. On that Order, 2nd Reading, Senate Bill 3558. Mr. Secretary, is there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Mr. President. Floor Amendment 2, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President, Members of the Senate. This is an integral part of the underlying bill, but all the amendment does is maintain the purpose of the Act and make clear where these fines go. And I can discuss the rest of the Act on 3rd.

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Is there any discussion? If -- all those in favor, vote {sic} Yea. Opposed, Nay. The Ayes have it, and -- and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Senator Hutchinson, on Senate Bill 3558. Do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 3558.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Senate. Senate Bill 3558, as amended, creates the Specialized Services of -- for Survivors of Human Trafficking Fund from which the Department of Human Services will make grants to provide specialized services to needs associated with prostitution and human trafficking. The Fund will receive moneys from fees and forfeiture penalties already assessed to offenders of prostitution and human trafficking offenses. Senate Bill 3558 provides that a minor engaged in prostitution cannot be charged with the offense of solicitation of a sex act. The bill also provides that a person cannot be charged with solicitation of a sex act if the -- if the underlying sex act is of the person's own act of prostitution. I would ask for your

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support, but I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Is there any discussion? Senator Hutchinson, to close? The question is, shall Senate Bill -- 3558 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. The question -- on that question, there are 55 -- 57 voting Aye, no voting Nay, no voting Present. And Senate Bill 3558, receiving the constitutional required amounts of majority, is passed. Senator Rezin, what purpose do you rise?

SENATOR REZIN:

Thank you. I would like the record to reflect my support of Senate Bill 3548, please.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The record will so reflect. Thank you.

SENATOR REZIN:

Thank -- thank...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Harmon, on Senate Bill 3566. On {sic} the record. Senator Sandoval, on Senate Bill 3574. Do you wish to proceed? Senator Sandoval, do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 3574.

(Secretary reads title of bill)

Thirty -- 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval.

SENATOR SANDOVAL:

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Thank you, Mr. President, Members of the Senate. Senate Bill 3574 is -- is an agreement with the Illinois Department of Transportation and the Illinois State Police, who have now gone neutral on this bill. And Senate Bill 3574 is a -- a bill that provides motor carriers that employ natural gas vehicles are entitled to a refund on sales tax paid under the Motor Fuel Tax Law equal to twelve percent of the taxes paid on the purchase of natural gas. This amends the Illinois Vehicle Code. And I ask a favorable vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Any questions? Any discussions? Is there any discussion? If not, the question is, shall Senate Bill 3574 -- all those in favor will vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, no voting Nay, and the -- and the -- the bill, receiving the required constitutional majority, is hereby class -- passed. Senator McCann, what reason do you rise?

SENATOR McCANN:

Thank you, Mr. President. I would like the record to reflect that my intention was to vote Yes on Senate Bill 3548, please.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The record will so reflect. Senator LaHood, what purpose do you rise?

SENATOR LaHOOD:

Thank you, Mr. President. I would like the record to reflect my intent to vote No on SB 3412. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Record will so reflect. Thank you. We're going to start

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again on page 2. Senate Bill 68. Senator Lightford. On {sic} the record. Senate Bill 121. Senator Hunter. Senator Hunter. On {sic} the record. Senate Bill 122. Senator Raoul. Do you wish to proceed? Senate Bill 122. Mr. -- Mr. -- Senator -- Senator Raoul seeks leave of the Body to return Senate Bill 122 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading, Senate Bill 122. Mr. Secretary, has there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Raoul.

SENATOR RAOUL:

Floor Amendment 1 becomes the bill. I'll explain it on 3rd.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Is there any discussions? If not, all those in favor, vote {sic} Yea. Vote {sic} Nay. The Ayes have it, and the amendment is adopted. Now -- is there any further amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Mr. Secretary, on the Order of 3rd Reading, Senate Bill 122. Please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 122.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 122 amends the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. It removes language which allows a business concern fifty-one percent owned by any combination of minorities, females, or persons with a disability to satisfy the purpose of the Act. This -- this is an issue that was brought to my attention during a diversity hearing that we had in December, where there were business entities representing themselves as minority businesses that did not have a fifty-one -- over fifty percent controlling interest. It is my belief that this State embraces a philosophy that if one is to represent themselves as a woman-owned business, that women should have a controlling interest in the business; if one is to represent themselves as a disability-owned business, that owners with a disability should have a controlling interest; and, likewise, if one is to represent themselves as a minority business, a minority should have a controlling interest of the business. And this would fix that flaw in our -- in -- in the -- in our Act.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor says he'll yield.

SENATOR McCARTER:

Senator, why is it that a combination of these qualified people is not acceptable?

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Raoul.

SENATOR RAOUL:

It's not acceptable to characterize a minority-owned business -- I could give you a hypothetical. Under the existing law, you can have something that would be characterized as a minority-owned business that would only be eighteen percent owned by a minority. If you combine it with a seventeen percent ownership by a non-minority with a disability and a seventeen percent interest by a woman that's a non-minority, and because that eighteen percent is more than the -- the seventeen percent, the combination thereof would have us, under the current statute, allow that business to represent themselves as a minority-owned business. We have criminal law that goes after businesses that falsely represent themselves as minority-owned businesses, yet our statute allows for a combination to -- to create that scenario. And the same would exist for a woman-owned business. You could have potentially something that -- a business that would represent themselves as a woman-owned business that would only be eighteen percent owned by a woman.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter.

SENATOR McCARTER:

I -- yeah, and I -- I don't think we want anyone to be allowed to misrepresent. I mean, I think that's -- no -- you know, no one wants that to happen, but what happens -- and -- and I -- and perhaps you've written this into the bill, what happens to existing contracts that don't qualify under this new definition?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Raoul.

SENATOR RAOUL:

I -- I think a contract is a contract. So somebody who has entered into a contract, has a contract. Going forward, nobody will be -- would be able to represent themselves as a minority-owned business or as a woman-owned business, unless they would have that majority.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter.

SENATOR McCARTER:

Even -- even if there's renewal clauses in the contract, you would disqualify them?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Raoul.

SENATOR RAOUL:

Wouldn't count an entity that is not a minority-owned business as a minority-owned business. I mean, it's -- I think it's fundamental that when you think of a business that you would qualify as a woman-owned business that you would have woman ownership as a controlling interest of that business, and I don't think our State should -- should create within its statute an ability to do otherwise.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood, what purpose do you rise?

SENATOR LaHOOD:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor said he'll yield.

SENATOR LaHOOD:

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Thank you. Thank you, Mr. President. Senator Raoul, I was confused a little bit when we were in committee on this yesterday and I know you've tried to help clarify that, but let me ask you this. How many current businesses, with -- with this, would -- would this disqualify that are currently in the pool? Do you know?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Raoul.

SENATOR RAOUL:

I -- I do not know.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood.

SENATOR LaHOOD:

Is there any that are affected?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Raoul.

SENATOR RAOUL:

Oh, yeah. I'm -- I'm certain that there is. In fact, again, this was brought to our attention during a -- a diversity hearing that we had with regards to -- that we have annually with regards to pension fund investments with women-owned and minority-owned business -- businesses. There was a business -- and I don't want to name the specific business, 'cause I don't want to make this legislation targeted towards any particular business, but there was a business that was characterizing themselves as a minority-owned business that wasn't majority-owned by a minority.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood.

SENATOR LaHOOD:

So -- so in terms of statistics or the number of businesses

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that are affected within the current pool, you don't have that here today. Is that fair?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Raoul.

SENATOR RAOUL:

Yes, that's absolutely fair. And that's what we want to know. And -- and it's a -- it's -- it's a matter of the statistics. When -- when it's represented that the State or an entity is doing so much business with minority-owned businesses, we want to know that those numbers are real. We don't want puffed numbers.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood.

SENATOR LAHOOD:

And I guess having that information beforehand on how that would be affected and the ramifications and the number of businesses, I think that information would have been helpful as part of this debate, in committee and here, is all I'm saying. Those are all my questions. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

No other questions, Senator Raoul, to close.

SENATOR RAOUL:

I -- I would love to have that information as well. I have no way of getting that information. I'm not -- you know, I don't know when somebody represents themselves as -- as an -- as an entity on what basis they're -- they're doing it. I -- I would love -- and I -- and -- and hopefully passing this legislation will get to the bottom of that. That's -- that's the purpose of this. I think it's critical that we do so. That when we represent that we're embracing the diversity of this State, we're telling

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the truth. When we represent that we're engaging women-owned businesses, we're telling the truth about it, and that's what this -- this legislation is aimed at doing.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The question is, shall Senate Bill 122 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Yeas, 3 voting Nays. Senate Bill 122, having received the required constitutional majority, is hereby passed. Senator -- Leader Radogno, what purpose do you rise?

SENATOR RADOGNO:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

State your point.

SENATOR RADOGNO:

Well, thank you. As we're rolling through our work here, I want to take just a moment to recognize three staff members on our side who have actually worked for thirty years for the Senate. All started about this time thirty years ago. And that is, Gayle Eilers, who is the wife of our Assistant Sergeant-at-Arms; Brenda Mickle - both of whom are tech staff support on our side; and Sheila Sims, who is Senator Oberweis' legislative aide. So I want to recognize those folks for a job well done.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you for your service. Let's give 'em a round of applause. Thank you. Senator Bush, on Senate Bill 217. ...to proceed. Senator Bush seeks leave to return the Body -- return - return the Body to Senate Bill 217 to the Order of 2nd Reading.

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Leave is granted. Now on the Order of 2nd Reading, Senate Bill 217. Mr. Secretary, is there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Bush.

SENATOR BUSH:

Yes, I would recommend that we approve Floor Amendment 2.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Is there any discussion? If not, all those in favor vote {sic} Yea. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other -- further Floor amendments -- Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Now on the Order of 3rd Reading, Senator Bush, on Senate Bill 217. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 217.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Bush.

SENATOR BUSH:

Thank you, Mr. President and -- and Senators. I'm excited today to have a bill. 217 is I-STEP. I-STEP is creating the Illinois State Training and Employment (Program) Act. The program

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allows IDES and DCEO to enter into an agreement with an employer that creates a new job in the State of Illinois which allows the employer to receive a credit for reimbursement of program costs. Basically, this is a work force development program. I would like to thank Democratic staff members and Republican staff for being there this morning. We continue to work on this bill. The IMA, the Illinois Retailers, and the AFL-CIO were there this morning. We have some minor changes that we are still working on. Everyone is in agreement that the bill should move forward. I would urge an Aye vote. I'd like to move SB 217 to the House. They will make amendments and send it back for concurrence. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

To the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

...bill.

SENATOR ALTHOFF:

Thank you very much, Mr. President. As stated by Senator Bush, it is understood by all of the parties that this needs to move from the Senate Chamber to the House. There are minor changes that need to be done. And, I apologize, I'm going to ask, will the sponsor yield?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The sponsor says she'll yield.

SENATOR ALTHOFF:

Thank you. Senator Bush, can you somewhat elaborate a little bit more on what those changes might be, for the good of the whole?

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Bush.

SENATOR BUSH:

Sure. There's a -- a couple of concerns. One does with the certifying, and the IMA would like to have that taken out. I don't think that's going to be an issue. There's also some concern about whether we would allow jobs to be in one part of the State, new jobs to be in another part of the State. So, I'm talking about facilities. Some question there. I think we'll arrive at agreement there. The AFL-CIO has some questions about the hundred seventy-five percent figure, which just has to do with a hundred seventy-five percent of minimum wage. So there's talk of that. And then, frankly, we brought in the Retail Merchants, because I thought it was really important to have them be part of this bill. They're very supportive, but they want to make sure that they can train people in the times that they have. The unemployment buildup, which you can imagine, is in their fourth quarter.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Further questions? Senator Althoff.

SENATOR ALTHOFF:

Thank you very much. I just wanted to wrap up and indicate that I would urge an Aye vote. It is an excellent program. It has great opportunity and I'm certain that the House sponsor will make all of those changes. So, thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Bush.

SENATOR BUSH:

Thank you. I would like to thank my Republican and Democratic Senators that signed onto this bill. Look it, this is about jobs

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in the State of Illinois. We need more worker training. We need to close the skills gap. And that's what the -- the intention is of this bill. There are several other states that do it. I would urge an Aye vote, and we need to get this done this year. Thank you so much.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you, Senator. The question is, shall Senate Bill 217 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 voting Aye, 6 voting Nays. And the -- the bill, receiving the -- not 2 -- and 1 voting Present. And the bill, receiving the required constitutional majority, is hereby passed. Senator Hunter, on Senate Bill 218. Senator Hunter seeks leave of the Body to return Senate Bill 218 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 218. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hunter.

SENATOR HUNTER:

I'll explain it on 3, Senator -- Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Any discussions? If not, those in favor, vote -- say Yea. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

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Floor Amendment No. 2, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. On the Order of 3rd Reading... Senator Hunter,
on Floor Amendment No. 2.

SENATOR HUNTER:

I'll explain it on...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The -- the... Okay, on Floor Amendment No. 2, there any
questions? If not, those in favor will say Aye. Opposed, Nay.
The Ayes have it, and the amendment is adopted. Is there... Any
other further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 3, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hunter, on Floor Amendment No. 3.

SENATOR HUNTER:

I'll explain it on 3.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, those in favor will say Aye. Opposed,
Nay. The Ayes have it. Is there any other Floor amendments
approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. On the Order of 3rd Reading, Mr. Secretary,
please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 218.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hunter.

SENATOR HUNTER:

Thank you -- thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 218 amends the Illinois Lottery Law and it creates a new lottery scratch-off ticket titled "Ticket For Recovery". The -- the proceeds of the ticket will be used for grants to public and private entities in Illinois for the purpose of supporting persons with mental health as well as substance abuse and recovery issues. I know of no opposition at this time and I would ask for an Aye vote. The -- the bill will be administered under the Division of Alcoholism and Substance Abuse and there will be a board that is put in place in order to make recommendations to the director for funding of these different programs and initiatives.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you very much. Any -- any discussion? If not, the question is, shall Senate Bill 218 pass. All those in favor vote Yea. Opposed, Nay. The voting is open. Have all...(microphone cutoff)... Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 Yeas, 14 Nays, no voting Present. And Senate Bill 218, having received the required constitutional majority, is hereby passed. Senate Bill 220. Senator Hastings. Senator Hastings, do you wish to proceed? Senator Hastings seeks leave of the Body to return Senate Bill 220 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 220. Mr. Secretary, are there any Floor amendments approved for consideration?

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ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Hastings.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

Thank you, Mr. President. The amendment becomes the bill. I'd like to address it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. On the Order of 3rd Reading, Senator Hastings.

SENATOR HASTINGS:

Thank you, Members -- or, Mr. President, Members of the Senate. Senate Bill 220 is a recommendation of the Office of the Governor and Serve Illinois Commission. It amends the Illinois Commission on Volunteerism...

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings, let's read the bill first.

ACTING SECRETARY KAISER:

Senate Bill 220.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

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I'm going to become the heckler of the Senate here pretty soon, Senator Silverstein. So, Senate Bill 220 amends the Illinois Commission on Volunteerism and Community Service Act to transfer the Commission from the Department of Human Services to the Department of Public Health and -- with the ability to -- subject to appropriation, to award the Illinois Service (Education) Award Grant to recipients of a national service education award created by federal law and given by the Corporation for National Community Service. There are no opponents and I'll answer any questions.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator said he'll yield.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Hastings, is -- am I correct in saying this is initiative of Governor Quinn's?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

Governor Quinn had signed an Executive Order to do this and this bill codifies that.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

I see that the amendment changed governance of the program over to the Department of Public Health from the Department of

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Human Services. Why?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

Senator, to -- to move from the agency is to more effectively address the programmatic function as outlined in the Illinois Commission on Volunteerism and Community Service Act.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. As -- as I read the bill, Senator, grants will be awarded to recipients of a national service educational award. Now I've been around for a little while, but I don't even know who that is. What kind of individuals are we talking about and why are we giving them the money?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

Thank you, Mr. President. These are grants given to those who work for organizations like AmeriCorps.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

Okay. So, people who work for AmeriCorps would be eligible to receive these grants for what purposes?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

Senator Righter, those grants will be used for education

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purposes, such as student loans.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

Okay. Senator, I -- I am honestly confused here. These are individuals who are taking part in a program like AmeriCorps - and if you can elaborate on any others, other than AmeriCorps, I would welcome you to do so...

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

This just applies to AmeriCorps, and under the -- so Senate Bill 220 permits the Illinois Service Education (Award) Grant to be used for the repayment of student loans, higher education expenses, an approved school-to-work program, and any other legal purpose. Under the AmeriCorps program, each participant earns a federal education award following the completion of his or her service. The grant award is based on, obviously, the hours of her service, or his service, and is prohibited from exceeding the Pell Grant award. Although there's language in Senate Bill 220 for matching grants, the Commission indicates that they don't anticipate requesting any State funds that cover the matching grants. They contend that the language is in the bill for whether -- or, when either federal or State funds become available. Generally, the AmeriCorps participant earns approximately three thousand one hundred and nine dollars for each year of service, and currently there's thirty-seven hundred participants in Illinois.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Righter.

SENATOR RIGHTER:

So, the uses of the funds, I think I heard you say -- you listed a number of things for which the moneys could be used and then you added on "or for any other legal purpose", which is interesting. Can you give me an idea of what you think is an appropriate expenditure that's not covered under the list that you read, which falls under the category of any other legal purpose?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

Senator Righter, an example would be a work training program.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

A work training program sponsored by whom?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

Senator Righter, it doesn't say specifically in the bill of any other training purposes. Any other legal purpose, such as a work training program, I feel is sufficient enough.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

Senator, could the -- could the training program -- could -- could the moneys be used to advertise the training program and attribute the training program to -- an official in -- in -- in State government?

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

No.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

How do we know that? How do we know that they -- that that would not be allowed under the bill?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

It's not included in the bill, Senator Righter, right now. Is that specific language? I mean, I would appreciate it if before the bill was called that you would meet with me in regards to language regarding this. Is there a reason why this comes up now or why you're concerned about it now?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

Inquiry of the Chair, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

State your inquiry.

SENATOR RIGHTER:

Does -- can the Chair advise me, as of this point in time, how many bills have been filed in the Illinois Senate in this Calendar year?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Um, I think you can look at wilg.gov {sic} to find out what

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that answer is. Any -- any other questions to the bill, Senator Righter?

SENATOR RIGHTER:

Senator Hastings, I do not have the opportunity to read every bill before it comes to a committee or the Floor and I would suggest, unless you are literally one of a kind in the hundred and fifty years or so this State's been around, you probably can't either. So, I am asking questions on behalf of my constituents about a bill that I do not quite understand. That's why I'm asking the questions. So, again, if it's legal to pay for a training program under this, how do I know that it's not legal to pay for a training program that contains the fliers that says, "This is brought to you by Governor Pat Quinn"?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings.

SENATOR HASTINGS:

Appreciate the Senator's question and I can tell you that this bill is to help those who serve in AmeriCorps in a -- in a volunteer situation. If you want to make this a political debate of -- of who's running for Governor and who's -- you know, whether or not he's going to advertise himself, that's not the purpose of this bill, Senator Righter.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

To the bill.

SENATOR RIGHTER:

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And thank you for your indulgence, Mr. President. Ladies and Gentlemen of the Senate, this is not a political debate. How many times have we already seen bills pass through this Chamber for which we did not know the price tag, for which someone else was going to make up the rules about where the money could be spent, and then later, later, we saw on, I don't know, CNN, maybe some other news organization, that the money had been misused? That is -- without question, I know that is not Senator Hastings' motive or intent here whatsoever. I know it's not. I absolutely know it's not. Just like whoever sponsored, originally, the Neighborhood Recovery Initiative absolutely did not have the intent that that would wind up as walking around money for someone in an election year. Now, the chorus, the -- the -- the raging chorus that's becoming louder and louder in this building every single week, is "we do not have enough money in order to do what we absolutely have to do in this State." More and more of you are over there saying, "We've cut to the bare bones." We don't have enough money to do what is absolutely necessary for the citizens of this State and that is why we have to dig even deeper and deeper and deeper into their pockets, because 8.7 percent unemployment isn't quite high enough I guess. To be higher than all of our neighboring states isn't quite high enough. Ladies and Gentlemen, at some point, you just got to stop. You just got to stop and say, we're not creating any new programs, whether they're subject to appropriation or not. It may be a good program; the people who could potentially be served by the program are probably very worthy people. I know that the people that Senator Hastings is referring to are very worthy people, but at some point, you just got to stop and say, "We don't have any more money to spend." Thank you, Mr.

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President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Hastings, to close.

SENATOR HASTINGS:

I am extremely disappointed by Senator Righter for saying what he said. This is a great program for great people in Illinois. It helps young people repay student loans, higher education expenses. This isn't used for a political debate. The Director of Serve Illinois Commission, who I served with in Iraq, who graduated from a fine military academy that I went to, I know that he has the -- the best intentions for this program and his staff works its tail off to make this a great program, and for Senator Righter to sit here and question whether or not Governor Quinn's going to use this as a marketing campaign in a program that he may not agree with, I find that very troublesome and unprofessional. And I urge an Aye vote. Thank you very much.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The question is, shall Senate 220 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 14 Nays. Senate Bill 220, having received the required constitutional majority, is declared passed. Senator Sullivan, what purpose do you rise?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Please state your point.

SENATOR SULLIVAN:

Thank you. Ladies and Gentlemen, I have three guests with

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me. Today is U of I, University of Illinois, Lobby Day, all three campuses, and I have three young men behind me that are students at -- at the University of Illinois in Champaign-Urbana. Yes, you know one of 'em very well. Lucas Frye, over to the right, is a junior in -- in Ag finance. He's from Easton, Illinois, which is in Mason County in my district, Senate district. Maverick Woodside is in the middle. He's a junior in horticulture. He's from Schuyler County, my home county. And then the -- the small guy to my left is my son, Mark Sullivan. He's a senior, majoring in Ag business. And I know there's a lot of other U of I kids around the Capitol here today, but I'd like all of us to join in -- in welcoming at least these three here to the Illinois Senate today.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Let's send -- give 'em a warm welcome. Senator Martinez, on Senate Bill 221. Do you wish to proceed? Senator Martinez seeks leave of the Body to return Senate Bill 221 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 221. Mr. Secretary, has there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

SENATOR MARTINEZ:

This is a gut and replace and I will speak more on it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Any discussion? If not, those in favor will vote -- say -- say Yea. Opposed, Nay. The Ayes have it. The amendment is

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adopted. Are there any other further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. On the -- on the Order of 3rd Reading, Senator Martinez, on Senate Bill 221. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 221.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. This amendment affects the Public Aid Code and requires all Managed Care Entities, MCOs and ACEs, to -- participating in the Medicaid managed care to develop language access policy. Each policy shall guide the MCE in assessing what the language needs are for the population it serves, what steps need to be taken to fulfill these needs, and the method by which it should train employees to achieve reaching these needs. This language was negotiated and agreed to by the Latino Family Commission and the Association of Medicaid Health Plans. There is no opposition to this bill and I'll be happy to answer any question.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

There any discussion? Seeing no discussion, the question is, shall Senate Bill 221 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Yea, no voting Nay. Senate Bills {sic} 221, having received the required constitutional majority, is hereby class -- passed. Senate Bill 223. Senator Martinez. Do you wish to proceed? No. On {sic} the record. Senator Frerichs. Senate Bill 226. On {sic} the record. Senator Hunter, on Senate Bill 227. On {sic} the record. Senator -- 229. Senator Delgado. Senator Delgado. On {sic} the record. Senator Manar. Senate Bill 230. On {sic} the record. Senator Koehler, on Senate Bill 231. Senator Manar {sic} seeks leave of the Body to return Senate Bill 231 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 231. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President. It becomes the bill. I'll discuss it on 3rd.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Is there any discussion? If not, all -- Senator LaHood, did you... Okay. There any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Is there any other further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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3rd Reading. Now on the issue of 3rd Reading, Mr. -- Senator, do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. This bill allows the Emergency Management Agency, under certain circumstances, to provide disaster assistant {sic} (assistance) grants through the newly created Disaster Assistance to Local Governments Funds {sic} (Fund). This is a bill that's important to a number of us in Central Illinois because of the recent tornadoes that took place. And I want to thank my colleagues, Senator LaHood, Frerichs, Brady and McCann, for cosponsoring this, because we know what kind of a devastating effect disasters have on our communities. I will say this, that the bill is still in process. We're all working on it to really pinpoint, you know, how this is going to work, and so we want to pass it to the House and then continue those discussions. In particular, I want to thank Senator Brady for some creative ideas that -- that we want to pursue on this. But I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood, what purpose do you rise?

SENATOR LaHOOD:

Thank you, Mr. President. To the bill. I -- I would just echo the comments of Senator Koehler. Obviously, with the disaster

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with the tornado that occurred in Central Illinois and many other places in the State, trying to figure out a mechanism for how we fund disasters is really the genesis -- how -- of how this began. And as many of you know, we applied twice with the feds for the disaster and were shut down both times and there was a lot of frustration with that, and out of that, we tried to figure out kind of a template or a formula for how we deal with future disasters. And so the working group that we had with IEMA and Director Monken, Senator Koehler, Members in the House, bipartisan, bicameral, working together to try to come up with a solution, and that's where we ended up with this bill. But there is still work to be done, particularly in the House, and I look forward to continuing those discussions as we work towards a resolution. So, you know, with this disaster, something positive and good could come out of this, so when a future disaster happens, we have this formula in place to help assist communities. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Brady, what purpose do you rise?

SENATOR BRADY:

Thank you, Mr. President. I just stand in support of the gentleman's legislation and thank him for leading us. I do believe that at the end of the day, our working group will come up with a long-term solution for Illinois that's fair and sensible. And I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Rose, what purpose do you rise?

SENATOR ROSE:

To the bill, Mr. President.

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

To the bill.

SENATOR ROSE:

I wanted to thank the sponsor for bringing this forward and -- I don't -- I had the same set of storms that were just discussed. Took out a few houses in one of my counties, but about five miles away from my district line, took out half of a town. And it -- it's amazing when you go there and you look at it and you see that the north end of the town, the north third of the town, is intact; the south third of the town and the middle is gone, just gone. It is absolutely amazing to me that just as Senator LaHood just mentioned, Senator Koehler, you know, twice we asked FEMA for help and it was denied. I don't understand why you have a FEMA if a town that the center of it is gone now, does not qualify. And I saw the pictures of your communities and -- and your communities and -- and I think, again, maybe this is just what we have to -- we got to worry out -- worry for our own, because, quite frankly, the federal government was useless in this, absolutely useless. You know, our -- my community - we're, you know, eighteen miles away or so, twenty miles away - you know, we took up a collection at our local IGA to try to help those people. A lot of people tried to help, you know, those who were impacted. Who did not try to help was the federal government. And so I rise in support of your bill, obviously, and I think it's interesting that you have downstaters on both sides of this aisle rising to help those who were impacted by this, and I know you're going to have support from our friends from Chicago and support from our friends from our suburbs, because when you're impacted like this, no matter where it is in Illinois, we got to rise up and help. And I -- I

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still can't for the life of me figure out how the federal government could turn a blind eye to this. So, thank you, Senator Koehler. Thank you, Senator LaHood and others who have helped on this, for our colleagues from Chicago and the suburbs as well. You know, if this tornado whipped through your community, we would be there for you. So, thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Koehler, to close.

SENATOR KOEHLER:

Just thank you to all the colleagues that spoke. I will just mention that in a bipartisan way, our U.S. Senators, Senator Durbin and Senator Kirk, are also working to help get some of the regulations and the criteria changed for FEMA, but I -- I certainly would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Being no further question, the question -- discussion, the question is, shall Senate Bill 231 pass. All those in favor, vote Yea. The voting -- and opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take -- take the record. On that question, there are 55 {sic} (58) Ayes, no voting Nay. Senate Bill 231, having received the required constitutional majority, is hereby -- passed. Senate Bill -- oh! 348. Senator Harmon. Do you wish to proceed? Senator Harmon seeks leave of the Body to return Senate Bill 348 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 348. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment becomes the bill. I move for its adoption.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. On the Order of 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 348.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You -- you may recall we entertained several curative measures for referendum questions asked by local governments that did not result in the amount of money they were anticipating. And that was because they asked for an increase in the rate which, when applied to a declining equalized assessed value, did not produce the revenue. It works the other direction as well. One of the school

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districts in my district passed a referendum and ended up with a -- an enormous surplus, because of the way the question is asked. This bill would offer a new way of asking the question where the taxing body asks for a specific dollar amount, rather than an increase in the rate, and then the rate is calculated by virtue of the dollar amount. We passed a very similar bill last year. In that bill, we replaced the existing referendum question with this one. That caused some consternation for some school districts. So this time we're simply adding a second way of asking the question. I hope the taxing bodies will take us up on the offer. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no other question -- no -- no discussion, the question is, shall Senate Bill 348 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no voting Nay. And -- I'm sorry, 57 voting Aye, no voting Nay. And Senate Bill 348, having received the required constitutional majority, is hereby passed. Senator Clayborne, on Senate Bill 452. Do you wish to proceed? Mr. -- Mr. Secretary, Senator Clayborne seeks leave of the Body to return Senate Bill 452 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 452. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Clayborne.

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SENATOR CLAYBORNE:

Thank you. I -- I -- the amendment just creates transparency with who the pension funds are -- are contracting with.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

This would be Floor Amendment No. 1. Is that correct, Mr. -
- Senator Sullivan {sic}?

SENATOR CLAYBORNE:

Yes. We have to -- there's -- there are two of 'em. This one is 1.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Okay. All those in favor vote Nay {sic}. The opposed, Nay. The Ayes have it, and the Floor -- and Floor Amendment No. 1 is adopted. Are there any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Clayborne, on Floor Amendment No. 2.

SENATOR CLAYBORNE:

Basically, it's a cleanup of No. -- No. 1.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Is there any discussion? No discussion. Those in favor, vote {sic} Yea. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any Floor amendments -- Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

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452. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 452.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you -- thank you, Mr. President, Members of the Senate. Senate Bill 452 just creates transparency within the pension funds on who they are contracting with to provide who -- who they're making allocations with to invest our money in our pension system. It just requires them to disclose their senior staff and percentage of minority, female, and persons with disability in contracting, as well as investment services, consulting services, professional service and artistic services. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 452 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 -- 58 voting Aye, no voting Nay. And Senate Bill 452, having received the required constitutional majority, is hereby passed. Senate Bill 504. Senator Mulroe. On {sic} the record. Senator -- Senate Bill 50 Senator -- 507. Senator Koehler. Do you wish to proceed? Senator Koehler wishes to proceed. Senator Koehler seeks leave of the Body to return Senate Bill 507 to the Order of 2nd Reading. Leave is granted.

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On the Order of 2nd Reading is Senate Bill 507. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President. This becomes the bill. I'll be happy to discuss it on 3rd.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

ACTING SECRETARY KAISER:

Senate Bill 507.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. This is a bill that comes to us by the way of City of Peoria. And this was at their legislative breakfast that they had with us and this is

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something that we are sponsoring as a bipartisan group out of the Peoria area. This would allow the city and the county to enter into an agreement to put the garbage fee on the property tax bill. Currently, the City of Peoria sends out a bill just to the residents and they have no mechanism to collect it if somebody doesn't want to pay it and they can't really not collect the garbage, so this would help in terms of enforcement.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter, what purpose do you rise?

SENATOR McCARTER:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor says he'll yield.

SENATOR McCARTER:

Senator Koehler, I -- we didn't have a -- I think, a long enough discussion about this in the committee the other day, because I -- afterwards I talked to a few people and -- and I was trying to figure out what you were trying to fix and I understand - and -- and correct if I'm wrong - the problem is that the -- the city is the provider of trash collection and sometimes people don't pay their bill and, unlike a private contractor, trash collector, they can't just cut them off, because the trash would build up. Right? Why then wouldn't, as a remedy to this, much more simple than running a bill through the, you know, the legislative process, wouldn't the city just pass an agreement to -- or a -- a local statute, whatever, to impose a fine for the same amount or more than the trash collection? And then you pick it up.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Koehler.

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SENATOR KOEHLER:

Well, primarily because, one, people aren't paying it now. What -- what would be the incentive to pay the fine? They would just probably pay the -- pay the bill. Secondly, what this does is it allows them to really place a lien on the property if it's -- if it's not paid. So, the City of Peoria, again, this is a -- an option for them. They needed enabling legislation to do this, so our delegation, Senator LaHood and myself and Representative Leitch and Gordon, agreed that we would carry this bill and allow the city the option to enter into those discussions with the county.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter.

SENATOR McCARTER:

To the bill. I -- I just think there's a -- a simpler way to do it. That's all. I think, you know, the city can place a lien as well and it doesn't seem like we need to take this through the legislative process. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood, what purpose do you rise?

SENATOR LaHOOD:

Thank you, Mr. President. To the bill. And I understand Senator McCarter's concerns on this and Senator Koehler is -- is correct. This was something that was brought to us by the City of Peoria to address a issue they have there. It has the support of the city in terms of giving the city the ability to make this process easier, and I'm supportive of it, as are my Republican and Democratic colleagues in the House also from the Peoria area. Thank you.

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, Senator Koehler, to close.

SENATOR KOEHLER:

Just ask for your Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Question is, shall Senate Bill 507 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, no voting Nay. Senate Bill 507, having received the required constitutional majority, is hereby passed. Senator Muñoz, what purpose do you rise?

SENATOR MUÑOZ:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Please state your point.

SENATOR MUÑOZ:

With us in the gallery here, we have the Illinois State Ambulance Association. I'd like to welcome 'em to the Senate. And, also, their event is tonight - they're inviting everyone - at Saputo's from 5 to 8.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Please welcome 'em to the Senate. Let's give 'em a rousing applause. Thank you. Continuing on, on Senate Bill 585. Senator Sullivan. On {sic} the record. Senator Oberweis, what purpose do you rise?

SENATOR OBERWEIS:

Senator, on the previous bill, I'd attempted to vote Yes and that's the second time when I pressed the button that it did not

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record my vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The record will so reflect. Senator Kotowski, on Senate Bill 640. Senator Kotowski. On {sic} the record. 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 3638.

We have received like Messages on House Bills 4021, 4083, 4327, 4725, 4731, 4795, 4983, 5488, 5512, 5547, 5919 and 5975. Passed the House, April 9th, 2012. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Back on the Order of 3rd Reading, Senate Bill 642. Senator Martinez. Do you wish to proceed? Senator Martinez wishes to proceed. Senator Martinez leaves -- seeks leave of the Body to return Senate Bill 642 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 642. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

SENATOR MARTINEZ:

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It deletes the -- the -- all and becomes the bill and I'll be happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, all those in favor will vote Yea. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 642. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 642.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. Senate Bill 642 amends the Department of Professional Regulation Law of the Civil Administration {sic} (Administrative) Code so as to allow some health care workers who have had their license revoked the ability to petition the Department of Professional -- Financial and Professional Regulations {sic} (Regulation) to restore their license. The ability to petition the Department to restore a license does not apply to anyone who has committed any sex crime or -- who requires registration as a sex offender as part of his or her sentence. The Department may refuse to restore any license which has been revoked and must take into account factors, such as

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the seriousness of the crime, prior disciplinary action by or -- any state or federal agency, and the date of conviction, among others, when considering the restoration of the license. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter, what purpose do you rise? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor said she'll yield.

SENATOR RIGHTER:

Senator Martinez, what happens now to that health care -- this health care worker who is convicted of a forcible felony, not including, I think you said, sex crimes and I'm not sure what else. But what happens to those people and their license now?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

SENATOR MARTINEZ:

Back in 2011, when the law that was passed here was -- it -- it encompassed everything that was going on to -- to address the issue about some of these sex acts against the physicians and some of these health care workers. What happens now is that as some of these individuals are coming back for -- renewing their licenses, they are -- are actually having some of their licenses revoked based on maybe something that might have happened back in, you know, in -- in their -- in their -- in their lifetime, and that's why we're trying to help those workers that right now are facing that revoked license because of something they might have done, you know, ten or fifteen/twenty years ago. But this -- I want to

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make sure it's real clear, this has got nothing to do with any kind of sex crimes or -- or any kind of acts against, you know, a patient.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

So give me an example, Senator, if you would, of a -- a forcible felony that would allow the Department to consider allowing these people to keep their licenses.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

SENATOR MARTINEZ:

I -- I had a constituent that came to my office who -- about fifteen years ago, he -- he committed a crime, but it was -- he had a -- a sawed-off shotgun in his house and there was a raid in the building and so what happened was that he had a felony attached and he served a couple of years. So now, you know, fifteen years later, he has turned his life around. He is actually a respiratory therapist. And so when they were -- when this law passed, just recently, as he came to renew his license, what happened was that he was not able to renew his license based on the fact that under the forcible felony that particular crime did take place.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

Is there a -- is -- is murder a forcible felony, Senator, that would be covered under this bill? Murder.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

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SENATOR MARTINEZ:

It is a forcible felony. As you can see further into the bill, we have the Department looking at ways to restore some of this -- these licenses, which is the seriousness of the offense, presence of multiple offenses, prior disciplinary history. So it goes on and on and on on the list that the Department will look at to make sure that there is nonviolent -- that they're nonviolent, that there is, you know -- in a case with murder, they will never get that license ever.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

If -- if that's the case then, Senator, would it not be safer for us to put in the bill that cases regarding violence will not be those eligible to allow someone to get reinstated? In other words -- I mean, I understand that that's -- you're asking the Department to weigh those factors. What I'm -- what I'm asking is what's the virtue of just asking someone at the Department, who is going to be influenced by someone in government, to weigh that, as opposed to say, no, you know what, if you were -- if you were -- seriously, if you were convicted of murder, you're not going to get your license reinstated. Why not just take that off the board altogether?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

SENATOR MARTINEZ:

Well, if somebody was convicted of murder, they don't qualify for a license.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Righter.

SENATOR RIGHTER:

Senator, under -- under your bill, as I read it, they can apply for reinstatement and the Department would consider that reinstatement. I mean, they're -- that's what I'm saying, they're not automatically off the list like they are now. If your bill becomes law, then the Department is going to consider that person as being -- that they could be reinstated.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

SENATOR MARTINEZ:

You're correct in that sense, but, you know, we're giving -- we're giving the Department an opportunity to look at some of these cases as -- as these renewals start coming, to make sure that we are -- are -- and they will look at the seriousness of the crime to decide whether this individual does have a -- a serious crime where there was -- you know, where there was violence or whatever. What we're trying to do here is at least offer an opportunity right now to those individuals that might have had snow -- thrown a snowball or a bar fight that have a felony that they might have done, you know -- I mean, back -- ten/fifteen years ago and now, you know, these individuals when they actually had the -- became professionals in their -- in their -- in the -- in the profession that they chose. Now they actually are coming in. They have to do a background check on them anyway as they are -- are applying for their licenses. Now, the law that we passed in 2011, where we're trying to capture those sex offenders or people who are on a sex registry or, you know, any violent offender, as they -- as these individuals are now coming back to get their licenses, now

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we are -- are seeing that, you know, they're -- they're caught up -- they're caught up in the same felony -- forcible felony that they, you know, are -- are being judged as. And so we're asking the Department to take a look at every individual who is coming up for renewal who they believe, you know, has a revoked license to come back and be able to at least get an opportunity to get in front of the Department and talk about what happened and how -- how their -- their crime did occur.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter. To the bill.

SENATOR RIGHTER:

Ladies and Gentlemen of the Senate -- and, Senator Martinez, thank you. And I think maybe there's just a difference of opinion here. I don't want the Department to have the discretion to reinstate the license of someone who was convicted of first degree murder or second degree murder or kidnapping. I just don't want that. This bill allows that and we may feel good that, no, there's no way that someone in the Department is going to sign off on that, right? But we don't control that anymore. Once we pass this bill and it becomes law, those are forcible felonies that are not excluded under the bill. Those are forcible felonies that are not excluded under the bill. Those individuals will be eligible for reinstatement for their medical license. I just don't think that's a step that we want to take. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Dillard, what purpose do you rise?

SENATOR DILLARD:

Thank you, Mr. President. I rise -- and I've listened carefully to Senator Righter's explanation and would tend to agree

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with him that maybe, Senator Martinez, when this goes over to the House, we narrow down the -- the forcible felony definition in here. But this is a -- a conscientious effort on the part of Senator Martinez to take care of a problem that has evolved on a bill that I passed a number of years ago that said if you're a sex offender, you're not going to practice in the health care profession in Illinois. And as the renewal process has gone along, we found out -- and there's a -- one case where, thirty-some years ago, somebody was involved in a bar fight. Has nothing to do with -- with their -- their -- their ability to be a respiratory therapist, but would keep them from having their license renewed. So, you know, I rise in support of this. Senator Martinez, I think Senator Righter, as he does on a daily basis, as well as anybody that's ever served in this Body, points out potential problems down there. I would work on paring down your list. But I'm going to vote to get this out of here today, because I know that you're conscientiously trying to make this law work and that's -- that's our job. So I rise in support of the bill, Mr. President, with those caveats.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

SENATOR RAOUL:

To the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

To the bill.

SENATOR RAOUL:

You know, I -- I was just, moments ago, having a conversation with a colleague on the other side of the aisle about restorative justice and how Republicans across the country are taking the lead

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on restorative justice. And I want to go towards part of the conversation that was being had about some of the more serious crimes, forcible felonies. Oftentimes we judge forever based upon a label of somebody being found guilty of a forcible felony. In our criminal law, we have theories of the felony murder rule. We have accountability. We have situations that don't make all people who commit or -- who are found guilty of a forcible felony -- they don't have the same level of culpability. But at the same time, I -- I -- I -- I think about situations that I'm familiar with, where somebody does do something that is really bad when they're young and they are found guilty for it and incarcerated, and while incarcerated, they make better of their lives. There's a young man - his name is escaping me - but many of you all may remember that there was a young man out of Simeon High School that was a number one basketball player in the nation who was gunned down, Ben Wilson, and the perpetrator of the crime was found guilty. He was seventeen years old at the time. He spent his time in prison. He educated himself. He came out. He got a master's degree from the University of Chicago and now he's doing work working with ex-offenders. He's made better of his life. We want people -- I wish former Senator Tom Johnson were here, 'cause he would talk about it. We want people to make better of their lives, and when people pay their debts, whether it is a debt for a forcible felony, we ought to give them an opportunity, if they've done everything right, to -- to -- to -- to be contributing members of society. I've done a lot of talking about risk assessment. This General Assembly has embraced the Department of Corrections using a risk assessment tool. And one of the things we find out is people oftentimes who are not found guilty of forcible felonies but found

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guilty of lesser crimes are a greater risk than people who are found guilty of forcible felonies. And so we ought to allow for a little discretion. I think it's -- it's -- it's very meritorious what Senator Martinez is doing, and -- and I was speaking to Senator Althoff on the other side. You know, we -- we -- we have to give people the opportunity to -- to -- to seek out their career. If they've educated themselves, if they've prepared themselves, and -- and if -- if true risk assessment tells you this person is not a serious risk to the people that they may be treating, then we ought to let them seek out their profession. I urge support for this bill. I urge you to follow the lead of people like Newt Gingrich, Rand Paul, people who are calling for restorative justice. You know, it's -- it's -- it's not -- it's -- it's okay. It's okay. You know, don't worry about the -- the -- the -- the old labels of being too soft on crime. There are people who -- who -- and I don't want to invoke faith into this Chamber, because I know we're supposed to have our separation, but we're supposed to be forgiving people and when people have paid their debt, we're supposed to give them an opportunity to be contributing members of society and not just slap the labels on 'em and keep them shackled for the rest of their lives after they pay -- paid their debt. I urge support for this bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no further discussion, Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you very much to both Senators. You know, I -- I -- as we move forward - I think that Senator Raoul said it best - you know, we have to give people opportunities. I mean, this constituent of mine is doing the right thing. Something that he

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did when he was only seventeen years old and now it's still on his record, you know, and the fact that some of these folks that are doing these kind of things, right now are also pending their -- hopefully, their expungements or their clemencies from the Governor's Office. They've been waiting for years for this also. So, you know, they're doing the right thing. We asked them -- you know, we asked -- they paid their dues to society and now they're doing some positive things in the neighborhood and I really believe that we have to just give people more opportunities. You know, right now the Department has told me that they have actually revoked additional licenses, seventy-seven licenses for sex offenders. They have actually had three sex offenders revocation pending. Right now, ever since we passed this law, there is eleven licenses revoked or -- or denied at this moment, and I know that -- that you're going to see many of the constituents that you might serve also come to you and tell you that they have this problem. So I think that this bill does something positive to help these individuals to be able to be -- you know, to continue to do good things in our communities, but more important, it gives them opportunity. So I ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The question is, shall Senate Bill 642 pass. All those in favor will say Yea -- vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Aye - - 45 Ayes, 8 Nays. Senate Bill 642, having received the required constitutional majority, is hereby passed. Senator Cullerton -- President Cullerton, what purpose do you rise?

SENATOR J. CULLERTON:

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Yes, thank you, Mr. President. I have an announcement. Now that you're in the Chair, you kind of remind me of former Senator Rickey Hendon, in that we've been moving along very quickly, and I think that we're at a point where we can tell people that we will not have to be in Session this Friday. So if you're making hotel accommodations, we will be able to finish our business. That means we will work late tonight and late tomorrow, and therefore we can start going back to our districts as early as Thursday night. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you, President. Senator Sandoval, what purpose do you rise?

SENATOR SANDOVAL:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Please state your point.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Illinois Senate. Today we have, in the President's Gallery to -- to my right, we have a community college that has been doing some yeoman's work of educating inner-city folks from Chicago, particularly on the southwest side of Chicago. I'd like to recognize President Cranston, Dr. Miller, from Fox College, as well as some young ladies who have come up through our community in Gage Park and on the southwest side, attended local high schools: Cynthia Ramirez, from Juarez High School; Monica Nunez and Patricia Flores, from both - Bogan High School; Diana Tenorio, from Curie High School; and Amanda Howell, who is attending St. Xavier, as well as Grace Bogen. I'd like to give them a warm welcome to the Illinois Senate

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this afternoon. Fox College is in the house.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Welcome to the Illinois Senate. Welcome. Senate Bill 643. Senator Martinez. Do you wish to proceed? Senator Martinez seeks leave of the Body to return Senate Bill 643 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 643. Mr. Secretary, has there been any amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

SENATOR MARTINEZ:

The amendment becomes the bill and I'll be happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Is there any discussion? No discussion, the -- all those in favor will vote {sic} Yea. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 643. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 643.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. Senate Bill 643 extends the repeal date of the Genetic Counselor Licensing Act from January 2015 to January 2025. It amends the Genetic Counselor Licensing Act by making changes to the disciplinary measures and certain fine structures. It amends conditions of revocation or refusal to issue a license for Department -- for the Department. It also makes technical changes to align statute with practice and other DFPR licensing Acts. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you. Seeing no discussion, the question is, shall Senate Bill 643 pass. All those in favor will say {sic} Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, no voting Nays. Senate Bill 643, having received the required constitutional majority, is hereby passed. Senate Bill 646. Senator Haine. On {sic} the record. Senator -- Senate Bill 647. President Cullerton. On {sic} the record. Senate Bill 726. Senator Harmon. On {sic} the record. Senate Bill 728. Senator Link. Do you wish to proceed? Senator Link seeks leave of the Body to return Senate Bill 728 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 728. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Link.

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. The amendment becomes the bill. More -- more than happy to talk to it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 728. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 728.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. As amended, this provides the Liquor Control Commission in -- is {sic} determining whether a licensee has committed a second or subsequent violation of selling alcohol to a person under the age of twenty-one, the Commission may only consider violations that occurred within the previous five years. This is current practice of the bill -- of the Commission now.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Seeing no -- discussion, the question is, shall Senate Bill 728 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no voting Nay. And Senate Bill -- 728, having received the required constitutional majority, is hereby passed. Senator Trotter, on Senate Bill 741. Do you wish to proceed? ...Trotter seeks leave of the Body to return Senate Bill... On the -- on {sic} the record. Senator Link, on Senate Bill 854. Do you wish to proceed? On the record -- out of the record. Senator Sandoval, on Senate Bill 930. Do you wish to proceed? Senator Sandoval seeks leave of the Body to return Senate Bill 930 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 930. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval, on Floor Amendment No. 1.

SENATOR SANDOVAL:

I'd like to adopt the amendment and explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. The Senate Bill 930 is an effort to reduce the speed differentials on rural interstates in the collar counties. And..

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

You're adopting Floor Amendment No. 2. Is that correct?

SENATOR SANDOVAL:

Oh, Floor Amendment No. 2, so I'd like to adopt amendment and -- and explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 930. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 930.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval.

SENATOR SANDOVAL:

Mr. President, Senate Bill 930 is a -- a bill that is brought to me by the Illinois Trucking Association and the Mid-West Truckers Association. It's an effort to reduce the speed

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differential on rural interstates in the collar counties. Amendment No. 2 is an amendment from IDOT that clarifies that all interstate {sic} (non-interstate) highways will remain at fifty-five miles per hour. This is an agreed bill. I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, the question is, shall Senate Bill 930 pass. All those in favor will vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, no voting Nay. And Senate Bill 930, having received the required constitutional majority, is hereby passed. With leave of the Body, we're going to return to Senate Bill 741. Senator Trotter, do you wish to proceed? Senator Trotter seeks leave of the Body to return Senate Bill 741 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 741. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. Amendment No. 3 is a gut-and-replace amendment. It makes some technical changes. And I would like to explain the whole bill on 3rd, if I could.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, all those in favor will say Yea.

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Opposed, Nay. The Ayes have it, and the amendment is adopted.
Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

SECRETARY ANDERSON:

Senate Bill 741.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Trotter.

SENATOR TROTTER:

Thank you, Mr. President, Members of the Senate. Thank you
for your indulgence on getting back with me. Senate Bill 741, as
amended, codifies the current rate structure that HFS has -- pays
to nursing homes for ventilator care to Medicaid residents. It
requires HFS to pay a per diem of one hundred and seventy-four
dollars for ventilator care in addition to a thirty-four service
charge per day. This rate would pay for the nursing, support, and
capital components involving -- involved in providing that
service.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter, what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor said he will yield.

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SENATOR RIGHTER:

Senator Trotter, you mentioned the -- the ventilator issue, which, it's my recollection, was the subject of negotiations and an agreement between DHFS and the nursing home industry some time ago. But, in reading your bill, there's more than that in there. Now you just mentioned ventilator care and that's all you said. I -- and it's my understanding that there's more in here that creates the seventy-one-million-dollar expansion of liability in the Medicaid program. That is the price tag of this bill. So, can you walk through with me what else is in the bill other than just ventilator care?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Trotter.

SENATOR TROTTER:

Yes, I can, but if you allow me not just to walk, maybe run through some of the things that are there, because this is a -- a continued negotiated process, which I was going to bring up as well, that -- as you know, the negotiations ended last December 31st, where there was a negotiated agreement to go forward with the bill. Since that period, there has -- in the last quarter, as they look at it, there were further discussions in discussing the RUG's rate, which is the resource utilization dollars that -- that are there. Those negotiations are still ongoing. They just got the report back last week, on March 31st. The Department and the health care -- the -- HFS - excuse me - HFS, along with the -- the nursing homes, met yesterday. They're still negotiating. They're asking our indulgence to give them a little more time to negotiate and they will further negotiate and amend this bill in the House, if we can move it forward because of our deadline.

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

Senator Trotter, if this bill is the subject of negotiations -- or that -- what's in this bill is the subject of negotiations between the nursing home industry and DHFS, why move a bill that sets the rates in statute? Why don't we let them have their meetings and figure out what's appropriate before moving a bill?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator -- Trotter.

SENATOR TROTTER:

We are doing that, as a matter of fact, but because of our deadlines and with our deadlines, as you know, to get our bills out this week to move over to the House, those negotiations will continue. It's not as if they're going to start new ones next week. But they will be able to continue, and before this process is completed, that whatever changes they make, as you know, the bill will come back here on concurrence. So there is plenty of opportunity for those things to -- for them to come to a decision as they discuss this discrepancy. It's not just a seventy-one-million-dollar discrepancy of course. HCCI disagrees with that number. So as they come to some kind of agreement, or not, we're just asking to let this bill go forward.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

Senator, something you said there at the end caught my attention. The seventy-one million dollars is HCCI's number. Who told you that they disagree with that number?

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Trotter.

SENATOR TROTTER:

The Department.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

The Department disagrees with HCCI's number of seventy-one million dollars in expanded liability in the program in this bill. What is the Department's number then?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Trotter.

SENATOR TROTTER:

And -- and I was just corrected. It is the -- the HH -- HCCI believes that the number is sixty-four million and that the Department claims that it's going to be seventy-one million. But, as many times, those numbers can be arbitrary or -- on what methodology they came up with of how those utilization dollars actually come about. Is it because of acuity? Is it because of new coding laws? There is a -- a -- a lot of issues or things that -- that make that number change, and that's what the discussion is going on at this time.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

And not to repeat myself, Senator, but I guess that's my point, is that there is disagreement on how much this bill will expand Medicaid, that will walk us backward from the reforms we made two years ago. There's disagreement on how much more we'll

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have to pay as a result of Senate Bill 41 {sic} and the negotiations of you -- as you've pointed out, are fluid. As such, why move the bill now? We don't even know for sure the price tag of this bill. Medicaid has gone under through...

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Trotter.

SENATOR RIGHTER:

Medicaid has gone under substantial revisions in the last couple of years to where the program is just now starting to be able to catch its breath and pay for itself and now we want to expand the program by -- in the neighborhood of seventy million dollars. What's -- what's the wisdom of that, Senator?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Trotter.

SENATOR TROTTER:

Well, it is not the wisdom of -- of this specific bill; it's the wisdom of the forefathers and -- that came before us who set forth a system from which we can work. They gave us two Chambers, so we have two bites at this apple of addressing the issue. So as our process calls for us to go through 3rd Readings and send bills over to the House by the end of this week, those discussions in this same legislative process will go forward in the House. So before we can move this, and with any kind of definitive action of saying this is going to be law, this is the cost, those negotiations within the parameters set forth by those who gave us our Constitution and gave us our duties will continue on the other side. If, in fact, it comes up that those dollars, that it is out of the realm of possibility to -- to pay the cost or -- or we -- they -- should say mitigate that there will be better numbers or

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numbers that we can agree on that's saying that this is affordable, this care is needed, then we can kill it there or -- or -- or move it forward, which takes it to the next process of seeing if the Governor's going to veto it. So this process certainly is in motion as we speak and it doesn't end after we pass this bill, move it to the House to further those discussions.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

To the bill.

SENATOR RIGHTER:

Thank you, Mr. President, and thank you, Senator Trotter. You know, Ladies and Gentlemen, Senate Bill 741, combined with the sudden eleven percent increase in liability for FY'15 because of increased acuity levels, that's a two-hundred-million-dollar price tag that you are putting - at a minimum - that you are putting in increased liability onto a Medicaid program that just two years ago this generally -- General Assembly stood up with one voice and said had to be reined in. Combined with, again, what is the growing chorus in this building that parts of this budget have to be walled off, that we cannot possibly spend any less, that is why making the sixty-seven percent increase in taxes must be permanent. We are now adding, we are now adding new spending to those programs. At some point, at some point, you can't vote for this new stuff and then go home and tell the taxpayers with anything resembling a straight face that you've done all you could to rein in spring -- rein in spending in Springfield. Reluctantly, I rise

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to oppose Senate Bill 741. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Althoff, what purpose do you rise?

SENATOR ALTHOFF:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

...bill.

SENATOR ALTHOFF:

I'm going to take a little bit of a different tact, and even though I concur with Senator Righter that this is a seventy-one-million-dollar additional expenditure every year, as it appears in this legislation, I am a steadfast and staunch supporter of the nursing home industry. I think the people who provide those services are truly heroes. Unfortunately, what I'm listening to, and what I'm encouraging people to pay attention to, is this situation is already complicated, and according to our advocates, they are coming back to us to correct situations that were confused or mismanaged or misunderstood. We're not doing them a service, nor are we doing ourselves a service, in allowing this particular bill to move forward at this time without truly sitting down and resolving this situation. And I know we have great faith and we give the House Members a great deal of credit for helping us craft legislation, but in this regard, I would strongly urge all of us to keep this piece of legislation in this Chamber until we get the total situation resolved. We can do it. And I also know, with past experience, that if it is agreed to and everyone is on board, we'll find a means to get it out of this Chamber, over to the House and passed, and on its way to the Governor. We do it all the time. I have great faith in the bill's sponsor. I think you're the

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person who can help negotiate this. I would strongly urge that we keep it in this Chamber until you have the opportunity to fully do its duty. Thank you very much.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, Senator Trotter, to close.

SENATOR TROTTER:

Thank -- thank you very much, Mr. President. You know, I -- I agree with the speakers. I mean, this is a very convoluted issue and there's a lot of moving parts. There's no reason, however, that we should not include our House partners in those discussions and we can do this when we move this bill over. It would not absolve us of responsibility to look at it a second time when it comes on a concurrence, but I believe all the parties need to be involved. I think, in -- in -- in part, this has come about because the Department has not negotiated in good faith in the last three months, which they said they were going to do when they ended the negotiations on December 31st. So, as a consequence, because we do have the mechanism to discuss this in the other Chamber and amongst ourselves before it could be signed into law, I think we should move it forward to the House. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The question is, shall Senate Bill 741 pass. All those in favor will vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 41 voting Yea, 15 voting Nay. Senate Bill 741, having received the required constitutional majority, is hereby passed. Senator Martinez, on Senate Bill 977. Senator Martinez. On {sic} the record. Turning

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to page 6, Senator Cullerton, on Senate Bill 1103. With leave of the Body, we're going to go back to Senate Bill 1098. Senator -- Senator Harmon. On {sic} the record. Okay, Senate Bill -- back to -- Senator Cullerton. Senate Bill 1103. Do you wish to proceed? Senator Cullerton seeks leave of the Body to return Senate Bill 1103 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1103. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Tom Cullerton.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Cullerton.

SENATOR T. CULLERTON:

There should be two amendments. Correct?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

This will be Amendment No. 1.

SENATOR T. CULLERTON:

All right. Then I'd like to -- I'll just explain Amendment No. 1 on 3rd Reading.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Discussions? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Tom Cullerton.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Cullerton.

SENATOR T. CULLERTON:

I'll explain that on 3rd as well.

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. On the Order of 3rd Reading is Senate Bill 1103. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1103.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Cullerton.

SENATOR T. CULLERTON:

Thank you, Mr. President and Members of the Chamber. This is just a technical change. We are combining the -- this was brought to me by the Department of Labor. We are going to be combining the Safety Inspection and Education Act and the Health and Safety Act into one bill, which will now be called the Occupational Safety and Health Act. This puts us in line with the federal standards and gives us one document going forward.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, the question is, shall Senate Bill 1103 pass. All those in favor will vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Ayes, no voting Nays. Senate Bill 1103, having received

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the required constitutional majority, is hereby passed. Senator Link, on Senate Bill 1681. Do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1681.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is the consolidation of fire prevention {sic} (protection) districts - without belaboring it all, because I'm sure there will be some questions on this. The thing is, basically, if you consolidate districts, it shouldn't be on a financial matter only. It's also about the emergency services quality. And -- and one thing of -- to make sure that everybody remembers, most importantly, both routes of consolidation require approval of elected officials in the affected jurisdictions prior to conducting the referendum or enacting an intergovernmental agreement. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter, what purpose do you rise?

SENATOR McCARTER:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor said he -- states he will yield.

SENATOR McCARTER:

Senator, in the committee, we talked about some of the opposition, the -- primarily the Illinois Municipal League, and in

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that discussion, they stated that they had given you a list of their issues with this bill and I think you responded by saying you hadn't received anything and then I -- I -- I know then that they came back and showed a copy of that to -- at least to my office. I -- I suspect that they showed it to your office as well. Did you begin those negotiations once again, since you were aware that they did have some issues with this bill?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Link.

SENATOR LINK:

No.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter.

SENATOR McCARTER:

Why not?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Link.

SENATOR LINK:

Because this has been a two- to three-year in good faith negotiation and it came to a point to where we either were going to do what we're doing right now, running it on the Floor. Both sides discussed this bill numerous amount of times. Amendments have been added. Changes have been added to it. And I felt it was time to just run the bill and let the Senate decide what they want to do.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter.

SENATOR McCARTER:

Senator, what -- what's wrong with the current process? What

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are we trying to fix here? Because I know that currently by an intergovernmental agreement, which is outlined in eighty-two words, we've now gone to a process that takes seventy-two pages to explain. What was the problem and how -- how are we fixing it, if you can tell us that?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Link.

SENATOR LINK:

Well, to clarify, those seventy-two pages were mostly the agreements of which both sides stood up on and decided to change a lot of things, and that's where you got to the seventy-two pages. But what we're trying to rectify here - and I'll make it very simple in terms: Most of these consolidations are economics that they're doing and which is -- I think everybody in this room wants to see consolidations of services to save our taxpayers money, but it shouldn't be at the sake of services. And I use the example, Senator McCarter, and I hope to God it never happens to you, but if you were to have a heart attack and your present services came and it took five minutes for them to get to your location; well, if they consolidated, then it takes twenty minutes to a half hour to get to you, I think you, as a taxpayer, of that agency -- or area would be quite upset. So all of this has to be taken into consideration before any consolidation can be done.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter.

SENATOR McCARTER:

Does it -- does it concern you that those that are responsible for managing the taxpayers' funds to provide those services in municipalities, does it bother you that they may be inhibited from

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doing what's best for the citizens? Because in that situation, I would hope that those that were put in -- put in power within the city would have made good choices to fully man and fully protect the citizens. Does it bother you that you take that control away from them?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Link.

SENATOR LINK:

There is no control being taken away from anybody. What this is, is they will still have the final word, and as I said in my opening statement, the intergovernmental agreements or if it's by referendum and -- and I think everybody in this room wants -- likes referendums, because they always say you want the citizens to speak on something. This is giving that process there of a referendum. But the point is, the governmental agencies affected still have the final word on what goes on.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter.

SENATOR McCARTER:

To the bill. Ladies and Gentlemen...

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

To -- to the bill.

SENATOR McCARTER:

Ladies and Gentlemen, to -- I don't know if you've spoken to the cities that you represent, but there is a tremendous amount of opposition to this bill. And -- and I know it's -- you know, we -- we use some buzz words around here that everybody -- when you hear 'em, you say, well, that's great. Consolidation - oh, that's good. We can -- we can save money. We can make things more

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efficient, which is, you know, what we'd all like to do - but it's not that easy. And we have -- and -- and we put people in positions to -- to be responsible for these types of things, and if that mayor or that city council blatantly understaffs or somehow, in a -- in a cost-saving manner, puts the people in a dangerous position, I think, very quickly, they're going to be held accountable. And I think what this bill does is take away their ability to manage and do what's best for the people they represent. I urge a No vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Delgado, what purpose do you rise?

SENATOR DELGADO:

Thank you, Mr. Chairman -- or, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

To the bill.

SENATOR DELGADO:

First of all, I want to commend the sponsor. I want to thank Senator Link, because when -- and -- and -- and no disrespect to the previous speaker, but, to me, it reminds me, in Public Health, when we have to have insurance companies making decisions for doctors and patients. This is heavily supported by the Associated Fire Fighters of Illinois. The word is -- is in the name - "Associated". These are many south of I-80. They are the ones who are the first responders. They are the ones who know how to make sure safety is the first and foremost. Having been in the role of first responders, I commend for all the fire fighters coming together and making sure that management doesn't take this away and give -- and make sure that they're at the table so that they can make safety decisions and consolidations, if that's going

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to bring that to them. They're doing it in the best interests of the citizens of all of Illinois. And no disrespect to mayors and all those leaders who get elected by those same people, I would ask for a strong Aye vote, as, again, this was brought to me too as a supporter and my work in my tenure in both Chambers working with the Associated Fire Fighters of Illinois and, of course, our Local 2 in Chicago. I have a great respect for those who want to save our families and have input as to how it's best to serve us. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no further discussion, Senator Link, to close.

SENATOR LINK:

Thank you, Mr. President. You know, as one of the previous speakers said about taking this out of the hands of locals and -- the point is, there's no intent of taking anything out of the hands of the locals. But I got to say, if there's a mistake being made of the time to get to that person who's having a heart attack or something because we -- we neglected and we just let them consolidate, I think would be a misfortune that none of us want to have on our hands. This is something to make sure a process that's done of consolidation, which I'm probably one of the loudest voices on consolidation, is done properly and that the citizens of those areas are thought of first before financial gains. Thank you. I ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you, Senator Link. The question is, shall Senate Bill 1681 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there

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are 47 Yeas, 6 voting Nay. And -- and the -- and Senate Bill 1681, having received the required constitutional majority, is hereby passed. Senator Althoff, what purpose do you rise?

SENATOR ALTHOFF:

Thank you very much, Mr. President. While I have everyone's attention and we're a little bit quiet, I wanted to make a little brief announcement, sir. May I?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Please state your announcement.

SENATOR ALTHOFF:

Thank you very much. The Body is aware that we have numerous caucuses in this building and I am a member of the Diabetes Caucus and we are having...

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator. Senator.

SENATOR ALTHOFF:

I'm sorry.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Can we have some attention, please? Thank you.

SENATOR ALTHOFF:

Thank you. And we are having our first fundraiser, which will obviously be to raise money to help us in educating not only this Body, but the State of Illinois about the importance of diabetes education. So, on April 29th, we are having a bowl-a-thon. And I am sponsoring one of the teams. So I'm seeking four other Members to bowl with me and anyone who is interested in creating their own team needs to get a hold of me. Again, it's a very worthy cause. We all know the importance. Diabetes is one of the most increasing diseases that we're grappling with today.

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So if you are interested, please see me, and it would be a wonderful evening with friends and family and fun. So thank you very much. Appreciate it.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you for the announcement. Thank you. With leave of the Body, we're going to go back to page 3, Senate Bill 229. Senator Delgado. Do you wish to proceed? Senator Delgado seeks leave of the Body to return Senate Bill 229 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 229. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. Senate Bill 229, as amended by Floor Amendment No. 1, requires the Governor to annually report the demographic information, ethnicity, gender, and disability status, of each appointment made by the Governor during the covered year; two, the demographic information of those that applied for an appointed position, but were not appointed during the covered year; and the demographic composition of the gubernatorial appointees on each board, commission, and State task force. To accomplish this goal, the bill requires that the Governor's appointee application include data field for disclosure of this information, which the current system has such a field. The Legislative Research Unit will publish an annual report containing the demographic composition of the gubernatorial

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appointees of each board, commission, and task force. And I would ask for an Aye vote on the amendment.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Okay, on the amendment, are those -- all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any other -- further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

...Reading. Now on the Order of 3rd Reading is Senate Bill 229. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 229.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. I would ask for your Aye vote, as I read it on 2nd.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, the -- the question is, should Senate Bill 229 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 -- voting Yea, 1 voting Nay. And Senate Bill 229, having received the required constitutional majority, is hereby passed. Now we're turning to... Senator Sullivan, what purpose do you rise?

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SENATOR SULLIVAN:

Thank you very much, Mr. President. My -- my apologize {sic}. As a Presiding Officer, your seatmate pushes your button for you and I got to the wrong button there. So my apologies on the last bill. I know it was your intention to vote Yes on Senator Delgado's bill, so..

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you, Senator Sullivan. I'll remember that. Going back to page 6, Senate Bill 1999. Senator Connelly. Senator Connelly wishes to proceed. Senator Connelly seeks leave of the Body to return Senate amendment -- Senate Bill 1999 to the Order of 2nd bill -- Readings. Leave is granted. On the Order of 2nd Reading is Senate Bill 1999. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Connelly.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Connelly.

SENATOR CONNELLY:

Thank you, Mr. President. Amendment 2 becomes the bill. I'd be happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Those in favor will vote Aye -- say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

...Reading. Now on the -- on the -- now on the record of 3rd,

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proceeding to 3rd Reading is Senate Bill 1999. Please -- Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1999.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Connelly.

SENATOR CONNELLY:

Thank you, Mr. President, Members of the Senate. Senate Bill 1999 amends the Child Care Act of 1969. This bill regards day care home licensure and it provides that the requirement of -- of a copy of a high school diploma may be satisfied with either a copy of a high school diploma or college degree. This is an initiative of the social service agency in my district, World Relief DuPage. I know of no opposition to the bill and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, the question is, does Senate 1999 pass. All those in favor will vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, no voting Nay. And Senate Bill 1999, having received the required constitutional majority, is hereby declared passed. Leave of the Body, we're going to go back to page 4, Senate Bill 585. Senator Sullivan. Do you wish to proceed? Senator Sullivan wishes to proceed. He seeks leave of the Body to return Senate Bill 585 to the Order of 2nd Reading. Leave is granted. And now on the Order of 2nd Reading is Senate Bill 585.

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

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sullivan.

SENATOR SULLIVAN:

Thank -- thank you, Mr. President. The amendment becomes the bill. I'll be happy to discuss it on 3rd.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 585. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 585.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. This legislation came as an initiative of one of my school districts up in Henderson County. They have an issue where their -- their water supply for their school comes from a well and the well has given

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'em a lot of problems. It needs maintenance. There's not enough water pressure to take care -- if there was a fire, there's not enough water pressure to -- for the fire department to fight the fire. It has a terrible taste to it. So what the district's asked is that they wanted to be able to hook up to a rural water supply, public supply -- water supply system, and the -- so they went to the State Board of Education and asked if they could use life and safety funds and that process to -- to -- to do that. The ISBE told 'em, no, that it's not allowed by law. So what this legislation does, it allows the school district to levy or issue bonds whenever a -- a school district determines it is necessary for the improvement of potable water or for -- for the water supply for a -- fire protection system. I know in committee there was a couple questions Senator McCarter had. I think I've addressed those questions. I know of no opposition. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, the question is, shall Senate Bill 585 pass. All those in favor will vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, no voting Nay. And Senate Bill -- Senate Bill 585, having received the required constitutional majority, is hereby passed. Senator Sandoval, what purpose do you rise?

SENATOR SANDOVAL:

Testing. Testing. Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Please state your point.

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SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. I have with me today one of our local heroes. He is my Fire Chief in Bedford Park. He's also the Vice President of the Illinois Fire Chiefs Association, our -- one of our local heroes who's dedicated his life to protecting families on the southwest side of Chicago and suburban southwest side. I'd like to give him a warm welcome to Springfield, Fire Chief Sean Maloy, from Bedford Park.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Welcome, Fire Chief. Welcome to the Senate. On page 6 of the Calendar, Senate Bill 2002. Senator Dillard. Do you wish to proceed? Senator Dillard wishes to proceed. Senator Dillard seeks leave of the Body to return Senate Bill 2002 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 2002. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is an amendment that comes from the Corporate Fiduciaries Association. It's going to become the bill and I'll explain it fully on 3rd Reading. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you, Senator Dillard. Seeing no discussion, all those in favor, say Aye. Opposed, Nay. The amendment -- the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

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ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2002. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2002.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Members. This is clearly a minor cleanup bill, if there is such a thing when you're dealing with the Trust and Trustees Act. But a year or so ago, we passed two bills simultaneously and this just makes the two bills consistent with one another. This is an initiative of the Corporate Fiduciaries Association and it's a cleanup of directed trusts and it is nothing more than a technical change with the assistance of the Legislative Reference Bureau, who help us put these two statutes we passed in the same year in perfect order. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, the question is, shall Senate Bill 2002 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, no voting Nay. And Senate Bill 2002, having received the required constitutional majority, is hereby passed. Senator LaHood, on Senate Bill 2003. Do you wish to proceed?

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Senator LaHood seeks leave of the Body to return Senate Bill 2003 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 2003. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator LaHood.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood.

SENATOR LaHOOD:

Yes, Mr. President, I would ask for the adoption of Senate Floor Amendment 1 and proceed on SB 2003.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Althoff, what purpose do you rise? Okay. No -- seeing no other discussion, all those in favor will say Yea. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2003. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2003.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood.

SENATOR LaHOOD:

Thank you, Mr. President. Senate Bill 2003 is a trailer bill

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to a bill that we passed last year, which was House Bill 2590, which was the Illinois Workplace Violence Prevention Act. That bill passed unanimously, 107 to nothing in the House and 58 to nothing here. Signed into law on August 16th. Right before it was signed into law, Governor Quinn's Office contacted us about adding some language that was of concern to some of the domestic violence groups and also the AFL-CIO. We worked with them over the last five months to put together the legislation that we have here today. I know of no opposition to this and want to thank the groups that were involved in the fruitful negotiations that resulted with what we have today. I'd be happy to entertain any questions.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Althoff, on Senate Bill 2003.

SENATOR ALTHOFF:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor says he'll yield.

SENATOR ALTHOFF:

Senator LaHood, we had some questions in committee that we agreed to ask on the Floor for legislative intent. So, for that purpose, is the exemption intended to protect an individual who criminally threatens or criminally acts, even if the individual is engaged in a lawful labor activity?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood.

SENATOR LaHOOD:

Thank you, Senator Althoff. The answer is no. The exemption being proposed is intended to protect individuals who are lawfully

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participating in a lawful labor activity as provided in the new provision.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Althoff.

SENATOR ALTHOFF:

And, Senator LaHood, can you tell me what is considered as an exempt activity?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood.

SENATOR LaHOOD:

Thank you, Senator Althoff. Number one, lawful monitoring of compliance with workplace safety laws, wage and hour requirements, or other statutory workplace requirements; and, number two, lawful picketing, patrolling, using a banner, or other lawful protesting at the workplace and which arises out of a bona fide labor dispute; and engaging in concerted and protected activities as defined in applicable labor law.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Althoff.

SENATOR ALTHOFF:

And, lastly, Senator Hood {sic}, can you explain to me what would be considered a bona fide labor dispute?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood.

SENATOR LaHOOD:

Thank you, Senator Althoff. Any activity recognized by the National Labor Relations Act, the Illinois Public Labor Relations Act, or the Illinois Educational Labor Relations Act as a labor dispute. A bona fide labor dispute includes a controversy

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concerning wages, salaries, hours, working conditions, or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions; the terms to be included in collective bargaining agreements; and the making, maintaining, administering, and filing protests of {sic} (or) grievances under such collective bargaining agreements.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Harmon, what purpose do you -- rise?

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor said he'll yield.

SENATOR HARMON:

Thank you, Mr. President. Senator, I -- I appreciate you indicating in your opening remarks that this was the product of negotiation, which included victim advocate groups and the AFL-CIO. It's my understanding that at least the victim advocates might believe that the -- the negotiations were incomplete and that there are still issues to negotiate, including issues relating to employment protections, remedies for violations, and corresponding amendments to the Victim {sic} (Victims') Economic Security and Safety Act. Have I characterized that fairly and would you commit to continuing those negotiations?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood.

SENATOR LaHOOD:

Thank you, Senator Harmon, for that. I will tell you, they have put a slip in as neutral on this particular bill. There has been fruitful negotiations throughout this process, you know, and

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we had a hearing on this in the Labor Committee. It was an agreed-upon bill last night. We've probably had eight different meetings, phone meetings, conferences, on this and that's included the Governor's Office and also, as I said, the domestic violence groups, and I believe, as I said, they are neutral on this. Would ask to move it out today.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Harmon.

SENATOR HARMON:

...you, -- thank you, Mr. President. Thank you, Senator. I appreciate that. It is my understanding that they do believe there is more negotiation to do, that they would have liked to have testified in committee yesterday, but given the hour and the -- the process, they -- they did not have that opportunity. Would you commit to continuing negotiations in the House?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator LaHood.

SENATOR LaHOOD:

Yes, Senator Harmon. If we can move it out today and -- and take it over to the House and -- and they can continue those negotiations.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no further discussion, Senator LaHood, to close.

SENATOR LaHOOD:

I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The question is, shall Senate Bill 2003 pass. All those in favor will vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

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Take the record. On that question, there are 59 Ayes, no voting Nay. And Senate Bill 2003, having received -- received the required constitutional majority, is hereby passed. Continuing on page 7, Senate Bill 2363. Senator Martinez. On {sic} the record. Senator Noland, on Senate Bill 2583. Wish to proceed? Do you wish to proceed? Senator Noland wishes to proceed. Senator -- Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2583.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. There we go. All right. A matter of housekeeping here on this at first. We attempted to present Floor Amendment No. 3 to clarify a concern that the Secretary of State had. This is the sign-and-drive, otherwise known as the sign-and-go bill. I see that it's on 3rd, so I'll read this and I'll explain what we need to with this, but I am asking that we move it out of the Chamber. Senate Bill 2583 adds a new Section to the Vehicle Code entitled "Procedures for traffic violations". The amendment states that any person cited for a violation of the Vehicle Code or similar local ordinance for which the violation is a petty offense is no longer required to post bond. Amendment sets procedures for an individual who fails to appear in court or pay any fines, which would be, in sum and total, the suspension of their driver's license until they do finally appear and otherwise pay their -- pay their fines. Now the Secretary of State had had

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some concerns regarding a Section. It was a scrivener's error on the part of LRB, but to -- to read a message that I received from them: We just wanted to bring this to the clerk's attention and believe that -- the clerks' association's attention, who are the chief proponents of this bill, but the Secretary of State's -- State's Office believes it will not affect its ability to implement the bill. Regardless, the Secretary of State is in support of this bill, as amended by Senate Floor Amendment No. 3. As such, what I would be asking is that we send it over to the House for its adoption. I understand, from the potential House sponsor, that the bill will be amended over there. We'll bring it back for concurrence. I'm asking for an Aye vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter, what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor states he will yield.

SENATOR RIGHTER:

Okay. Senator Noland, I -- you and I have had a couple conversations today on the Floor about this and I think that there -- there's a misunderstanding. The -- the language that takes out the higher minimum mandatory fee is in Amendment 3, which was not adopted on the bill. Is that correct?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Noland.

SENATOR NOLAND:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Righter.

SENATOR RIGHTER:

I apologize, Senator, because I thought that you had told me the language in the bill had been changed, but it has not been changed with regards to taking out the -- the elevated minimum mandatory fine.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Noland.

SENATOR NOLAND:

That language has been taken out in the Floor amendment, which we had hoped to present today, but at your request, we have eliminated that language, and that -- and your position and the language that you would prefer is yet to be adopted and will be so in the House. That is my understanding.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

Okay. That's -- and I guess maybe the terms are confusing me here. When you say the language has been eliminated, it hasn't been eliminated; it's in an amendment that would eliminate it. But since the amendment's not on the bill, it has not been taken out of the bill. Is that a fair statement?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Noland.

SENATOR NOLAND:

It is.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

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As you and I have talked about, Senator, that -- that the challenge, I think, that the bill presents right now is, while it is designed to make it easier for people who may receive a citation who can't pay in cash right there to not have their license taken - that makes perfect sense to me - but, at the same time, to -- to double the minimum mandatory fine, which may be for an infraction like not using their turn signal, doesn't make much sense. And I think that you've agreed with that and that's why the amendment was filed. So I want to be clear. Your expectation is, is that the doubling of the fine will be removed in the House and will come back here for concurrence.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Noland.

SENATOR NOLAND:

Senator, it is not my anticipation that the fine will be doubled. Okay? And as a matter of fact, at your request and very astute observation in committee, I am adopting your position, which would allow the judge greater discretion. And that is the language that we would be asking to adopt over in the House. That is the sum and substance, the Floor amendment.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

And that is to leave the language in the underlying statute untouched. In other words, leave it with the courts in the -- in the local jurisdictions. Correct?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Noland.

SENATOR NOLAND:

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Yes, I believe that to be a true statement, Senator.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

So, Senator Noland, can I ask, do you have a commitment from the House sponsor that that language which strikes the doubling of the fine and leaves the underlying statute intact, do you have a commitment from the House sponsor that that will be added in the House?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Noland.

SENATOR NOLAND:

I have a commitment from the House sponsor to adopt Senate Floor Amendment No. 3, which does exactly that.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter.

SENATOR RIGHTER:

Mr. President, thank you for your indulgence. Senator Noland, thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no other questions, Senator Noland, to close.

SENATOR NOLAND:

So, thank you, Mr. President. Thank you, Senator Righter, for those observations. This is at long last an opportunity for us to join forty-nine other states in reciprocating a policy that will make motor vehicle transportation here in the State of Illinois much easier for folks. It will allow you to hang onto your license. Sometimes when we are traveling, when we -- if we have to visit the airport or simply asking to fill -- or we need

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to fill a prescription or we need to make a purchase with a credit card, we need our driver's license. So this should make life easier for each and every one of us. And I note that everyone in this Chamber must have a spotless driving record. It will not affect them, but it will affect almost all of our -- our constituents at some time or another. So I thank you very much and ask for Aye votes all the way around.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The question is, shall Senate Bill 2583 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, no voting Nay. And Senate Bill 2583, having received the required constitutional majority, is hereby passed. Senate Bill 2590. Senator Haine. Do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2590.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a work in progress. It's negotiations between the Department of Insurance and the travel insurance industry, which has dramatically changed in the past few years with the Internet and the development of -- of Travelocity and everything else. They've created a new line of license, called the "travel insurance

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business enterprise", rather than the historic "limited lines" license for all so-called travel insurance agents, and then they have another license for "travel insurance business enterprise" and "travel retailer". The scope of this remains to be seen as a result of negotiations between the Department and this industry, as well as the accountability. So I would like to, with the indulgence of the Senate, pass this to the House with the idea, and with the permission and encouragement of the Department of Insurance, so that they can further work up a bill to bring the - - this provision of insurance into the modern computer age. There's no opposition to the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, the question is, shall Senate Bill 2590 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, no voting Nay. And Senate Bill 2590, having received the required constitutional majority, is hereby passed. ...the Body, we're going to go to page 6, Senate Bill 1626. Senator Sandoval. Do you wish to proceed? Senator Sandoval wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1626.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval.

SENATOR SANDOVAL:

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

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1626 is a bill that I'd like to move with your indulgence. And my intention is to reform the way copayments are applied to physical therapy. There's been lots of discussion on this bill and the discussions are still ongoing and meetings have been scheduled between members of the insurance industry and the Department of Insurance to find a solution that is amicable to all parties. I'd like to move Senate Bill 1626, with support of Chairman/colleague Senator Haine, and hope that a productive conversation will result in an agreed bill. I'd ask your support.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Syverson, what purpose do you rise?

SENATOR SYVERSON:

Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor says he'll yield.

SENATOR SYVERSON:

Senator, I think maybe I wasn't in committee on that -- on that particular time. What is the intent of -- is this the legislation that would change the -- the copays on the specialists for -- versus physicians as -- as part of their -- part of the contract?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval.

SENATOR SANDOVAL:

Yeah, it's -- it's intended to -- my intention is to reform how copays are applied to physical therapy and there's been -- we're trying to provide some relief to the working class folks of the State of Illinois. And it's a long discussion and just for matter of expediency, I think, Chairman Haine has indulged himself

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to engage in this conversation to see if we can bring some agreement.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Syverson.

SENATOR SYVERSON:

Well, I appreciate, you know, that -- that ongoing discussion. I guess I'm concerned underlying that this is something that the -- that the business community and the insurance industry has -- has opposed. And under the -- under the new ACA law, under the Affordable Care Act, any new mandate that is potentially worked out is a cost that the State has to bear and pick up, and so the concern is that I'm not sure what kind of agreement can be -- can be worked out if there is -- if there is opposition to changing the copays. Either we change the copays or we don't. So do you see that there's an area of compromise outside of reducing the copays, is what your -- I think, what your intent was?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval.

SENATOR SANDOVAL:

Absolutely. There is an understanding between the business community and the insurance industry to continue this conversation; otherwise, I would not indulge you in asking me to -- helping me to send this bill to the House. If there were no room for a possible agreement, then I would not take up your time or anyone else's time on -- on the Floor of the Senate today. But I am convinced that with my colleague, Chairman Haine, that -- you know, he has a way of bringing the business and the insurance industry to the table and trying to figure out a resolution, if possible. Let's keep hope alive just for a little bit longer.

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Syverson.

SENATOR SYVERSON:

Thank you. Just -- last question. What do you see -- or do you have an idea of what you would anticipate a compromise would be? Because to me it seems black and white, either we keep the copay or we don't have the copay. I'm not sure where we find an area of compromise between a -- a yes and no. Do you have an idea of what you believe could be a -- a compromise between copay and no copay?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval.

SENATOR SANDOVAL:

I would -- I would hate to rain on that discussion chaired by Senator Haine. I think that's why it's important to bring all parties to have a real serious discussion. So I -- I would not want to comment or take a position on what I perceive should be the final result of a negotiation.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Haine, ...purpose do you rise?

SENATOR HAINE:

Yes, thank you. I appreciate all the kind words. I'm leaving this afternoon on a plane to Beirut to try to bring those people together. I would -- I rise in support of the bill. I think that -- that Senator Sandoval is well-intentioned here. And -- we move this shell bill to the House, we can continue the discussions. I have offered to help. I've been asked. And I -- I share Senator Syverson's concerns about the room for compromise here, but to be fair to Senator Sandoval, we have never had a chance to sit at a

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table and talk about this bill. When this bill first came up last year, he was on the road to Damascus and was knocked off his horse and was severely injured, if you recall. And he's been enlightened since then. And so this bill has not had a true vetting or discussion between all the parties, and that's what he's asking and I strongly support that. And the bill will go to the House. Whatever comes out of the House will come back to the Insurance Committee. It's not going to go anywhere else. So, we will have, certainly, a control over the entire process and the bill, and we'll see what we can do. Thank you. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you. Senator... Thank you. Senator Sandoval, to close.

SENATOR SANDOVAL:

I ask a favorable vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The question is, shall Senate Bill 1626 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 14 voting Nay, 2 voting Present. And Senate Bill 1626, having received the required constitutional majority, is hereby passed. Senator Sandoval, on Senate Bill 2620. Do you wish to proceed? On {sic} the record. Senate Bill -- Senate Bill -- Senate Bill 2628. Senator Sandoval, do you wish to proceed? Senator Sandoval seeks leave of the Body to return Senate Bill 2628 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 2628. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. Senate Bill 2628 is a bill that would allow a non-government owned or operated Cook County health facilities with more than one hundred beds to develop a policy, within the next six months of the effective date, to encourage the participation of minority-owned, woman-owned, veteran-owned, and small business enterprises in capital projects. This has the support of the Federation of Woman Contractors and the Illinois Hospital Association. There are no opponents. I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Those in favor, vote {sic} Aye. Opposed -- the question -- those in favor will say Yea. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Now on the -- now on the Order of 3rd Reading, Senate Bill 2628. Mr. -- Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2628.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval.

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SENATOR SANDOVAL:

I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Seeing no discussion, the question is, shall Senate Bill 2628 pass. All those in favor will vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, no voting Nays -- 57 Yeas, no Nays. And Senate Bill 2628, having received the required constitutional majority, is hereby declared passed. Senate Bill 2647. Senator Althoff. On {sic} the record. Return to Senate Bill 2659. Senate Bill 2674. Senator Harmon. On {sic} the record. Senate Bill 2682. Senator Hastings. On {sic} the record. Senate Bill 2696. Senator Link. On {sic} the record. Senate Bill... 2717. Senator Sandoval. Senator Sandoval seeks leave of the Body to return Senate Bill 2717 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 2717. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval.

SENATOR SANDOVAL:

I'd like to adopt the amendment and speak to it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

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SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 17 -- 2717. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2717.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. Senate Bill 2717 is an initiative of the State Fire Marshal. The bill extends the sunset date of the thirty-five-dollar fee for serious traffic violations until January 1 of 2020, as opposed to 2014. I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McConnaughay, what purpose do you rise?

SENATOR McCONNAUGHAY:

To the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

To the bill.

SENATOR McCONNAUGHAY:

We supported this bill in committee and everyone was in agreement. I just want, for the record, for everyone to understand that this is an extension of a fee. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Sandoval, to close.

SENATOR SANDOVAL:

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Ask a favorable vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Therefore the question is -- the question is, shall Senate Bill 2717 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no voting Nay. And Senate Bill 2717, having received the required constitutional majority, is hereby declared passed. Senator Biss, on Senate Bill 2758. Do you wish to proceed? Senator Biss seeks leave of the Body to return Senate Bill 2758 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 2758. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 8, offered by Senator Biss.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

Thank you, Mr. President. We have three Floor amendments here, Amendments 8, 9, and 10. With your indulgence, I'd like to adopt them and then discuss them on the Order of 3rd Reading, please.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Okay. Are there any -- all those in favor of adopting Floor Amendment No. 8, say -- say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any other Floor -- further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 9, offered by Senator Biss.

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PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss, on Floor Amendment No. 9.

SENATOR BISS:

Same thing - if we could first adopt this now and then debate it on 3rd Reading, please.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

All those in favor of adopting Floor Amendment No. 9, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any Floor -- further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 10, offered by Senator Biss.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

Would appreciate to adopt this and then discuss it on 3rd Reading, please.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

All those in favor of adopting Senate Amendment No. -- Floor Amendment No. 10, say Aye. Opposed, Nay. The Ayes have it. The amendment is -- is adopted. Any further Floor -- further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

3rd Reading. On the Order of 3rd Reading is Senate Bill 2758. Senator -- Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2758.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

...you -- thank you very much, Mr. President, Members of the Senate. There are two and a half million people working in Illinois today without access to employer-sponsored retirement plans. That's -- means that at work these individuals, of course, participate in Social Security, don't have a pension, don't have access to a 401(k) and can be expected in retirement to subsist on Social Security and whatever they save on their own. Social Security was never intended to be a sole source of retirement income. The average Social Security benefit these days is around fourteen thousand dollars. It's meant to be supplemented by other sources of retirement income. We can all agree that it would be ideal if this population were, on their own, saving, but the truth is that it -- it appears to be the case, based on any read of the data, that they are not. Right now, it looks like about 4.6 percent of this population is opening their own IRAs outside of work. That's compared with seventy-one percent of workers who have access to employer-sponsored plans. And what this means is that this is a large population, people who live in every single district in this State, every community in this State, a population that skews disproportionately female, African American, Latino and low -- low wage, that is on a straight path to poverty in retirement. Senate Bill 2758 creates the Secure Choice retirement Savings Program, which simply provides this population an opportunity to save their own money for retirement, if they want

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to. Here's how it works. For most people who work for an employer that offers no employer-based retirement plan - more -- more on exactly which in a moment - they would be automatically enrolled at a three percent payroll deduction in an IRA. They could opt out, if they didn't want to do it. They could pay more or less, if they wanted, but the default would be, an automatic enrollment, three percent payroll deduction. The money would be pooled. A board would be created that would pick an outside investment manager. The State would not keep or, in fact, touch the money, and then the individual, unless they chose not to participate, would have a nest egg waiting for them at retirement. The default investment would be a target-date fund and the science on the subject suggests that people who participate at a three percent payroll deduction in a low-fee target-date fund throughout a working career would be able to replace twenty to twenty-five percent of their final salary in retirement, which together with Social Security would provide a reasonable, dignified retirement. As you can tell by the way I've described this, there's no cost of any kind to the State to this plan and the employer's responsibility is extraordinarily minimal, simply giving the employee the opportunity to opt out, to conduct that choice, and then to do the payroll deduction, just like they currently do with Social Security and income tax withholding and -- and -- and so on and so forth. I -- I think given the enormous magnitude of the problem and the -- the very minimal touch that this approach has, it's a -- it's an exciting opportunity to make a very, very big difference for many of our constituents. Before we -- before I stop, I want to mention the three amendments that we just adopted. Amendment 8 makes sure that the Governor's appointments to the

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board that oversees this process will have the approval of the Treasurer, as well as the approval of the Senate, to ensure that we can have appropriate oversight over the project. The second amendment, Amendment No. 9, says this only applies for employers with over twenty-five employees, to make sure that it really is an absolutely minimal, reasonable burden to deal with. And the final amendment, Amendment 10, makes clear that neither the State nor the employer will be subject to any ERISA liability or responsibilities, and if that turns out not to be true, the program simply will not be implemented. I appreciate the many discussions we've had, many -- with many Members and many interest groups on this topic. Look forward to your questions. Would certainly appreciate your support of this important measure.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you. Senator Jacobs.

SENATOR JACOBS:

Move the previous question.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

There are six speakers. Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor said he'll yield.

SENATOR SYVERSON:

Just a few questions and I'm not -- not necessarily in any particular order. But the idea of offering retirement options to employees, are those available now in the private sector?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

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SENATOR BISS:

Yes, Senator, absolutely. In fact, one thing that this bill does is it really increases the market for those private products. The truth of the matter, though, is that without something like this, we have a significant and, frankly, pretty tragic lack of uptake of those opportunities, which is why this bill is necessary.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Syverson.

SENATOR SYVERSON:

Under this proposal, if they -- if they don't choose a private sector option that they can do now with their -- with their bank or with their financial individuals or their insurance industry, they would go into this selected State program, similar to what our State's deferred compensation plan is, and this board that's set up, how is that -- how is this board funded?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

All administrative costs of any kind of this program are funded out of the program assets without exception.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Syverson.

SENATOR SYVERSON:

I guess, then, the concern is that the -- the cost of those program assets going into that program, how is that going to compare to what the cost would be with using a local bank or a local financial institution or a local broker, as opposed to this -- this statewide -- or this State program?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Biss.

SENATOR BISS:

Well, the -- the general principle here is that a large pool should enable lower fees. The important point to make is that if you look at what's available on the private market, there often are minimum contributions, an amount you have to put in to start. And if you don't have the ability to put in that minimum contribution there, then additional fees that are quite -- quite a bit higher. The purpose of this plan is to, by creating a large enough pool, make it -- make it possible to run a program without that kind of problem.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Syverson.

SENATOR SYVERSON:

But, obviously, this pool would not be as big as what these national financial -- not -- not going to be as big as a Fidelity is going to be or a T. Rowe Price or -- or one of those, so from a cost standpoint, I don't think that -- that economy of scale will get necessarily to that. And, obviously, if you're going to be bringing in large numbers of people who are just going to be putting in a -- a small amount of money, that there's -- there's going to be more -- obviously, more administrative costs in -- in -- in administering this kind of program, because there's going to be more people coming and going and moving between employers, and so we would anticipate that the cost of this program would go -- would be going up. Who explains -- when you use a local financial person to sit down and come in to meet with the employees, they explain the different options that are available to them. Who educates these employees on what options are available when they

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go into this State program?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

First, on your previous point, the vendor might likely be a Fidelity or a T. Rowe Price, so certainly it would be a -- should the board so choose, which I think would be a very likely outcome, precisely -- such a large pool. The legislation provides for the board to produce information packets and make -- give -- give those to employers and to make information available to employees. As you say, that's a complex process, but this is another example of -- of a situation where having a large pool enables you to provide that kind of customer -- customer service at a lower cost.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Syverson.

SENATOR SYVERSON:

Again, I -- I guess the concern is going to be that this is a complicated issue. It's not a one size fits all when we're talking about people and -- and -- in determining their retirement needs and what's best for their retirement needs. That's one of the advantages of having a -- a local financial person, who can sit down with these individuals, and they can talk about, here are a variety of hundreds of funds to choose from. Most of these individuals aren't going to have the expertise to know which fund to go into, and if we say we're going to pick a standard fund for them, that may be robbing them of the options of doing better with someone sitting down and working with them to get into the right fund. The other concern is that by sitting down with someone locally and going through that, they can also explain to them some

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of the pitfalls and concerns. When someone goes into one of these funds and all of a sudden they get their first statement and they see that they lost money, then it creates an awful lot of chaos for that individual. And that's why the -- the -- having it -- someone call an eight hundred number and think that someone's going to be able to walk through and explain to them those issues is going to be -- is going to be a concern. In the committee, was - a question was raised about the Department of Labor on this and we -- we talked -- about getting a ruling from the Department of Labor on this. Has that been done or what's your goal on determining what the Department's going -- how they're going to rule on this?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

Amendment 10 makes very clear that if the plan is found to be subject to a risk, if there's any liability for either the State or employers, the plan will not be implemented.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Syverson.

SENATOR SYVERSON:

'Cause wouldn't it make sense to, before we move forward with a program of this magnitude, that we'd check with the Department of Labor first and -- and get a ruling on whether or not this is going to be illegal or what the liabilities are for the employer before we go through this -- this whole process?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

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Two things, first of all, there will be no liabilities for the employer, because if there are, the program will not be implemented. It's not necessarily possible to ask the Department of Labor a speculative question. So the bill is very clear that if the Department of Labor rules that those liabilities exist, the program won't happen. On the other hand, if we were to just say, "Hey, we're not going to pass the bill, but, Department of Labor, do you mind giving the rule anyhow?", the typical response is a - - a stony silence.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Syverson.

SENATOR SYVERSON:

I guess, lastly, just -- just to the bill, and we'll let others... The concern is the business community, the -- the finance community is opposed to this because they believe that there are literally hundreds of options available to your employers locally that have the ability to service individuals locally, counsel with employees locally. It doesn't make sense for an employee that is struggling to make payments, if they have charge cards out at eighteen percent, to be taking money to be putting into a -- a fund that they hope to get three or four percent on, and so one size can't fit all. Encouraging employers to give their employees an option or an opportunity to talk about retirement clearly makes sense, but something as important as financial planning can't be done over the phone or can't be done with a brochure. That's why we have a plethora of local bankers and financial people who are willing to meet with those employees that don't cost the employer any expense or time without putting this burden on. A one size fits all is just not going -- is not the best for the -- the

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workers of Illinois, especially into a single fund that may not perform as good as other options. For those of you who are on the deferred comp plan with T. Rowe Price, you know that the -- the funds in T. Rowe Price, the only option we have in the deferred compensation program, the funds do horrendous compared to the -- to the rest of the industry, and so the State of Illinois employees, because we have only one deferred comp plan, they are being cheated because we're only allowed to go into one State plan and those funds don't do as well as many other funds do, but we're not given that option. And we shouldn't take that option away from the employees of Illinois. They should be given that option, where they can have the funds that are best suited for them, either with their local bankers or their local finance people, as opposed to, again, a government program. So, I don't -- I don't see where this is an option that's -- that makes sense for Illinois to implement at this time and I would urge our colleagues to vote No on this. Thank you. Thank you for...

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Oberweis, what reason -- purpose do you rise?

SENATOR OBERWEIS:

To the sponsor.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor, he says he'll yield.

SENATOR OBERWEIS:

Let me just start off and say that I am strongly supportive of the idea of encouraging people to save more for their own retirement. I'm also strongly positive on the idea of a negative response, negative response meaning that funds will be withheld unless you object, basically. And let me also say that every

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company that I have owned, been involved in, run, has had significant retirement savings plans, which I have done everything I can to encourage and -- and increase. So the idea, essentially, certainly makes a lot of sense to me; however, I need to understand a little bit more about -- and by the way, I've set up several of these plans for the companies that I've been involved with. Tell me more about -- you said the State will not bear any cost. The plan itself bears the cost, but that means that the participants in the plan bear the cost. And how much do you think those costs will be?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

Thank you for the important question. The bill provides that all administrative costs of any kind, including various bureaucratic administrative functions, as well as investment fees, will be deducted on a pro rata basis from, as you said, the individuals' accounts. And the bill, as now amended, says that that will max out at three quarters of a percent. I will tell you, the bill, as introduced, actually said one percent, and I spent a lot of time with people in the industry and concluded that that was too conservative, that we could -- we could drop that number from a hundred basis points to seventy-five basis points and still be comfortably in a place where it would be unquestionably affordable with state of the art investment plans. I am hopeful that it could be quite a bit lower, but I wasn't sure enough of that to put in the bill that it had to be, let's say, under fifty basis points.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Oberweis.

SENATOR OBERWEIS:

Yes, there's no question it could be under seventy-five basis points. Fifty basis points is probably a -- a very realistic doable number. But help me understand the -- the process. Everyone goes into this one, same plan, and who determines the investments for this plan?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

A board is created. The board is required to set up a target-date fund, which will be the default plan. The board also has the opportunity, if it would like to, to set up two more options -- three more options actually, a more aggressive option, a more conservative option, and then just a principal protection option. So there'll -- there will be ultimately between one and four of these options. The money will be invested by whatever vendor the board chooses to contract with, based upon an open bid process. And so our view is that having this board with a number of different entities that have to approve the members on a really transparent process will ensure that good choices are made.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Oberweis.

SENATOR OBERWEIS:

So, let me ask, rather than cramming this plan down everybody's throat, why don't we just legislatively give the authority to every company in Illinois to implement their own plan and use a negative response?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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Senator Biss.

SENATOR BISS:

Senator, they have that -- they have that precise authority today. In fact, it is currently the case that fifty-seven percent of large corporations that offer a 401(k) use, what you call, the negative response or, what I might call, the opt-out provision, because it's now, I think across -- across the industry, viewed as the -- the best way to go. I admire the fact that you and all of the companies that you've owned have -- have been able, as a matter of time and administrative hassle and finances, to provide generous retirement plans. When I talked to a lot of small- and medium-sized business owners, they don't, not out of malice, not out of not wanting to do it, but out of, good, Lord, I'm trying to grow my business. Things are complicated and dealing with the risk of choosing between the hundreds of different options out there, figuring out what -- what my employees want and what they don't want is -- is too complex. This bill doesn't do anything to take away employers' rights to continue to do that. In fact, we had some industry groups testifying in committee in support of the bill, specifically 'cause they thought that would happen.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Oberweis.

SENATOR OBERWEIS:

Again, let me make sure I understand, are you saying that if a company has its own plan, it can use a negative response for its own plan? That is contrary to my belief, by the way.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

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That is true. Fifty-seven percent of large corporations with 401(k)s today have a default participation, so that if the employee does not do anything, they are automatically opted in.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss -- I mean Senator Oberweis.

SENATOR OBERWEIS:

But that's only for 401(k) plans. That does not apply, I believe, to IRA provisions, for example, if the company has not set up specifically a 401(k) plan.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

My belief is that it's also the case for IRAs. The -- the statistic in front of me is only for 401(k)s, so I'm not a hundred percent certain.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Oberweis.

SENATOR OBERWEIS:

We can check, but I think that is only 401(k)s. In any event, as a solution to this problem, would it make sense then to have the plan that you're talking about that companies could make a decision they want to participate in or not participate in, but certainly not be forced to participate in, while at the same time, companies can provide their own plan should they wish to do that? In other words, allowing freedom for individual companies to make their own decisions as to what is best for them and for their employees?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

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SENATOR BISS:

This offer is exactly that freedom. Any company that offers any plan of any kind is completely out of this bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Oberweis.

SENATOR OBERWEIS:

So you're saying then, if a company makes a decision that they'd rather pay their employees more and not pay into a retirement plan, they should be prohibited from making that choice. Is that correct?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

I'm not sure I understand the question. This is not an employer contributory plan. What I'm saying is that for the employer that doesn't offer something, maybe 'cause they're -- they're paying their employees more or maybe just 'cause they don't have the time to set one up, there is a default option, so their employees, who don't otherwise make a decision, find it easy to save their own money.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Oberweis.

SENATOR OBERWEIS:

I just want to make sure I understand. I thought that I was hearing from you that a company that did not have another type of retirement plan would be forced into this plan. Is that correct or not correct?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

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SENATOR BISS:

If you work for a company that has twenty-five or more employees and doesn't offer anything besides Social Security, you're automatically enrolled into this plan, unless you choose not to be.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Oberweis.

SENATOR OBERWEIS:

But the company can choose not to be?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

Employee can choose not to be.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Oberweis.

SENATOR OBERWEIS:

So then you are saying that companies are forced into the plan whether they want to or not. Again, let me just repeat, I - I strongly support encouraging employees to enter into retirement plan contributions. All the companies we've been involved with certainly do that. But there are instances where companies might have a different viewpoint, might have a different choice, and I believe they ought to be free to make that decision, rather than being forced into a plan by State government. This is -- this is one more example of the "Nanny State", where we're trying to take control away from the employees and force them into a State program, and for that reason, I would certainly be opposed to this.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter, what purpose do you rise?

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SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor said he'll yield.

SENATOR McCARTER:

Senator, I -- I understand your intention here, and that's to look out for the long term, you know, benefit of the employees, but let's just say -- let's say this passes both houses, signed into law. What's the possibility that you or anybody else would come back and say, now that we have this in place, we want to mandate that the employer match that three percent?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

The answer to your question, Senator, is zero and here's why: This is an IRA and an IRA is not a vehicle that allows for employer contributions. So whether or not I want it, and that's not what I want, but even if I wanted it, it would be illegal under federal law.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McCarter.

SENATOR McCARTER:

To the bill. I -- I think there are, obviously, good intentions here by the sponsor. I -- I think, however, this is just one more mandate on employers that we don't need at this time. Where this doesn't affect me in any of my businesses, 'cause we offer plans and match funds very generously, I think you do -- you take away the ability for a small business that could be in a -- in a growth mode, where this is not the best thing for them at the

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time. So I think this is one more mandate that we -- we should probably pass on. So I encourage a No vote. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

...bill.

SENATOR RIGHTER:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, in my experience, there are two reasons that people don't save: Either they do not have enough money to save or they do have enough money to save and they choose not to save. This bill, while I understand the motivation behind it, solves neither of those problems. The problem is, either for -- for those who believe that everyone should have a retirement account, regardless of their choice to do otherwise, is some choose not to do it. The individuals to -- for whom Senator Biss is sincerely concerned have the ability to set aside money, pretax, right now. They have the ability through an Individual Retirement Account to do that of their own volition -- of their own choice. Now, it's true, are there more people who seem to be unable to do that today than there were years ago? Yes. Poverty has escalated by one-third in the State in the last ten years. So, yes, there are more people who don't have that money. But giving them another opportunity to save if they don't have the money to save doesn't solve the problem. And with all due respect to Senator Biss' assertion that this just isn't any kind of deal for the small business owners, I think we should listen a little more carefully to the laundry list

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of business groups and associations who are opposed to the bill, because they know that, particularly for small business owners, time is money, and the time that the business owners will spend with the paperwork, setting up the plan, talking to their employees, is time that that business owner could be out selling his or her products or otherwise trying to expand the business which would create more jobs, which would create more wealth, which would drive down the poverty and make this bill probably not even out here on the Senate Floor. The answer is economic opportunity, not yet another government mandate with hopes that that will make economic conditions in this State better. I urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you. Senator Frerichs.

SENATOR FRERICHS:

Thank you very much. To the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

To the bill.

SENATOR FRERICHS:

We're facing a retirement savings crisis here today, with forty percent of households with workers nearing retirement having no retirement savings. Across working age groups, the median amount of retirement savings is only three thousand dollars. Social Security was not meant to be the sole source of retirement income for retirees. We must help expand savings opportunities and the best way to do that is through mechanisms that allow for automatic savings. I support this bill because it will promote good savings behavior while giving people an option to save their own money for their future retirement. I would encourage my

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colleagues to vote Yes.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you. And our final speaker is Senator Harmon.

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Sponsor said he'll yield.

SENATOR HARMON:

Senator, we had a great debate on this bill in the Executive Committee and we have touched on some of the same elements here in the Floor debate. I want to revisit three points, two of which I think we've covered a little bit, but I want to make sure I have a very clear answer. During the committee testimony, early on, there was reference to a -- a document that the opponents had circulated bringing up concerns about State liability or employer liability under ERISA. You've mentioned a little bit, but can you very clearly state how your amendment addresses that concern?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

Thank you for the question. As you said, in committee there was this -- this -- an allusion to a kind of a secret document and when I was able to see it, it turned out that it talked about a lot of liabilities that would be put on the back of the State and/or employers if this plan were to be found to be under ERISA. So, the amendment, Amendment 10, says, if that happens, the plan will not be implemented. It's extremely clear, and I would point out two things. First of all, I think this unambiguously completely addresses the specific concern. But, number two, I

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would say to those who had that concern, to those who believed that it was the case that the plan would trigger ERISA and put these liabilities on the State or on employers, now you don't think the bill does anything. So anyone who, two weeks ago, felt that we had this ERISA problem should now be completely neutral on the bill, because it's a -- a non-entity anyhow.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. There's also been discussion on the Floor and -- as it was in committee, about the -- the costs and burdens imposed on employers. What responsibilities do employers have with this Secure Choice Program? And -- and what will this cost them?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

Thank you for that question. So this -- their responsibility is to, so to speak, conduct the election, give employees the option, the ability to opt out, and then for those who don't, to do the payroll deduction. Amendment 9 said this only applied to employers that had twenty-five or more employees. And the reason we did that is that we found a study that was done by NFIB speaking of some of the concerns of the employers themselves, a study that was done by NFIB in 2006 that said that already then only three percent of employers with more than twenty employees didn't use a payroll service. So now - that was 2006 - time has elapsed, there's been greater adoption of these online tools, and so we didn't only stick with twenty, we went all the way up to twenty-

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five. We're now in a place where essentially everybody this would affect is using the kind of electronic payroll service that would make this invisible to the employer and costless.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. One last question. I believe we talked about it in committee. I don't think it's come up on the Floor. But can the money that workers save be swept by the State?

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Biss.

SENATOR BISS:

That's an important question, isn't it? The answer is no, and -- and one of the -- one of the amendments that we adopted in committee makes this very clear. These funds are held in trust outside the State treasury and there would be no mechanism for the State to take it. It would be equally illegal for the State to reach into your personal bank account and sweep that fund. So it's simply a private account, period.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

To the bill.

SENATOR HARMON:

I am very proud to be the chief cosponsor of this bill, but I know when you look at the board and you see Biss-Harmon, you instinctively say to yourselves, "When are you crazy liberals from

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Oak Park and Evanston going to stop bringing forward John McCain-endorsed, Heritage Foundation-initiated, conservative programs?" This is a conservative notion. It does what some of the critics said, it encourages savings. What this does, it does it in a simple way. It conquers the most powerful force in the world, inertia; it changes the default. I can say this from my personal experience. When I took my first job out of college, my employer had a -- had some sort of a retirement account and I was asked whether I wanted to do it, and I was young and I wasn't making a lot of money and I said no. If they had come to me and said, you're in this program, unless you say you're out, I probably would have gotten in. I probably would have been saving money since I was twenty-one. There was testimony in committee from the insurance industry, from the financial industry, about the -- the shortcomings, as they described it, in these programs and I viewed it as -- as a -- an attempt to protect a marketplace, but I think they have it backwards. I think that this opens up an entirely new market. If you're in financial services and you can now go to every employer and say, "Hey, I've got a great product for you and if you don't want to shop with me, you're going to end up with your employees in this other State-run program." This is a great opportunity for the private sector to step in, but we have to change the default. One last point, one of the previous speakers made a fairly casual and passing reference saying, well, can't people just do this today with their banks or their financial advisors? These are folks who don't have financial advisors. Some of these folks don't have banks. If they have banks, many of them don't have the kind of relationship many of us have with banks, where we rely on them for advice and we invest in more

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sophisticated products. This is an easy and convenient way for folks to save, many of -- many folks who will retire into poverty without this and then will come to the State looking for support. This program costs the State nothing, but it will save significant funds for people - their own funds - for people to use down the road. I strongly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you. Senator Biss, to close.

SENATOR BISS:

Thank -- thank you, Mr. President. I really appreciate this debate and I appreciate the many, many discussions I've had with so many Members in this Chamber. I want -- I want to echo something that Leader Harmon just pointed out that I learned a lot in these discussions. You know, my -- my passion about this bill came from my own experience. You know, I was a pretty sophisticated, well-educated, upper middle-class guy and got my first job and just couldn't think about whether I would opt in to a program where the default wasn't that I was already in it. I've talked to so many Members who have had the same kind of stories about their own experience as young workers, who talk about their young adult children today, and understand that people aren't saving, not because they don't want to, but because it's just hard for all of us -- all of us, including well-educated, sophisticated people, to plan at the age of twenty and thirty for what retirement is going to look like. This bill doesn't force employees to do anything. It lets them do what they want, but it sets up a default for individuals who aren't, at the age of twenty, thirty and forty, thinking about this question, which if you don't think about it at that age, you're in a world of hurt coming down the line. So I

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appreciate all the discussion. We have now adopted nine amendments on this bill. They've come from a variety of different places, from industry groups, from Members. I've tried very hard to work with everyone on both sides of the ideological and partisan spectrum to accommodate as many wishes and hopes as possible and I would certainly be appreciative if you would take that into account in considering how you vote on this bill, but -- but more important than that, I would ask you to take into account the two and a half million people who we're talking about - the two and a half million people who are, right now, on a fast train to poverty in retirement, who live in your districts and my district and every single town we represent. This bill isn't asking us to set up a government handout to give to them. It's not asking us to make the employee set up a plan. It's not asking us to make the employee pay into a plan. It's asking us to make it easy for them to save their own money. And if we pass it, that's what's going to happen. That population of people is going to start saving their own money. They're going to start putting it away, paycheck after paycheck, watching that nest egg grow and then having something to supplement Social Security when they retire. And that supplement to Social Security will be, for literally millions of people in this State, the difference between a retirement of insecurity, of fear, of dependency, and a retirement in dignity. I ask you to think of that population, to think of the impact of this bill, and I ask you to please vote Yes.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Thank you, Senator Biss. The question is, shall Senate Bill 2750 pass. All those -- 2758 pass. All those in favor, vote Yea. Opposed, Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Yeas, 20 -- 22 Nay, and 2 voting Present. And Senate Bill 2758, having received the constitutional majority, is declared passed. Senator Righter, what purpose do you rise?

SENATOR RIGHTER:

Seek a verification of that roll call, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter's requested a verification. Will all Members please be in their seat? The Secretary -- please get some order, please. The Secretary will read the affirmative votes.

SECRETARY ANDERSON:

Members voting in the affirmative: Bertino-Tarrant, Biss, Bush, Clayborne, Collins, Tom Cullerton, Cunningham, Frerichs, Harmon, Harris, Hastings, Holmes, Hunter, Hutchinson, Jones, Koehler, Kotowski, Lightford, Link, Manar, Martinez, McConnaughay, McGuire, Morrison, Mulroe, Noland, Raoul, Sandoval, Steans, Van Pelt, President Cullerton.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Does Senator Righter question the presence of any Member voting in the affirmative?

SENATOR RIGHTER:

...Mr. President.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator McConnaughay in the Chambers? Senator McConnaughay in the Chambers? ...not, Mr. Secretary, please strike her name. Senator Righter, question the presence of any other Member in the affirmative?

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SENATOR RIGHTER:

Senator Hastings.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

Senator Righter, do you question the presence of any other Member?

SENATOR RIGHTER:

I do not, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

On a verified roll call, there are -- 30 Yeas, 22 Nays, and 2 voting Present. Having received the required constitutional majority, Senate Bill 2758 -- 2758 is hereby declared passed. Senator Delgado, what purpose do you rise?

SENATOR DELGADO:

Thank you, Mr. President. Senator Biss' closing was so eloquent, he really caught my attention. As I went to vote green, I guess it didn't go on, as I went to congratulate him. Please record me -- I -- my intention was to vote Aye on that legislation.

PRESIDING OFFICER: (SENATOR SILVERSTEIN)

The record will be -- reflect. Senator Muñoz in the Chair.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Silverstein, for what purpose do you seek recognition?

SENATOR SILVERSTEIN:

Just to correct the record, on Senate -- on Senate Bill 229, I should have voted Yes, but someone accidentally hit the wrong switch. Please let the record reflect.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The record will reflect that your intentions were to vote Yes -- Aye. Senate Bill 2760. Senator Lightford. Senator Lightford.

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Out of the record. Senate Bill 2763. Senator Sandoval. Out of the record. Senate Bill 2764. Senator Haine. Out of the record. Senate Bill 2774. Senator Link. Indicates he wishes to proceed. Mr. Secretary, read the bill. Senator Link seeks leave of the Body to return Senate Bill 2774 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 2774. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link, on your amendment.

SENATOR LINK:

Thank you, Mr. President. This changes the date of when the task force has to come into place. Be more than happy to talk on 3rd Reading.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. On the Order of 3rd Reading, Senate Bill 2774. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2774.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This creates a task force to prepare reporting regarding regulations on tax return preparers. This report will determine the appropriate scope of such regulations, educational requirements, and any other matters related to the regulation of tax preparers that the task force seems -- deem appropriate. I know of no objection to the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 2774 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 2774, having received the required constitutional majority, is declared passed. Senate Bill 2775. Out of the record. Senate Bill 2829. Senator Link. Indicates he wishes to proceed. Senator Link seeks leave of the Body to return Senate Bill 2829 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading, Senate Bill 2829. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Link.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link, on your amendment.

SENATOR LINK:

The amendment's just changing a word from shall to may. Be

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more than happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. On the Order of 3rd Reading, Senate Bill 2829. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2829.

(Secretary reads title of bill)

3rd Reading of the -- of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. It states that any successful appeal of an adverse decision by the Code Hearing Unit of a municipality under Article III of this Code, the court may award plaintiffs all reasonable costs, including court costs and attorney fees, associated with the appeal. Subsection does not apply to municipalities where the Code Hearing Department is established pursuant to Division 2.1 of Article 1 of the Municipal Code. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 2829 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 voting Aye, 7 voting Nay, 0 voting Present. Senate Bill 2829, having received the required constitutional majority, is declared passed. Senate Bill 2870. Senator Silverstein. Out of the record. Senate Bill... Out of the record. Senate Bill 2928. Senator Link. Indicates he wishes to proceed. Senator Link seeks leave of the Body to return Senate Bill 2928 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 2928. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This just corrects something for the Environmental Protection Act. Be more than happy to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. On the Order of 3rd Reading, Senate Bill 2928. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

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Senate Bill 2928.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. As amended -- the Environmental Protection Act to allow law enforcement agencies to collect, store, and transport pharmaceutical, including controlled substance, to a facility permitted by the Illinois EPA. All pharmaceuticals must be handled in accordance with State and federal laws. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 2928 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 -- 0 voting Present. Senate Bill 2928, having received the required constitutional majority, is declared passed. Senate Bill 2929. Senator Sandoval. Out of the record. Senate Bill 2952. Senator Jacobs. Out of the record. Out of the record. Senate Bill 2995. Senator Raoul. Indicates he wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2995.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2995 is an initiative of the Innocence Project. It's a measure that was brought to my attention by Governor Jim Thompson. Senate Bill 2995 allows an individual who has pled guilty to a petition for post-conviction DNA testing, notwithstanding his or her plea of guilty. Currently, only an individual who went to trial may seek post-conviction DNA testing. Accordingly, post-DNA -- DNA -- post-DNA testing may be denied on the basis of a guilty plea. Under negotiations between the Innocence Project and the State's Attorneys' Association, the Cook County State's Attorney's Office, we agreed to a provision that requires a person who pled guilty to establish that the result of the testing would raise a reasonable probability that the defendant would have been acquitted if the results of the evidence to be tested had been available prior to the defendant's guilty plea.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 2995 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 2995, having received the required constitutional majority, is declared passed. Senate Bill 2997. Senator Link. Out of the record. Senate Bill 3004. Senator Lightford. Out of the record. Senate Bill 3007. Senator Harmon. Out of the record. Senate Bill 3023. Senator Mulroe. Indicates he wishes to proceed. Mr. Secretary, read the bill.

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SECRETARY ANDERSON:

Senate Bill 3023.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President and Members of the Senate. Senate Bill 3023 amends the Mechanics Lien Act. Currently, you -- you cannot waive your mechanic lien -- lien right under the Act. It would be against public policy and unenforceable. This bill clarifies that an agreement to subordinate a lien, the mechanics -- or the contractor's lien, is also against public policy. The amendment removed all opposition and provides an exception to that, and the exception is that an agreement to subordinate a mechanics lien to a mortgage lien that secures a construction loan is valid and enforcement -- enforceable if that agreement is made after more than fifty percent of the loan has been disbursed to fund improvements to the property. I know of no opposition at this point. I would ask for your support.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield. Senator Murphy.

SENATOR MURPHY:

Senator, will you be joining Senator Haine on that plane to

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Beirut today? How did...(microphone cutoff)...get this to be an agreed bill?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

You -- and thank you very much, Senator Murphy. We -- Senator Sullivan, it's all -- it's all due to the sponsor of the bill. Actually, I met with the stakeholders at the -- in the district office for three hours. Thank you very much, Mr. Murphy. Always ready for a softball question. So, thank you very much. It's a -- it is an agreed bill, though.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There being no further discussion, the question is, shall Senate Bill 3023 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 3023, having received the required constitutional majority, is declared passed. Senate Bill 3033. Senator Frerichs. Out of the record. Senate Bill 3038. Senator Raoul. Indicates he wishes to proceed. Mr. Secretary, read the bill. Senator Raoul seeks leave of the Body to return Senate Bill 3038 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading, Senate Bill 3038. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul, to your amendment.

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SENATOR RAOUL:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR LaHOOD:

Yeah, on...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. Senate Bill 3038. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 3038.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Thank you. Senate Bill 3038 is language that has been agreed to by AFL-CIO and the Chamber of Commerce to clarify that -- prohibited acts under the work -- Workplace Violence Prevention Act. The bill -- bill amends the Act to exempt individuals engaged in monitoring, picketing, protests, and other lawful acts that might arise from a labor dispute.

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Senator LaHood. Sponsor indicates he will yield.

SENATOR LaHOOD:

Thank you. Senator Raoul, for purposes of legislative intent, is the exemption intended to protect an individual who criminally threatens or criminally acts, even if the individual is engaged in a lawful labor activity?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

No. The exemption being proposed is intended to protect individuals who are lawfully participating in a lawful labor activity, as provided in the new provision.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator LaHood.

SENATOR LaHOOD:

And, Senator Raoul, what is considered as an exempt activity?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Lawful monitoring of compliance with workplace safety laws, wage and hour requirements, or other statutory -- workplace requirements; lawful picketing, patrolling, using a banner, or other lawful protesting at the workplace and which arises out of a bona fide labor dispute; and engaging in concerted and protected activities as defined by that -- by applicable labor law.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator LaHood.

SENATOR LaHOOD:

Last question, Senator Raoul. What would be considered a

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bona fide labor dispute?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Any activity recognized by the NLR -- National Labor Relations Act, the Illinois Public Labor Relations Act, and the Illinois Educational Labor Relations Act as a labor dispute. A bona fide labor dispute includes a controversy concerning wages, salaries, hours, working conditions, or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions; the terms to be included in collective bargaining agreements; and the making, maintaining, administering, and filing of protests of {sic} (or) grievances under such collective bargaining agreements.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator LaHood.

SENATOR LAHOOD:

Those are all my questions. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any other discussion? Senator Raoul, to close.

SENATOR RAOUL:

I'm just happy that we were able to bring about this agreement and I'm on my way to Beirut as well.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall Senate Bill 3038 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 3038, having received

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the required constitutional majority, is declared passed. Senate Bill 3092. Senator Delgado. Out of the record. Senate Bill 3108. Senator Noland. Indicates he wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 3108.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Senate Bill 3108 amends the Local Government {sic} (Governmental) and Governmental Employees Tort Immunity Act. Provides that the funds -- that funds from certain taxes authorized under the Act may be used for the funding of preventative maintenance measures, such as those on sprinkler systems. I know of no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Being none -- oh! Sorry. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Noland, can you give me an idea of other areas in which they can use the -- the tort levy, the property tax money, for items similar to sprinklers? Can you give me an example?

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Senator Noland.

SENATOR NOLAND:

Senator, my -- and I -- by the way, I just knew that you were going to visit upon me one more time today. But my understanding is that it can be used for any -- any form of risk management, really, for the fire district itself. So..

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

I understand that it's for risk management. Can you give me an idea of some typical expenditures out of that levy?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Noland.

SENATOR NOLAND:

For the repair and maintenance of sprinkler systems, as I indicated in my original comment here. Would be for -- for insurance purposes, no doubt. This bill and the need for this bill was born out of an incident that occurred to a -- a village where, believe it or not -- you know, it was a fire department. Left for a call. Left -- unfortunately, left some chili sitting on the stove. When they came back, their firehouse had burned down. Now, unfortunately, they didn't have the funds in their -- available to them in their general fund to -- to rebuild the firehouse, so we're trying to access additional funds through the Tort Immunity -- or this -- this particular fund, the Government {sic} Employees Tort Immunity Act and the fund that's relevant to that -- that Act, to help them rebuild their firehouse, and others just in case such misfortune might befall them.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Senator Righter.

SENATOR RIGHTER:

Senator Noland, wouldn't it be more appropriate for the -- for the district to just use the property tax money that they are already taking out of their corporate or general fund to do this, as opposed to kind of straining the interpretation of risk management in the tort levy fund?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Noland.

SENATOR NOLAND:

Well, since the fire districts came to me and asking for this, I would have to respond in the negative, but I -- for your edification, I would inform you that this involves no tax increases whatsoever. Doesn't violate PTELL. It will only be used for the purposes of installing, like I say, the fire hoses and fire sprinklers. And it only relates to PTELL communities.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

If -- Senator, if they -- if a district has to increase its tort levy in order to pay for, let's say, sprinklers and they're in a PTELL county, doesn't that mean that they would have to reduce the levy for their corporate expenditures and the services that are paid for out of that?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Noland.

SENATOR NOLAND:

I don't believe that that would -- is a necessary consequence of accessing these funds through this particular -- this -- this

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-- this fund, this tort immunity fund.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR ALTHOFF:

Thank you. Although this might appear to be a reasonable request or a reasonable action, it is not. It really goes against the grain of what PTELL is supposed to be. This did pass out of committee, but on a partisan roll call. And I would urge everyone in the Body to vote No. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any other discussion? Any other discussion? Senator Noland, did you want to close?

SENATOR NOLAND:

Thank you. It's my understanding that this particular fund and any funds and any expenditures related to it come under PTELL. So I'm not sure that it's necessarily going to affect or it's going to cause us to have to increase the levy. So I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall Senate Bill 3108 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 voting Aye, 17 voting Nay, 0 voting Present. Senate Bill 3108, having received the required constitutional majority, is declared passed. Senate

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Bill 3109. Senator McGuire. Senator McGuire seeks leave of the Body to return Senate Bill 3109 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 3109. Mr. Secretary, are there any further -- are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator McGuire.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McGuire, on your amendment.

SENATOR MCGUIRE:

Thank you, Mr. President. The amendment becomes the bill. I'll be happy to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. On the Order of 3rd Reading, Senate Bill 3109. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 3109.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McGuire.

SENATOR MCGUIRE:

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

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Senate Bill 3109 amends the Illinois Optometric Practice Act to continue to allow optometrists the ability to prescribe a limited supply of hydrocodone in the event that the U.S. Food and Drug Administration reclassifies hydrocodone from a Schedule III controlled substance to a Schedule II controlled substance.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? There being none, the question is, shall Senate Bill 3109 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 2 voting Nay, 0 voting Present. Senate Bill 3109, having received the required constitutional majority, is declared passed. Senate Bill 3112. Senator Althoff. Indicates she wishes to proceed. Senator Althoff seeks leave of the Body to return Senate Bill 3112 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 3112. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Althoff, on your amendment.

SENATOR ALTHOFF:

The amendment becomes the bill and I'll explain it on 3rd Reading. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

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SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. On the Order of 3rd Reading, Senate Bill 3112.
Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 3112.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Althoff.

SENATOR ALTHOFF:

...you -- thank you very much, Mr. President. This is a simple bill that deals with a significant issue. Senate Bill 3112 requires that satellite providers and satellite installers must explain in detail the difference between commercial plans and residential plans. What we've -- we've experienced here in the State of Illinois, and actually throughout the nation, is that third-party installers will sell residential subscriptions to small businesses and then later come in and accuse them of piracy and offer to settle for large sums of money. We worked very closely with the AG's Office. This is their language. And I'd be happy to answer any questions, otherwise I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Seeing none, the question is, shall Senate Bill 3112 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present.

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Senate Bill 3112, having received the required constitutional majority, is declared passed. Senate Bill 3137. Senator Jones. Out of the record. Senate Bill 3144. Senator Syverson. Indicates he wishes to proceed. Senator Syverson seeks leave of the Body to return Senate Bill 3144 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 3144. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Syverson, on your amendment.

SENATOR SYVERSON:

Thank you, Mr. President. Floor Amendment No. 2 just clarifies the definition of what a truck stop is, following the federal guidelines of three miles within a interstate, and also it clarifies that you have to do fifty thousand gallons of diesel or biodiesel to qualify as a truck stop.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Syverson, on your Amendment 3.

SENATOR SYVERSON:

Thank you. This amendment just allows for those -- those truck stops to have the option of doing a closed circuit television

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that's monitored on premise as an alternative to the current in line-of-sight view for terminals.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. On the Order of 3rd Reading, Senate Bill 3144. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 3144.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. This is -- this is legislation that is a -- an interesting way for the State to gain more dollars for its -- for its capital fund without it negatively affecting existing Illinois consumers or Illinois business. This legislation will -- creates a -- the ability for truck stops to add five additional gaming positions. And the reason we looked originally at this is because at -- with truck stops, depending on where the truck stop is located, between seventy and ninety percent of those individuals that go to the truck stops are from out of State. They have to go to these truck stops and park for a minimum of eight hours, and so while they're there, it's a captive

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audience, and right now the problem is, when you limit it to only five machines, you have excess amount of users and not enough machines. So this is a way that the State of Illinois can generate about six to seven million dollars a year more for its capital fund. Local governments would generate about three million dollars under the current approach. This does not negatively impact bars or clubs or casinos, because this is a captive, again, a captive audience. This legislation is supported by most of the labor groups, as well as the Park District Association, the Municipal League, and the Petroleum Marketers. And I'll be happy to answer any questions they might have or else ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? The question is, shall Senate Bill 3144 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. 28 voting Aye, 23 voting Nay, 1 voting Present. Senate Bill 3144, failed to receive the required constitutional majority, is declared failed. Senator Syverson.

SENATOR SYVERSON:

Put this on Postponed Consideration.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Granted. The bill will be on Postponed Consideration. 3171. Senator Trotter. Indicates he wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 3171.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 3171 eliminates language limiting medical assistance for adult podiatry services to individuals with diabetes and with other illnesses, foot illnesses. This was an Act that came about -- or the elimination came about as a consequence of our SMART Act, but this is another example that we weren't as smart as we thought we were in trying to achieve savings. So I'm asking that we put the language back in.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I'm not sure how many we've had today, but this is yet another expansion of the Medicaid program that the State said two years ago was on the verge of bankruptcy and had to be cut and we had to raise taxes in order to bail it out. Again, with the concern that many have raised, mostly on the Democrat side of the aisle, that we simply do not have another dollar to give and therefore we are going to make permanent the tax increase that was promised to be temporary three and a half years ago, or we're going to go with

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the Speaker's idea to raise taxes, or we're going to go someone else's idea to put in place a graduated income tax, because that's the only way, that is the only way to keep this State from slipping into bankruptcy. No, it's not. One of the ways would be to stop expanding a program that many of you on that side of the aisle said two years had to be reduced. Are you -- are we under the impression that we're fine now fiscally? The multi-billion-dollar backlog of bills is still right there. Our deficit may be even larger now. Our unemployment rate is still remarkably higher than the national average and all those states around us, and it's for bills like this that you are going to tell the taxpaying public that we need to continue to raise your taxes, increase spending, raise taxes, increase spending. It's bills just like this that do that. I know they feel good and I know you've got people knocking at your doors, saying we need to do this, but there is a cost for this and the cost, unfortunately, would be borne by the working families in Illinois, who, in greater numbers than ever in the last decade, are out of work in this State. I urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any other discussion? Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President. Again, couple years ago, we did make a very concerted effort to try to reel in costs on a lot of fronts - Medicaid certainly was one of them. Our goal was to cut 2.7 billion dollars out of the Medicaid budget so we can at least look forward and assuming that we do not have many things on the books that were unnecessary and it was costing this State money. Well, that wasn't the first time that we came up with that

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plan. We came up with it first in 1995, when we cut podiatry services, and then five years later, we reinstated it because we realized, just as we realize now, the five million dollars, the five million dollars that we cut out of that 2.7-billion-dollar budget actually was costing us really another two hundred and ten million dollars for other services. We certainly wanted to look at diabetes because that's the most evident, but there are other vascular diseases, like cellulitis, that also causes amputations. And when we talk about amputations, we're talking about people now who's going to need services, of transportation services, going to need a lot of other rehabilitative {sic} services, and costs that that five million dollars we thought we were going to save is now going to raise the cost up again. Texas, Connecticut, Michigan, they all thought the same thing as well, let's cut. They have reinstated because they realize the value of preventive care, of -- of preventive podiatry care, and the cost, the overall cost, of what it would be, and because of that I think we need to look at some of the things that we did in our zealousness of trying to cut 2.7 billion dollars, that we put this five million dollars back into the budget. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall Senate Bill 3171 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 39 voting Aye, 14 voting Nay, 0 voting Present. Senate Bill 3171, having received the required constitutional majority, is declared passed. Senate Bill 3225. Senator Morrison. Senator Morrison seeks leave of the Body to return Senate Bill 3225 to the Order of 2nd Reading. Leave is

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granted. On the Order of 2nd Reading is Senate Bill 3225. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Morrison.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Morrison, on your amendment.

SENATOR MORRISON:

Thank you, Mr. President. I would ask the Body to adopt this amendment for discussion on 3rd Reading, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. On the Order of 3rd Reading, Senate Bill 3225. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 3225.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Morrison.

SENATOR MORRISON:

Thank you, Mr. President, Members of the Senate. The Illinois Law Enforcement Training Standards Board would be empowered to conduct or approve a training program in veterans' awareness for

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law enforcement officers of local government agencies. This is permissive. It encourages that each local government agency has a designated person to be responsive to veterans' issues. I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 3225 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 3225, having received the required constitutional majority, is declared passed. Senate Bill 3255. Senator Cullerton. Out of the record. Senate Bill 3258. Senator Raoul. Indicates he wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 3258.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3258 makes changes to the Correctional Budget and Impact Note Act, including adding the Department of Juvenile Justice to the Act and expanding which bills need a budget note, changing how a note is prepared, requiring the sponsor to show how a bill will be funded.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR RIGHTER:

Sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Raoul, I'm - and I apologize, I was gone, I think, the day you presented this in committee - I'm looking at page 4 of the bill. It looks like you have a requirement that once the fiscal note -- the corrections note comes back, that the sponsor will be required to identify either an additional tax or other revenue source -- which an amount equal to the costs identified are to be generated or, two, the specific line item or items in the budget for the current fiscal year that would be reduced or eliminated to reach the amount equal. Is that still in the bill?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

What was the question? Can you -- what was the end of the question? You're asking me if that's in the bill or..

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Is that language still in the bill?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Yes. Yes, I'm sorry.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

What's -- give me -- what's the point in that -- in that -- in that language? What are you trying to get done there?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

This is -- this is modeled after legislation in Virginia and legislation that you and I sponsored together in previous General Assemblies to make sure that people are identifying how are they going to pay for things that have impact on -- on the Department of Correctional -- Corrections' budget - in this case, the Department of Juvenile Justice's budget.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Well, Senator, the bills that -- that I sponsored with you previously weren't these, because they covered a whole range of areas. In fact, I remember that debate on the Senate Floor. I offered to cosponsor those bills with you if you would amend them and add in Human Services and all the big -- other big ticket areas where we spent money. You agreed to do that, and you and I cosponsored those together and moved 'em, I think, unanimously, out of this Chamber into the House. What stands before us here, though, is you've picked out just one area of the budget and said, okay, the sponsor's going to have to identify a fiscal offset. What about those other areas? I mean, I -- I -- I haven't watched your switch for certain, but I'm -- I'm guessing that you have

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voted for the bills that added to the Medicaid liability here in -- in just the last couple/three hours. Do you think that you should have or the sponsor should have been required to identify an offset in the Medicaid program or higher taxes in order to compensate for that?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

You know, my focus here is on the Correctional budget and Department of Juvenile Justice. That's been my area of expertise. I've yielded the Medicaid budget and the Healthcare and Family Services to my roommate and so he's got greater expertise in that area than I do.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

That's fair, but given that when your constituents or mine pay their taxes, they don't pay a few bucks for Medicaid and a few bucks for Corrections and a few bucks for Education, they just pay their taxes. So, given that it's all taxpayer money, would you agree that it's just -- important to have this kind of justification required in the law for all the other areas in which we spend money, not just Corrections?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Yeah -- yeah, the distinction, I think, here is we have an appropriations process that looks at the elements of -- of -- the other elements in the other areas of the budget within the budget

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of the various departments. When you start talking about sentencing, that's usually not a component element of -- of a budget within the Department of Juvenile Justice or the Department of Corrections. So there's -- there's a bit of a distinction between how much it's going to cost for certain programs in the Healthcare and Family Services' budget and there's no itemization for each criminal offense as to how much that's going to cost to the Department of Corrections' budget. So there is a distinction between what you would suggest is apples and apples as comparing it to the other -- other budgets.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Well, Senator Raoul, isn't the point that if you're going to pass a bill that costs fifty million dollars more by enhancing a -- an -- a -- a sentence, you have to -- you have to find the fifty-million-dollar offset. That's -- that's what this says. What's the difference between that and saying, if we're going to increase or we're going to expand the Medicaid program by fifty million dollars, then we're going to find the fifty million dollars to pay for it? That's the issue we're talking about. It's not about sentences as opposed to...(inaudible)... The issue is, if you want to spend more money on "A", then tell me where you're going to get the money. That's the rationale of your bill and I think it's a great idea. That's why I cosponsored it previously. But it's not a great idea to do it in one area, just one area, of the budget and -- and -- and that's the concern I have here. I mean, can you -- can you elaborate a little more on the distinction between that and other areas of

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spending?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Yeah, again, I think it's -- it's -- it's distinguishable and I'll agree to disagree on this, because I think people are not -- as cognizant with criminal penalties and -- and -- and delinquency penalties as to the -- the cost of things and -- and their -- their -- the history has been here that we've -- we've been willing to just - so we could send our newsletters out saying we're tough on crime - enhance a penalty, or because we want to -- we want to be reactionary to an event in our district, say, oh, well, let's ratchet up the penalty on this or that or let's add a new offense that's redundant to something that's already in -- in the Code - let's do it. And because it's -- I can be characterized as tough on crime, I'm -- I'm -- I'm willing to shrug my shoulders and just move -- move on, notwithstanding the fact that it's going to have a grave impact on -- on -- on our correctional costs. There are states throughout the United States that have realized that that philosophy has cost them millions and millions of dollars and that's why we have some of the same individuals I mentioned earlier getting on boards with initiatives like this to try to control -- costs in Corrections and the Department of Juvenile Justice.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

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SENATOR HAINE:

And I am certainly reluctant to speak against my esteemed friend and colleague's bill, and Senator Raoul and I have worked together on the Criminal Law Committee to kill mandatory prison terms wherever we -- we can. We -- we have worked to limit and to amend those bills that take away the discretion of a State's Attorney to charge or a judge to sentence. But the trouble I -- so I -- I'm with Senator Raoul in his basic philosophy here, but let me tell you, Ladies and Gentlemen, this bill, in my opinion, strikes at the heart of the legislative authority and power and duty. The Legislature decides penalties and they do it based upon a colloquy with their citizens. They do it on a public need. So we file a bill and we can't proceed with it because we're encumbered by a bureaucratic opinion as to what it would cost, and that is a direct imposition on the Legislature's authority. It's an unconstitutional ceding of authority to the Executive Branch. These decisions as to cost are taken into account. This goes back centuries. The citizens of a county were taxed for the common jail and they were taxed for the common jail to preserve order and peace in the community by locking up murderers, rapists, and others. And there wasn't a sheriff there, saying, wait a minute. You can't proceed with this until I determine the cost of me maintaining the prisoners. I mean, the way to -- to do this is do what we do. We limit, wherever we can, unnecessary, duplicative publicity-seeking criminal bills. But we don't do it, I don't believe, by ceding to a bureaucracy, the Juvenile Justice Authority, the power to determine whether my idea or your idea, which is a reflection of the community's need as a result of a great crime, should be enacted in -- in -- in -- into law. I mean,

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I don't know what the State of Virginia's done, but their track record in the last hundred and fifty years hasn't been very good for good sense. And so I'm -- I would ask for a No vote. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any other discussion? Senator Raoul, to close.

SENATOR RAOUL:

You know, perhaps I should clarify, 'cause this -- this does not cede to the Department of Juvenile Justice the authority. All it does is says, to the Department of Juvenile Justice, tell us how much it'll cost, and then we make the decision. This is no different than a -- multiple bills that we pass out of this Chamber near unanimous with regards to the correctional budget with Senator Haine's vote and Senator Righter's vote and everybody else in this Chamber's vote. We -- we're just asking them how much it -- it -- it -- it should cost, and I think we ought to do that, because we're blindly doing this and -- and Senator Haine, Senator Righter and -- and Senator Mulroe, Senator Noland, and the rest of the members of the Criminal Law Committee, we sit there as members come in continuously just for -- for whatever reason, whatever good intent, come -- come with bills oblivious to the cost and we ought to know. We ought to know. And it still remains within our authority to -- to -- to -- to make that -- that decision. It still remains within our authority to make that decision as to whether we -- we -- we go on. You just suggest it. We -- we -- we just suggest it. It doesn't -- it doesn't mandate you can't go forward. All you do is suggest how -- how -- how are you going to pay for it.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Question is, shall Senate Bill 3258 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 voting Aye, 6 voting Nay, 0 voting Present. Senate Bill 3258, having received the required constitutional majority, is declared passed. Senate Bill 3270. Senator McConnaughay. Out of the record. Senate Bill 3276. Senator Althoff. Senator Althoff seeks leave of the Body to return Senate Bill 3276 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading, Senate Bill 3276. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Althoff, on your amendment.

SENATOR ALTHOFF:

Thank you very much, Mr. President. Senate -- the amendment -- Floor amendment, I apologize, is technical in nature. It was added at the request of the Illinois Department of Revenue for clarification.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. On the Order of 3rd Reading, Senate Bill 3276. Mr. Secretary, read the bill.

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SECRETARY ANDERSON:

Senate Bill 3276.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. Senate Bill 3276 is an initiative of the State Treasurer. It allows the Treasurer to retain an administrative charge of two percent on new - prospective, not existing - new fees, fines, or other collections collected by the Treasurer from circuit clerks, county clerks and other non-agency entities. This is a disincentive to continue the practice. Currently, our clerks collect all the money from the cases, write one check to the Treasurer, who then must take that money and disburse it to all the other entities that we are collecting fines for, whether it's the mental health court, whether it's for car -- child safety seats, whether it's for drunk driving, all of those other areas that we've included the fees. So, as opposed to doing that, he is trying to disincentivize the clerks and have them write those individual checks to those agencies themselves. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Being none, the question is, shall Senate Bill 3276 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 3276, having received the required constitutional

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majority, is declared passed. Senate Bill 3283. Senator Trotter. Indicates he wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 3283.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Trotter.

SENATOR TROTTER:

...President and Members of the Senate, Senate Bill 3283 expands the definition of "relative" to include a "fictive kin" in the Children and Family Services Act and the Child Care Act. It defines "fictive kin" as an individual unrelated to a child by birth or marriage, but who has close personal or emotional ties with that child being placed with them. It requires the Department of DCFS to create rules establishing the criteria, identification, and licensure of fictive kins by January 1st, 2015. This bill is an effort to maintain important family life connections. There are some discussions between -- there is a opponent - the Cook County Public Guardian's Office. They are working with the Department of Family Services and will more than likely amend this bill when it gets to the House.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? There being none, the question is, shall Senate Bill 3283 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 3283, having received the required

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constitutional majority, is declared passed. Senate Bill 3287. Senator Raoul. Indicates he wishes to proceed. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 3287.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3287 amends the Workers' Compensation Act and amends the immunity provision. The bill limits immunity to safety service organizations that are wholly owned by the employer or insurer, as opposed to third-party safety service organizations.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR DILLARD:

Thank you, Mr. President. I -- I rise in opposition to this bill. You know, who benefits from this change? Only the trial lawyers. This does not promote workforce safety one iota. It clearly, clearly increases the cost to Illinois employers and doesn't make and is not responsive to a change that was requested by the Supreme Court. And in a -- at a time when this State needs to lower, lower significantly its workers' compensation costs, just -- this just drives them higher and it doesn't promote workforce safety, whatsoever. And it -- you know, it impacts and helps one group of people and that would be the trial lawyers.

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The injured employees are fully covered today, so there will be no change in compensation for anyone that is injured. The only change in compensation here is the one that's going to result from more litigation for more lawyers. And at a time when we are trying to reduce the cost of doing business, versus Indiana and Wisconsin, in a very sensitive area, workers' compensation, this just makes Illinois much less competitive against the rest of the United States and the rest of the Midwest in a very, very sore subject, workers' compensation. So to bring this forward at this time -- you know, if you want to be dead last, fiftieth, in economic development, you know, be for this bill. But this bill only impacts trial lawyers. It doesn't protect anyone that is a legitimately injured worker and I would submit, having done these kinds of cases for years, that workforce safety goes down. It will go down because the companies that want to use these outside services to help them improve safety will not go out and retain them and there'll be more injuries, and that's not certainly anything we ought to be for. But this is a bill that is opposed by every major business group, and at a time when we need to be improving our economic climate, this just sends an absolutely wrong signal, especially as we are trying to compete with Iowa, Wisconsin, Indiana, Kentucky and Missouri. And I'd urge a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McGuire, for what purpose do you seek recognition?

SENATOR MCGUIRE:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicate he will yield.

SENATOR MCGUIRE:

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Senator Raoul, for purposes of legislative intent, I ask, is this legislation intended to encompass service providers that are not wholly owned by employers, yet who do assist employees with body mechanics and posture, health and wellness, onsite rehabilitation, proper lifting techniques, stretching programs and ergonomics?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

No. It does not apply to those.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Barickman, for what purpose do you seek recognition?

SENATOR BARICKMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR BARICKMAN:

Thank you, Mr. President. Senator, can you tell me the -- the purpose of this legislation? I mean, is there something that is not being covered by the workers' comp -- compensation system today that you're trying to address with this bill?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

The -- the purpose is to clarify the original intent of the Workers' Compensation Act, which is to provide that immunity with the understanding that the employee was going to be protected to the employer and the employer's insurer. Workers' Compensation Act does not extend to third parties. That's why today you're --

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you're -- if you're injured because of the negligence of the third party and it happens to be also a workplace accident, you can sue that third party and it's -- I'm glad you asked the question, 'cause to -- to the previous speaker's indication that this is going to cost employers more - no, it will allow employers to recoup their costs, as they do -- currently do when third parties who are responsible for the injury are sued by the injured worker. And -- and this -- this is not just about trial lawyers. This is about injured workers who are injured because of some third party's negligence.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Barickman.

SENATOR BARICKMAN:

Thank you. Senator, I hear -- I hear your words, but as I look at the -- as I look at the statute and the -- and the proposed changes here, you mention the original intent of the law is not to provide that immunity for third parties, but clearly the law provides such immunity. Even after this legislation, there will be third parties who clearly benefit from the immunity that certainly is an important component to employers and employees alike, who need to experience a quick recovery from a workforce injury. You know, looking at the -- looking at the statute today, the statute today provides for this immunity for companies that are retained by the employer. Explain to me why you're removing those types of companies and trying to carve out this exception for wholly owned companies of the employer.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

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Apparently, there's an -- there was an ambiguity in the Act that led the -- the courts -- and this often happens between the Legislature and the courts. Legislature pass something. The courts interpret it a different way, and we react. This is nothing new. And so we're -- we're acting as a Legislature to express what our intent is and what -- what our intent originally was and -- and -- and the -- we don't mean to have the Workers' Compensation Act to extend beyond the employer and the employers' insurer.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Barickman.

SENATOR BARICKMAN:

Well, to the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill.

SENATOR BARICKMAN:

You know, to echo the words of -- of -- of my colleague, Senator Dillard, this is a significant change from the law that exists today. There's been no Supreme Court finding of anything different. The law today says that we have a public policy in place that protects those companies who provide safety inspections on our employment sites. This is yet one more change that is going to be a significant change and a negative change to our business community. This Chamber, this building, discusses frequently the need to improve our business climate. Look at the proponents. Look at the opponents here. Clearly this bill is designed to benefit one set of group and interests over another. The need for our State to address workers' compensation reforms is -- is significant, and unfortunately this is another step backwards for us. So many of you in this Chamber talk about the need to do

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workers' compensation reforms. We know we need to be more competitive. This bill is just an attempt to drive Illinois further -- worse in terms of our workers' compensation system. I urge an Aye -- or I urge a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe, for what purpose do you seek recognition?

SENATOR MULROE:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicate he will yield.

SENATOR MULROE:

Senator Raoul, I'm -- I'm not an expert in workers' comp, but I have a -- a vague notion what it's all about. When it was initially enacted a long, long time ago, what was the purpose of workers' comp?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

It -- it was to provide the -- in -- in law, an exclusive remedy for -- for employees injured on a job to have the cooperativeness amongst employers and employees. It was not to immunize any third party that -- that may have contributed to an injury, notwithstanding the fact that it -- it happened while on duty or at the worksite. So, for example, if somebody working in this building were injured by a -- a falling chandelier that was hired by the State to -- that was installed by somebody hired by the -- by the State, you would still be able -- notwithstanding the -- the fact that it was -- could be characterized as a work-

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related injury, you would be able -- still be able to sue under the law currently today that party that installed that chandelier.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

That's -- that's a good example. Let's go with that. So if I was injured while I was working as an employee of the State and {sic} a chandelier that was negligently installed by a third party contractor, I would make a claim under workers' comp and receive benefits. Correct?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Yes. Yes, you would.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

In that case and if I actually had a cause of action against the installer of the chandelier and recovered under that cause of action, the employer would be -- put a lien on that claim and then would receive -- or the workers' comp carrier would receive that money back. Isn't that correct?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

That is exactly correct.

PRESIDING OFFICER: (SENATOR MUÑOZ)

...Mulroe.

SENATOR MULROE:

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Well, in that case, aren't we almost reducing the cost to the employers in that situation? So, in effect, in my -- in this scenario, the cost of the workers' comp insurance should be going down, if someone else, a third party contractor, is going to be assuming the responsibility, if they were negligent.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

That is correct. The employer would be able to recover their cost expended for the medical and the -- and -- and -- and the other -- temporary disability due to the workers' comp claim.

PRESIDING OFFICER: (SENATOR MUÑOZ)

For the fifth time, Senator Mulroe.

SENATOR MULROE:

...right. Last one. So, in effect, the -- the premiums of the workers' comp -- this could actually benefit employers in Illinois. Is that correct?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Yes, assuming that the insurance companies pass those savings on.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter, for what purpose do you seek recognition?

SENATOR McCARTER:

A few questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR McCARTER:

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Senator, the -- first of all, let me -- the -- the previous speaker used an illustration of a installed chandelier, but I -- I think we ought to make it real clear, this -- what we're talking about here is someone that's not in the business of installing chandeliers, but actually providing services to help a company create a safer environment. That's their business, is to come in and help with those kinds of things. So, don't you think that if we transfer this liability to them, okay, from some error, don't you think -- will they be more likely or less likely to want to offer competitive prices and stay in that business?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

I think they'll be more likely to create a safe workplace, which is -- which ought to be the objective of the Workers' Comp Act. So they'll be incented, because they know that if they -- they don't -- don't do their job efficiently, if they do their job negligently, they'll be on the case to make sure they do their -- their job right, which is why we have a civil justice system and which -- which is why we have the Workers' Comp Act.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter.

SENATOR McCARTER:

Senator, don't you think if that's their primary business, that their whole goal is -- is to -- to make their clients' environment as safe as possible?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

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There are all sorts of businesses out there, Senator - some who do their jobs well and some who don't do them well. And when they don't do them well and when they do something negligent, our civil justice system - and it's been like this for -- for -- for centuries; we've adopted it from common law - our civil justice system allows us to recover for such negligence. And -- and -- and we shouldn't hamper that with -- with -- with regards to third parties with -- with our workers' comp law.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter.

SENATOR McCARTER:

Senator, smaller companies, like mine, we -- we can't put someone as a director over safety. Okay? I mean, we have very few middle management positions. It would be great if we could. It'd be great if we could have someone just over personnel, just over this, but you can't in a small business, so you -- you -- you lean on your insurance agents and providers to give you guidelines what's going -- what kind of -- how you can create the least risk, therefore getting the best price on the policy. Right? Don't you think -- let me just say, first of all, is that liability going to go to the inspector from my agent who comes in and says this is the way you can make this a safer environment? Will that liability go to that inspector or that broker?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

If that inspector's an employee of your insurer, there -- there's an immunity.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Senator McCarter.

SENATOR McCARTER:

If the inspector is an employee of the insurer, he's immune from any liability. Is that what you're saying? Or you're not? I mean, I -- the way I read this is he is liable at this point if he provides any consulting advice that could be connected to an injury.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

Same answer as before.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCarter.

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill.

SENATOR McCARTER:

Ladies and Gentlemen, there are a lot of things we could be doing today. There are a lot of cases that we could be addressing. The State Chamber has created a whole book showing cases that we could follow to bring real reform to the system. We could be talking about causation because of the case, Circuit City versus the Illinois Workers' Compensation Commission or Johnson versus the IWCC. We could be talking about traveling employee. We could be talking about shoulder injuries no longer being part of the arm. We could be talking about employees being paid benefits while on temporary disability, who have engaged in criminal activities at the workplace. But, instead, we're extending liability,

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extending the ability to file -- to place judgments on people, creating disincentives for those people that are -- that are there as their primary business to -- to provide safe environments to come in now, because they're going to be liable. That cost will go right back to the employers and to clarify, the answer was -- the answer was, by one of the previous speakers, that the reason this -- this workers' comp system came into place was to protect workers. Well, that's true, but it was also to protect employers from catastrophic incidents that would take them under. Now, you know, the last -- the last reform we were promised five hundred to seven hundred million dollars in savings and it ended up being three hundred. Why didn't it work? Because the AMA guidelines are not being implemented by arbitrators and the -- the preferred provider system is so bureaucratic that only a handful of employers can use it. You know, we're at two -- our average in this State is two dollars and eighty-three cents. We're a dollar higher than Missouri or even -- even higher than that, than Indiana. We should be focusing on something like causation, which, I know, this obviously means very little because it's not a priority, 'cause these bills were placed in front of you and you never addressed them. You never gave 'em a hearing. This is the wrong direction. You're not making Illinois safer, workplaces safer. We're one of the safest in the United States right now. And you're going in the completely wrong direction. I urge a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Question is, shall Senate Bill 3287 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 voting Aye, 19 voting

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Nay, 0 voting Present. Senate Bill 3287, having received the required constitutional majority, is required passed -- is declared passed. Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

State your point.

SENATOR SULLIVAN:

Ladies and Gentlemen, we have some guests with us in the gallery, over on the Republican side. They are members of the Roseville-Swan-Point Pleasant-Ellison rural Fire Protection District. If you'll stand as I -- as I name -- mention your names. Darrell Page, Jeremy Wise, Thad Tharp, Todd Adkisson, John B. Kane, and Art Kane - good friends of mine. They're here on kind of a lobby day today. I'd like everybody to welcome them to the Illinois State Senate, if you would, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Welcome to the Senate, gentlemen. Thank you for your service. We will now proceed to Senate Resolutions. Senate Resolution 201. Senator Sandoval. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Resolution 201, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Illinois Senate. Senate Resolution 201 is -- goes forward through recognizing the storied history of Fox College, a fine and academic institution in

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my district and many of our -- in our region in the southwest quadrant of Chicago. It's got a storied history and it's made significant contributions to the field of higher education. It was founded in 1932 by Earl B. Fox. And just to be short and brief, I want to also accolade them for last years' seventy-five percent of their -- Fox College first-time/full-time students graduated from their programs, thus, no doubt, making them worthy of being honored here this afternoon. So Senate Resolution 201 goes forward to celebrate the history of Fox College and recognize its commitment to community and the field of higher education. And I'd like to recognize them on this day here in the State of Illinois and the Illinois Senate.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? There being none, the question is, shall Senate Resolution 201 pass. All those in favor, vote {sic} Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Next, we have Senate Joint Resolution 42. Senator Delgado. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Joint Resolution 42, offered by Senator Delgado.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President and Members of the Senate. Senate Joint Resolution No. 42 seeks to petition Congress to call for a federal Constitutional Convention for the purpose of amending the United States Constitution to solely address concerns raised in the Supreme Court ruling in Citizens United versus the FEC and related cases that allow unlimited election spending. And I would

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just point out that eighty-seven percent of Americans are deeply troubled by the influence that money has over the political process. And I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There any discussion? Senator McCarter, for what purpose do you seek recognition?

SENATOR McCARTER:

Request a recorded roll call, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

A roll call is already required. We're going to read that. Is there any further -- other discussion? Seeing none, pursuant to the Senate Rule 6-3, a three-fifths majority is required to adopt this resolution. A roll call is required. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 voting Aye, 15 voting Nay, 0 voting Present. Senate Joint Resolution 42, having received the required constitutional majority, is declared adopted. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will come to the President's Anteroom immediately. The Senate will stand at ease. (at ease) Mr. Secretary, Message 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 a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 5283.

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Passed the House, April 9th, 2014. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Re-refer from Executive Committee to Committee on Assignments - Senate Joint Resolution Constitutional Amendment 40; Be Approved for Consideration - Floor Amendment 3 to Senate Bill 640, Floor Amendment 2 to Senate Bill 646, Floor Amendment 4 to Senate Bill 3318, Floor Amendment 3 to Senate Bill 3397, Floor Amendment 3 to Senate Bill 3411, and Floor Amendment 2 to Senate Bill 3456.

Signed, Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Senate Joint Resolution Constitutional Amendment 40.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR MUÑOZ)

We have one committee tomorrow at 9:30 a.m. That's Executive Committee in Room 212, 930 a.m. tomorrow. ...now proceed to the Senate Supplemental Calendar 1. Mr. Secretary, can you read the -- Senate Joint Resolution 40 for the first time in full?

SECRETARY ANDERSON:

Senate Joint Resolution Constitutional Amendment 40.

(Secretary reads SJRCA No. 40)

1st Reading in full of this Senate joint resolution constitutional amendment.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Mr. Secretary, 2nd Reading. Senator McConnaughay, for what purpose do you seek recognition?

SENATOR McCONNAUGHAY:

Thank you, Mr. President. I was unable to get to my switch fast enough on SB 3558. I would like the record to reflect a Yes vote, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The record will reflect a Yes vote, Senator. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10 a.m. on the 10th day of April, 20... Senate stands adjourned.