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REGULAR SESSION
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131st Legislative Day

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PRESIDING OFFICER: (SENATOR HARMON)

The regular Session of the 98th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by the Reverend Jean Hembrough, the Chaplain at MacMurray College in Jacksonville, Illinois.

THE REVEREND JEAN HEMBROUGH:

(Prayer by the Reverend Jean Hembrough)

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Reverend. Please remain standing for the Pledge of Allegiance. Senator Jacobs, would you please lead us?

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR HARMON)

Blueroomstream.com requests permission to videotape the proceedings. Seeing no objection, leave is granted. Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Wednesday, May 28th, 2014.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

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

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SECRETARY ANDERSON:

Senate Resolution 1256, offered by Senator Rezin and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Resolutions Consent Calendar. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Jacobs, Chairperson of the Committee on Energy, reports Senate Amendment 4 to House Bill 2427 Recommend Do Adopt.

Senator Jones, Chairperson of the Committee on Local Government, reports Motion to Concur - House Amendment 1 to Senate Bill 3552, and Senate Amendment 1 to House Bill 961 Recommend Do Adopt.

Senator Holmes, Chairperson of the Committee on Environment, reports Motions to Concur - House Amendment 2 to Senate Bill 2727 and House Amendment 1 to Senate Bill 2770 Recommend Do Adopt.

Senator Noland, Chairperson of the Committee on Criminal Law reports Motion to Concur - House Amendment 2 to Senate Bill 3522 Recommend Do Adopt.

Senator Sandoval, Chairperson of the Committee on Transportation, reports Motion to Concur with House Amendment 2 to Senate Bill 2802 Recommend Do Adopt.

Senator Hunter, Chairperson of the Committee on Human Services, reports Motion to Concur with House Amendment 1 to Senate Bill 741 Recommend Do Adopt.

Senator Raoul, Chairperson of the Committee on Judiciary, reports Motion to Concur with House Amendment 3 to Senate Bill 978 Recommend Do Adopt and House Bill 4534 Do Pass.

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Senator Forby, Chairperson of the Committee on Labor and Commerce, reports Motion to Concur with House Amendment 1 to Senate Bill 3038 Recommend Do Adopt.

PRESIDING OFFICER: (SENATOR HARMON)

WICS also requests permission to videotape the proceedings. Seeing no objection, leave is granted. Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

Purposes of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your announcement.

SENATOR HUNTER:

I would like to announce a Democratic Caucus for sixty minutes upon recess.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter moves that the Senate recess for the purpose of a Senate Democratic Caucus lasting sixty minutes. Seeing no objection, the motion is granted. The Senate now stands in recess to the call of the Chair. After the Senate Democratic Caucus, the Senate will reconvene for further Floor action. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will come to order. The Associated Press requests permission to take photos of the proceedings and WAND-TV requests permission to videotape the proceeding. Is there any objection? Seeing none, leave is granted. Ladies and Gentlemen of the Senate,

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we are turning soon to the Order of House Bills 3rd Reading. This is final action. Will all Members within the sound of my voice be at their desks? Will all Members of the Senate within the sound of my voice be at their desks? We are turning to final action. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 1257, offered by Senator Collins.
It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

While Members are preparing for final action, we will turn briefly to the Order of House Bills 2nd Reading on page 13 of your printed Calendar. House Bill 961. Senator Cullerton. Mr. Secretary, please read the bill. Senator Cullerton, I believe there is an amendment on your bill. Mr. -- Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 961.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

And are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

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

PRESIDING OFFICER: (SENATOR HARMON)

Senator Tom Cullerton, on your amendment.

SENATOR T. CULLERTON:

Thank you, Mr. President. I'd like to adopt the amendment and I'll explain it on 3rd.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton moves for the adoption of Floor Amendment No. 1 to House Bill 961. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Ladies and Gentlemen of the Senate, we are turning to final action, House Bills 3rd Reading. Will all Members be at their desks? Top of page 8 of your printed Calendar, the Order of House Bills 3rd Reading, House Bill 1022. Senator McGuire. House Bill 1457. Senator Clayborne. House Bill 1463. Senator Delgado. House Bill 1532. Senator Tom Cullerton. With leave of the Body, we will return to House Bill 2427. House Bill 2453. Senator John Cullerton. House Bill 2747. Senator Kotowski. Senator Kotowski seeks leave of the Body to recall House Bill 2747 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 2747. Mr. Secretary, please read the bill. Now on the Order of 2nd Reading is House Bill 2747. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski, on Floor Amendment No. 3 to House Bill 2747.

SENATOR KOTOWSKI:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 3 is a gut-and-replace

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amendment that becomes the Grant Accountability and Transparency Act, which requires GOMB, with advice from the Single Audit Commission, to develop rules and adopt federal standards for grants management and oversight for State and federal pass-through grants. Also creates a Grant Accountability and Transparency Unit within GOMB that will offer compliance training to grant recipients, maintain a list of groups that are ineligible to receive State grants, and maintain a comprehensive catalog of available State and federal pass-through grants. I would just like to -- she's not on the Floor, but I would like to compliment my colleague, Senator Pam Althoff, for her leadership on this issue and -- and help in the creation of the Single Audit Commission, but also working so hard on this measure. It's been a pleasure to work together with her and come up with legislation. I think it's developed more accountability with spending, more transparency, and a better way of providing government service. More than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion of the amendment? Seeing none, Senator Kotowski moves to adopt Floor Amendment No. 3 to House Bill 2747. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2747. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

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House Bill 2747.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski, are you ready to proceed? Senator Kotowski, on the bill.

SENATOR KOTOWSKI:

I've already explained the -- the bill and more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion of the bill? Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR MURPHY:

Senator, thank you for your work on this for the last week or two, after you took the bill from Senator Althoff. There are a lot of good things in this bill. There are some concerns, though, and we touched on 'em in committee. You know, this creates a board that the Governor will appoint to watch over the Governor, keeping an eye on the Governor's Office's administration of grants. This was sold as something significantly different from the Neighborhood Recovery Initiative, but it actually looks eerily similar to the Neighborhood Recovery Initiative, at least in the oversight context. We've got more standards. There's some good things in here, but the fact that we have the fox guarding the henhouse is a significant flaw in this bill. I had suggested in

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committee that we have better checks and balances than just having the Governor keep an eye on the Governor, and unfortunately it doesn't appear we're going to get that. There's enough good in here. I -- I don't want to oppose the bill, but I just -- I cannot vote in favor of this, giving Governor Quinn the opportunity to keep an eye on Governor Quinn with his track record with the Neighborhood Recovery Initiative.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Murphy, for rallying Members to the Floor. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

I rise to write chapter two of the rallying cry, if I might, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield. Senator Righter. SENATOR RIGHTER:

Senator Kotowski, I listened very carefully to your presentation yesterday in the Senate Executive Committee of this legislation and you did a nice job. One of the things that I would like to talk to you a little bit about, as Members are spilling out on the Floor, is whether -- you noted that in the past, appointments in this manner have always been made by the Governor. Am I recollecting your -- your comments yesterday in Senate Executive Committee correctly?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Yes, sir.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Righter.

SENATOR RIGHTER:

Given -- I mean, bills -- and -- and you've -- you've been around long enough to understand that what was a good idea or what was common practice maybe two or three or five years ago, may not be now, and there may be a lot of reasons for that, but one of those may be because of the political atmosphere that exists or the political tone that exists. I mean, I think that all of us who were around when Governor Quinn's predecessor, Rod Blagojevich, was in office, every one of us, maybe to differing degrees, would admit that things that we had done in State government previous weren't suddenly okay or they -- they weren't sufficient anymore, and, really, the change could be assigned to Governor Blagojevich and some of the things that he did. So my question is, whether or not you believe, based on the publicity and the actions of -- of the Cook County State's Attorney's Office and the U.S. Attorney's Office with regards to the Neighborhood Recovery Initiative issue, whether or not that changes the political tone or culture here to make -- only gubernatorial appointments inappropriate in this setting.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

I -- I hear your -- your concern, Senator Righter, but I would say, one of the ways that that concern is mitigated is because the appointments on the -- the committee are -- are bipartisan. We have Republicans and Democrats from the House and the Senate. And then I think it provides the appropriate and necessary check and balance to help address your concern.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

It's -- and I don't have as depth of knowledge in these areas certainly as you do, Senator, but it's my understanding that, typically, appointments that are made from a caucus -- from the legislative Body and from a specific caucus, that those appointments are typically made by that caucus's leader, as opposed to the Governor's Office. Can you give me another area that you're familiar with where the Governor makes appointments out of legislative caucuses, as opposed to the leaders themselves?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

You know, I -- you know, Senator Righter, I'm not really clear on your question. All I know is -- I'll read to you -- essentially when the -- in the creation of the Single Audit Committee, it basically said that it was -- who shall be appointed by the government. And right now -- or, by the Governor, I'm sorry. And then all the different agencies that are appointed. There's from every -- from Department of {sic} Aging to State Board of Education, to the Environmental Protection Agency, and then, as well, we have -- Senator Althoff is on the Commission with me. We have Representative Patty Bellock, who's on the Commission, and we have Leader Currie, who's on the Commission. So, I mean, I think we have adequate representation. I don't have the example that you're looking for, sir. You know, unfortunately, I -- I'm not as well-versed on that issue as I'd like to be at this moment, but I will say I think the folks who represented the committee did a

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excellent job of, you know, participating and -- and showing the fact that they were interested in improving this process.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I -- I wasn't clear, Senator Kotowski. At the start of your answer, you said you didn't understand my question and then it sounded like you went on to answer my question. Do you need me to rephrase the question? That's all I'm asking.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, do you have another -- Senator -- Senator Kotowski.

SENATOR KOTOWSKI:

No, sir. I -- I believe I'd answered. I don't know if you -- you heard me at the tail end. I don't know if you were kind of discussing something with somebody there. I said, I -- I'm not -- I'm not sure. I don't have an answer for you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill, if I might, briefly.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen, I think that Senator Kotowski is absolutely on to the right theme - about transparency. The problem with the legislation, though, is that whether it be a theme of transparency in government or accountability in

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government, or whatever it might be, the things that we know that are good, the things we know that voters like to hear about, is that those themes are only so secure as the process that is used to achieve them. And I think the -- the problem here, given the track record, the emerging track record, from the administration with regards to accountability, making sure that program details are followed, that there is accountability and transparency when it comes to the expenditure of public dollars, at this point, while maybe years ago it was appropriate that the Chief Executive make the appointments, every appointment, to this board to make sure the program of transparency and accountability gets implemented, that's not the case anymore. I mean, no one is reading the newspapers or listening to the news about what's happened in the last few months with regards to a program that was under the administration's control and walks away from that glowing with confidence that the Chief Executive, this Chief Executive, is going to run those programs and make those appointments with any certitude of accountability. Given that, I will be opposing the bill and I would urge others to do so. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Barickman, for what purpose do you seek recognition?

SENATOR BARICKMAN:

To the bill. Or - sorry, sorry - question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Barickman.

SENATOR BARICKMAN:

Senator Kotowski, we -- we had an interchange -- a -- an exchange of communications at your committee yesterday - always an

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eventful time at your committees. I'm interested to see this bill on the Floor today. Can -- can you tell me whether this legislation will change whether or not grant recipients, those not-for-profits that receive these dollars, whether the determination of who receives the dollars can be made by non-State employees?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Yeah, this is -- I'm going to take you through this, 'cause I -- we discussed it yesterday, and I appreciate your questions. This fundamentally changes the way business is done as it -- as it relates to the provision of grants in our State and -- and just real -- I'll take you through the application period. There is -- in the application period for the potential applicants, there's a mandatory disclosure of conflicts of interest. Applicants must disclose in writing all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the grant. Failure to disclose this information could result in suspension. For competitive grants and cooperative agreements, the State must have in place a framework for evaluating the risks posed by applicants before they receive a grant. The criteria used by the agencies would be the financial stability of the applicant; the management standards employed by the applicant; the history of the performance of the applicant; reports and findings from audits of the applicant; the applicant's ability to implement statutory, regulatory, or other requirements; and whether the applicant -- and this is key here -- is on the suspended list. There's any number of ways which this is going increase transparency. There's a -- there's an advising unit here. Every

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State agency will have a point person to act -- to help with the accountability and a liaison with the Grant Accountability and Transparency. So, this is never -- we're going to be the first in the nation to implement these changes and they're -- they're -- they're -- they're very significant and they allow us to fundamentally way -- change "business as usual" that's occurred for decades here in our State. This is going to impact about eight billion worth of grants. So the oversight body -- to your question, the oversight bodies are, you know, are these agencies who are distributing the grants. And the grant accountability unit is the unit which would help to educate the grant recipients to make sure they're living up to the accountability measures that are required by law.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Barickman.

SENATOR BARICKMAN:

Okay. But to the question, is there anything in this legislation that prohibits those agencies that you just explained from delegating their decision-making process to a non-State employee?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

It's in the legislation that the grant-making authority stays within the agency.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Barickman.

SENATOR BARICKMAN:

Right, the grant-making authority - understood. But the

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decisions -- let me give you an -- an example, Senator. Let's say we have a grant for two million dollars that is received by an agency. Under this legislation, can that agency ask city aldermen to the City of Chicago which communities should receive those funds?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

That's not specifically enumerated in the legislation. I imagine when -- this happens throughout the course of decision-making. As it relates to funding, people get feedback from all sorts of members of the State and the community. But nothing specifically like that's enumerated in this legislation.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Barickman.

SENATOR BARICKMAN:

I understand that we all get feedback on all the decisions that we make, but my question is whether we prohibit others from making those decisions for us. Are you aware, Senator, that there is a audit currently under review by the independent Auditor General, a constitutional officer to this State, that suggests that the decision-making process in our grant-making that exists today may be fundamentally flawed because agencies are delegating their decisions to non-State employees?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Barickman, can we constrain our questioning to the four corners of the bill? Senator Kotowski, do you wish to respond?

SENATOR KOTOWSKI:

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...think there's a couple key areas of the bill which you may not be aware of. All grants will be posted to the public in a centralized catalog. Senator Barickman - Senator Barickman? - okay. I just want to make sure that you -- you hear me. All the grants will be posted to the public in a centralized catalog with the point of contact, rules, and statute citation. This will ensure every person in need of a grant has the opportunity to apply. They'll be competitively bid. That'll ensure that kind of protection that you're seeking, that you're looking for, and I think everyone in the State of Illinois is -- is, quite frankly, looking for.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Barickman.

SENATOR BARICKMAN:

For those agencies that receive grant funds while simultaneously owing the State of Illinois money, is there any restrictions on them - otherwise good agencies receiving those funds knowing they have debts to the State of Illinois?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

I -- I kind of want to get back to the -- the previous question and then I'll get back to this one. Just in terms of risk review, there's a whole Section in this -- this comprehensive fundamental reform. For competitive grants and cooperative grant agreements, a State agency must have in place a framework for evaluating the risks posed by applicants before they receive a grant. It'll look at the financial stability of the applicant. It'll look at the management standards employed by the applicant; history of the

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performance by the applicant; reports and findings from audits of the applicant; the applicant's ability to implement statutory, regulatory, or other requirements; whether the applicant is on the suspended list. If the applicant receives a grant, special conditions may apply to the agreement in order to mitigate any risk. This is fundamental, seismic reform as relates to discretionary grants. I understand that you want to conflate this issue with other issues because there's been challenges, and when we discussed this in committee yesterday, I concurred with you that we've seen challenges over -- over decades that needs to be addressed. That's why this -- we have this bipartisan measure before us to help fundamentally fix the way money has been supplied in the State of Illinois and provided from a -- from a grant provision standpoint. So, you know, one of the things we did -- that's why it was a bipartisan effort. It took several months to do that. We came up with legislation to address this. You know, I -- you know, I -- and hopefully you're hearing all the measures that are put in place to provide those type of protections that you're concerned about to make sure we protect taxpayers and their pocketbooks.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Barickman, do you have more questions?

SENATOR BARICKMAN:

Sure. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR BARICKMAN:

And thank you, Senator, for -- always -- always an enjoyable discussion with Senator Kotowski. Look, for all of the good

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efforts that are going into this bill, the -- the legislation here is flawed. It's flawed in that it does not address -- you know, Senator Kotowski's words, fundamentally and seismic changes here that do not address the core issues that we face today. Those core issues: We need to stop giving money to people who owe us money; we need to stop letting people who are not accountable to the taxpayers of the entire State of Illinois from making these decisions, which we should make, on our behalf. These aren't fundamental reforms. They're scratching the surface. I urge an Aye -- a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Further discussion? Senator LaHood, for what purpose do you seek recognition?

SENATOR LaHOOD:

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

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates he'll yield. Senator LaHood.

SENATOR LaHOOD:

Thank you. Senator Kotowski, thank you for your intent on this bill and your effort, and I did listen yesterday when you presented this. In listening to your colloquy with Senator Barickman there, can you tell me, in this bill, if it became law, can you be a convicted felon and receive grant money?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you for your question, Senator LaHood. I'm going to read again what I'd stated before. Applicants must disclose in writing all violations of federal criminal law involving fraud,

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bribery, or gratuity violations potentially affecting the grant. Failure to disclose this information could result in a suspension. There's more information that's required than ever before as it relates to potential grant recipients and about their history.

PRESIDING OFFICER: (SENATOR HARMON)

Senator LaHood.

SENATOR LaHOOD:

And -- and thank you for that, Senator Kotowski. Can you show me in the bill where it says there is a prohibition on being a convicted felon and receiving grant money?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

I appreciate your follow-up. It's -- it's in the federal standards. So, in the bill, it's not in there right now per se, but when the rules are written to make sure it matches up with the federal standards, it will be consistent.

PRESIDING OFFICER: (SENATOR HARMON)

Senator LaHood.

SENATOR LaHOOD:

And -- and maybe you can explain to me why it isn't in the bill. I understand what you're saying about federal regulations, but why that prohibition is not in this bill. Can you answer that?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thanks. The -- it -- it would have been redundant because it's already in the federal standards and this bill takes on the federal standards as it relates to the provision of grants in the

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PRESIDING OFFICER: (SENATOR HARMON)

Senator LaHood.

SENATOR LaHOOD:

And I don't have those federal standards. Maybe you have those there. But can you cite in the federal standards where it says that and how that would be applicable, particularly to this bill?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

It's in 2 CFR 200 and it says that the bill is going to adopt those standards.

PRESIDING OFFICER: (SENATOR HARMON)

Senator LaHood.

SENATOR LaHOOD:

I understand you're saying you're going to adopt those standards. I want you to read that language in the federal standards that puts a prohibition on being a convicted felon.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

I -- I've enumerated and I've gone over this about what's involved in the application period and the disclosure of -- of violations of -- of federal criminal law and what's -- needs to exist when you apply for the grant. So that's contained within these standards. So I -- you know, I've done my best to explain it, sir.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator LaHood.

SENATOR LaHOOD:

I think you just referenced a violation of federal criminal law. Well, you can still be a convicted felon if you violate a State law also. So I understand your reference to that and that's why I was asking for more explicit information from those federal regulations. Let me move to my next question. Let's say you weren't a convicted felon, but you were part of a grand jury investigation, either on the State side or the federal side. Walk me through the process. If you were under investigation, you were part of a grand jury investigation, how would you be treated if you were applying for a grant?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

I -- so there's two things I want to just make clear. We have the federal standards, which we're adopting, but we're also adopting rules in this State. And, again, I'll take you through the application process, which would help to prevent what you're so worried about, what I'm so worried about happening. There's a series of things that don't occur presently in -- for -- for State grants. So let's just make sure that we're clear on this. Okay? Mandatory disclosure of potential conflicts of interest. Mandatory disclosure of violations of law relating to fraud, bribery or gratuity. If you fail to disclose that, you're on the suspended list. You also have a framework. See, this is what's so important. I come from a non-profit background and we used to receive grants from -- from foundations, and what was required of us as a grant recipient and -- such things as the financial

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stability of the applicant, which is currently not required; management standards employed by the applicant, so there is a knowledge and awareness that they have the capacity and infrastructure in place to manage something -- a grant; history of the performance of the applicant - I mean, are they an organization that does effective work? Do they make a difference? - reports and findings from audits of the applicant - this is what's so key when you're receiving grants and what makes it consistent with what exists. And -- and with people receiving grants in the non-profit sector, you have to provide audits before you receive money. You have to have audited financial statements. That's important. That's essential. That's what -- something that all of us are looking for, greater accountability. Also, can you -- can you, as a grant recipient, implement these statutory, regulatory, or other requirements. And, a list that's going to be contained that we don't have right now, a list of who's going to be suspended - so they would be prevented from getting grants in the future if they've had a problem, if they haven't lived up to the terms of the grant, if they've had conflicts of interests, if they've misused the money. And I'll take this one step further, Senator, which I think is important, because there's provisions within this related to grant -- related to grants - they can't use the grant money to make any contributions or donations using cash or property. Unfortunately, in this day and age, that needs to be enumerated, right? Grantee can't use the award for organized fundraising, including financial campaigns, endowment drives, solicitation of gifts and bequests. I mean, the only thing that is all right is public relation costs connected to what the grant is and what it does. I mean, this makes it consistent what's going

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on federally. It makes sure that we have the type of standards of accountability that we need to have in place to make sure that we have this...(inaudible)... Again, this never has existed before in the history of our State. I mean, could this legislation be perfect? I mean, is there more that could possibly be done? Of course. We'll constantly be twerk -- tweaking it. We'll constantly be doing different things. But we've worked with people from both sides of the aisle to come up with legislation that's going to impact people in a positive way.

PRESIDING OFFICER: (SENATOR HARMON)

Senator LaHood.

SENATOR LaHOOD:

Thank you, Mr. President. Senator Kotowski, I appreciate all that information you just gave and I think all of those things you referenced are a positive step, but, again, my original question was, if you were under grand jury investigation or a witness in a grand jury. None of those things you said -- you could bypass all of those, pass all of those requirements you have, but in my specific situation, there -- is -- is -- what -- how would you treat that situation if you're under grand jury investigation?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

There's a process for disclosure. And I would imagine it's something that hasn't existed to this point, over decades, right? In this process for disclosure, there's a greater level of accountability if that information's been disclosed and that person who's overseeing the grant didn't take the necessary steps to prevent that person from getting the money in the first place.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator LaHood.

SENATOR LaHOOD:

To the -- to the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR LaHOOD:

Thank you, Senator Kotowski. I -- I just -- you -- Senator Kotowski had referenced the -- my original question, about being a convicted felon, he had cited the federal statutory Section, Section 200- -- .113, and I would just state, nowhere in there does it put a prohibition on being a State convicted felon. Talks all about federal criminal law, but not a State violation. And -- and while I think the intent of this is good, there are many flaws that have been put forth by the previous speakers. But I would just note, in that Section, it clearly does not prohibit a -- a convicted felon at the State level from receiving grant money here, and I think that needs to be known here. And I would ask for a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, for what purpose do you seek recognition?

SENATOR STEANS:

First, for two questions of legislative intent to the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Steans.

SENATOR STEANS:

First question: It is the -- is it the legislative intent of House Bill 2742 {sic}, Senate Amendment No. 3, to implement coordinated and non-redundant processes for reporting, monitoring,

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and auditing grantees, as recommended in the Audit Commission's report issued pursuant to Public Act 98-0047?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

And I believe the -- the bill that Senator Steans' reference to is 2747, and the answer is, yes, to her question.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Second and final legislative question is, is it the legislative intent of House Bill 2747, Senate Amendment No. 3, to include representatives of community grantees on the Single Audit Commission envisioned in this legislation?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Yes. Three representatives of the community grantees are already represented on the Single Audit Commission and one more representative may be appointed.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Yes, and then to the bill. Just wanted..

PRESIDING OFFICER: (SENATOR HARMON)

To the bill.

SENATOR STEANS:

I just want to commend the sponsor of this legislation, and I know he and Senator Althoff have really worked hard on trying to

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improve the overall way the State is distributing grant moneys, provide much more accountability and transparency. I also just want to note -- note that, you know, we -- we put these laws in place not for specific individuals, but for the offices, and we should be looking at the overall what we're trying to accomplish here, not getting into individual issues on personalities that people are trying to get this into. I very much urge an Aye vote and really appreciate the tightening of the way we're going to be distributing eight billion dollars' worth of grants in the State that will come as a result of this bill. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. There's just one speaker seeking recognition. Senator Rezin, for what purpose do you rise?

SENATOR REZIN:

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

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Rezin.

SENATOR REZIN:

Thank you. Senator Kotowski, could you tell me how long you've been working on this bill?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Senator Rezin. This legislation has been worked on since last year, when the Audit -- Single Audit Commission was

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formulated. I've been working together with my colleague, Senator Althoff, on this legislation. But I've been working on grants, components and -- and performance as it relates to grants for the past four years. So, this is part of an ongoing effort that we've been pushing forward on a -- on a -- on a individual level, but also on a bipartisan level to make sure we have greater accountability and reform in the way in which we spend taxpayer dollars.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Rezin.

SENATOR REZIN:

Thank you. And I do agree, and I compliment my seatmate as well, because I've spoken with her about this issue for quite a while, well over several years, and I know that she was lead sponsor on the legislation, along with her colleague, Representative Bellock, over in the House. So I commend them. I'm glad to see it's bipartisan. One more question for the sponsor: If this was passed a couple years ago -- as you know, we're -- we're in the headlines recently, or I should say in the past several years, with our issue of accountability, handing out grant money and the success of handing out grant money, and you highlighted how you've been working on more transparency and performance-based -- budget as well. My question to you is, if this was passed, say, in 2010, how would the Neighborhood Recovery Initiative been different? How would the grant dollars for that particular program been handled by the various associations?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

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Real quickly, too, and I -- I appreciate your question and your recognition of Representative Bellock's work as well. I know we have Representative Crespo, who's worked very hard on this legislation as well. I welcome him to the Chamber. But this wouldn't just impact those particular grants that you're talking about. It would have impacted all grants, you know, all discretionary grants. And -- and I've -- I've enumerated this and I've gone in -- in great detail. And just quite simply, it's a fundamental change in the application process, in the review process and the monitoring process. I mean, if you go from the -- the -- the -- the -- the -- the area where we say that somebody could potentially be on a suspended list for grants, that, quite frankly, doesn't exist in our State right now, or you want -- on the front end, the -- the application process, which I've talked about everything from potential conflicts of interest and everything from whether or not you have a -- a history of a crime that you may have committed federally. And I want to -- I want to get to the issue, too, because this bill allows for rules to be created, to not -- to not just mirror the federal standards, but have our State standards apply, which means that the Audit Commission, which is bipartisan, can provide more recommendations as relates to State specific issues, which I expect it to do, because it was very effective in proposing this legislation as it currently stands right now. So, it would have been fundamentally different, and in many respects, I think it would have been a -- a -- a proactive way to prevent the kind of challenge that we've seen happen throughout the decades, throughout decades in this State. So a greater level of accountability and transparency and making sure the people who are receiving the grants and the

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organizations are doing the work that they should.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Rezin.

SENATOR REZIN:

And I appreciate that, again, but I -- I'm curious, though, if this was implemented a couple years ago, how would the money or the grant that was disbursed for the Neighborhood Recovery Initiative been handled differently?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

And all due respect to -- to you, Senator Rezin, and your question, I believe I've answered it, because I've gone through how different it -- it would have been for those grants and all the grants that are out there, in everything from the application process to the review process, to the compelling of -- of audits, to putting people on -- on a suspended list so they wouldn't receive any future grants. I believe I've gone through this probably like four different times during the course of debate and I -- and I believe it's been addressed.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Rezin.

SENATOR REZIN:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR REZIN:

And I appreciate that. I think it's a good first step. Clearly, this has been a piece of legislation that has been worked

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on for several years, and it's been worked on because the State of Illinois continues to be in the press and have negative publicity about money that's been given in -- in forms of grants with no accountability. So I do think it's a good first step. I appreciate everybody who's worked on it. I, obviously, like my colleague over here, would like to see the -- that convicted felons would not have access to grant money as well. It just makes sense when we go back home to talk to our constituents. But I commend all of the sponsors that worked together to put this piece of legislation together. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski, to close. Sorry. Senator Frerichs, you had your light on. Senator Frerichs.

SENATOR FRERICHS:

Thank you very much, Mr. President. I have a couple questions of the sponsor for legislative intent.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates he will yield.

SENATOR FRERICHS:

Senator Kotowski, can you please confirm that insofar as this Act impacts the public universities of this State, the intent and purpose of the Act's reporting requirements will apply to them only when the universities are receiving State-appropriated funds or federal funds that pass through State agencies?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Just want to say that I'm, number one, impressed by the use of the -- the phrase, insofar. Secondly, yes, I can confirm that.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Frerichs.

SENATOR FRERICHS:

In a similar vein, it is correct, is it not, that public universities that follow the final guidance for federal awards as set forth in Title 2 of the Code of Federal Regulations have no additional reporting or compliance requirements for the federal awards under this Act?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

That is correct, sir.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Frerichs.

SENATOR FRERICHS:

And, finally, my understanding is that nothing in the Act authorizes the State to reduce the amount of funding for public universities. Is that an accurate statement?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Public -- public universities are still subject to State appropriation, but nothing in this Act is meant to cause a reduction in grant funds directed to public universities.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski, to close.

SENATOR KOTOWSKI:

Thank you. And I -- I appreciate the questions and concerns raised by my colleagues on the other side of the aisle. I -- I

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respect what your goal and your intent is, and it's a concern that I've shared and it's something that I -- I've been very committed to since I was first elected to office, because what I wanted to do was come down here and -- and fundamentally change the way business was done and fix our problems. I -- I want to, again, congratulate and -- and thank and lend my -- you know, extend my gratitude to Senator Althoff for her leadership on this issue and for her continued friendship and support on this and -- and many other issues. I know sometimes it's a challenge here in the General Assembly and sometimes there are political things that we have to get through in order to work together, and I appreciate her commitment on that front and I want to thank her for her leadership. I want to thank Liz Stovall for all of her hard work on staff. She's worked for months on this and she's done a terrific job and a tremendous job and has really, really, made a difference in this process. And Carol Kraus - I don't know if you're listening - she's done an awesome job. And Kristen Houch from the Governor's Office - I appreciate all your hard work and your efforts. And the members of the Single Audit Commission - Fred Crespo and Patty Bellock and everybody else. This is a important process, and I just want to finish with just a couple things. This -- this is going to impact potentially eight billion worth of grants, eight billion. This is something we've never done before in the history of our State. And I -- and I understand that people want -- they want an ironclad guarantee that -- that everything should be in this bill. Well, absolutely, it should. That's why we have a rules process to help influence and impact it and -- and to make it better. But make no mistake, make no mistake, this is a bipartisan opportunity to address something that is deep-seated

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within the State of Illinois and it's existed for decades, decades. And this is our opportunity to start on the path of fixing it without question and this is your opportunity to participate in this process without question. I get the fact that there are challenges in the State of Illinois, but this is a chance to come together on a particular issue to make sure we're spending money wisely, that we're asking the right questions, that we're providing funds to people who are making the most difference in their community, without question. Because if you look through the rules, the pre-application rules, the ongoing evaluation, the list that will be put together - if you're on the list of whether or not you continue to receive a grant or not - it's never existed before. And this is our opportunity to write a new chapter in the State of Illinois, a brand-new chapter, and to be a part of it, to be a part of it together, both sides of the aisle voting Yes. I ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall House Bill 2747 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 No, 6 voting Present. And House Bill 2747, having received the required constitutional majority, is declared passed. Senator McCann, for what purpose do you rise?

SENATOR McCANN:

Thank you, Mr. President. For a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

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SENATOR McCANN:

Thank you, sir. I would like to introduce some guests, some very special guests, I have here with me today. I have Air Force Senior Airman Anthony Carpenter. He is the grandson of Senate Doorkeeper Odie Carpenter, who's in the gallery - I believe he's up here, right in the center of -- of the gallery - and also his grandmother, who joins us here on the Floor, Pat Carpenter. Anthony is a communications specialist in the Air Force. He just returned from Afghanistan about two weeks ago and just arrived here in Springfield last night. Odie, his grandfather, is the retired Chief of Police from the Illinois Commerce Commission, and Miss Pat here is actually the daughter of the distinguished and accomplished American actor, Mr. Robert Guillaume, besides being the accomplished matriarch of the Carpenter family. So, Anthony's been in the military for three years. He has three years to go on this enlistment. When he finishes his thirty days of leave, he'll be reporting for duty at Robins Air Force Base in Georgia. And I hope that you will all rise and thank Senior Airman Anthony Carpenter for his service to our country. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Airman, welcome home and welcome to Springfield. You clearly come from good stock. Senator McGuire, for what purpose do you rise?

SENATOR MCGUIRE:

Point of personal privilege, Mr. President, please.

PRESIDING OFFICER: (SENATOR HARMON)

State your point, Senator.

SENATOR MCGUIRE:

Thank you. Ladies and Gentlemen of the Senate, I'm proud to

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introduce to you two longtime friends of mine from Joliet, two people who make the State of Illinois work. This is Karen Cirricione, who works in the IT Department for Kendall County, up in Yorkville, and her husband, Tom Cirricione, who had a long distinguished career with the Illinois Department of Corrections at Joliet area facilities. Please give them a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR HARMON)

Will our guests rise and be welcomed to the Illinois Senate? Senator Rezin, for what purpose do you rise?

SENATOR REZIN:

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

PRESIDING OFFICER: (SENATOR HARMON)

Senator Rezin.

SENATOR REZIN:

Thank you. I here -- I, today, am honored to introduce my Page for the Day, Alex O'Connor. He's from Morris. He is a sophomore currently at Kenyon College, a liberal arts college in Ohio. His major is political science. His minor is Mandarin Chinese. Very interested in American government. His goal is to be a United States Senator, and we wish him well. Couple of interesting facts about Alex: While he's -- while attending three different high schools in four years, he's been able to be a mentor, student leader, athlete, and AP scholar. His uncle, his great-uncle was a Polish astronaut. He has participated in RAGBRAI. It's a five-hundred-mile bike race across the State of Iowa in six days. He's competing in a Half Ironman triathlon this summer and his goal is to compete in the Ironman triathlon next summer along with his brother. I'd love a -- a warm Springfield

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welcome. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Alex, welcome to the State Senate. Senator Radogno, for what purpose do you seek recognition?

SENATOR RADOGNO:

Thank you, Mr. President. I would like to make the Body aware that Chief Justice of the Illinois Supreme Court Rita Garman is joining us today. So, if we could give her a welcome, I would appreciate that.

PRESIDING OFFICER: (SENATOR HARMON)

Justice Garman, welcome to the Illinois State Senate. We're going to return to the Order of House Bills 3rd Reading. We have House Bill 2898. Senator Manar. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Thank you. Quick point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point.

SENATOR ROSE:

Thank you, Mr. President. Ladies and Gentlemen, I have with me today Lucas Chittick, who is a Page for a Day. He is a seventh grader at Mahomet-Seymour School District. His favorite subject is history. He really enjoys sports, in particular wrestling. When he gets older, he wants to go back to being a teacher and teach history in the junior highs of our State. And he's here today with his Grandpa Joe, who has been a longtime friend of mine, up in the gallery, Grandpa Joe Seaton. Anyway, if we could welcome Lucas and his grandfather, Joe Seaton, I'd appreciate it.

PRESIDING OFFICER: (SENATOR HARMON)

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Lucas, welcome to the Illinois State Senate. Let's give him a round of applause. Senator Manar, were you ready to go on House Bill 2898? Senator Link. House Bill 3092. Senator Sandoval. House Bill -- I apologize, that's out of the record. House Bill 3672. Senator Hutchinson. House Bill 3816. Senator Noland. House Bill... Senator Noland, you're here? You're ready to proceed? House Bill 3816. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3816.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. House Bill 3816 directs the State Board of Elections to ask voters whether school districts should receive additional revenue from an additional three percent income tax on individual incomes over a million dollars. All the revenue generated by this tax would be distributed to school districts on a per pupil basis. The tax would generate approximately one billion dollars and would translate into approximately five hundred and fifty dollars per pupil. The tax would only apply to incomes over a million dollars. So a person that earns - for the edification of the Body - person who earns 1.1 million dollars would only pay three thousand dollars. Happy to take any questions folks might have.

PRESIDING OFFICER: (SENATOR HARMON)

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

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SENATOR JACOBS:

I rise to move the previous question.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. There are two speakers seeking recognition. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. I'm glad I beat Senator Jacobs to the punch. I wonder if the sponsor would yield, please.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Noland, as you know, this -- this Session began sometime in the second week of -- of January and the idea that we should seek a nonbinding referendum with regards to this new tax has come about rather recently. Talk to -- since you're the Senate sponsor, can you talk to me a little bit, enlighten the Chamber maybe, with regards to your thought process on -- on how it's come to fruition now, when we've talked about the Democrat Majority's interest in creating a new tax structure to increase taxes or -- or extend the current tax increase? I mean, how does this fall into that discussion?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Noland, to the extent you'd like to respond to that.

SENATOR NOLAND:

Yes, thank you, Mr. President, and thank you, Senator Righter, for that -- for that question as well. As you know, the need for revenue has been a -- a point of concern for the General Assembly for more than just this Session, and matters coming to a head, we had to find some mechanism by which we might be able to further

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assist in a number of areas. Here, we're trying to assist in the area of education. This bill came over from the House most recently. It had been first floated as a binding referendum. That did not work, so leadership in the House determined that they might attempt a nonbinding approach, and that's why it is coming as of late and why we are discussing it now on the Floor.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I'll try to be a little more pointed in my questions from here on out. Senator, I'm -- I believe I'm quoting from the question that would be put on the ballot. Please correct me if I'm wrong. And this is with regards to where the money would be spent. "...to require that each" -- "that" -- I'm sorry, "that each school district receive additional revenue, based on their number of students..." Is -- is that -- is that the way the question would read on the ballot?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Noland.

SENATOR NOLAND:

That is correct, Senator, as I read it, in part. There is a comma at the end of that phrase, yes, but that in part is how that question would be -- would be, in -- in fact, phrased.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

You believe then that this extra billion dollars, were it actually collected, should be allocated based on the number of students who go to the district? And the reason I ask that,

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Senator Noland - I'm going to give you the context - is because we've had some discussion about education funding here in this Chamber in the last several days and it's been -- the -- the opinion has been voiced several times on this Floor by Members of both parties that simply allocating dollars by the number of students who go to those districts is not the accepted way to do this any longer. Can you tell me a little bit about what conversations you may have had with people in the education field that helped you decide that this is the language which should be put in the referendum?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Noland.

SENATOR NOLAND:

Well, first of all, to your pointed question, Senator, I have not had any discussions with folks in the education field regarding the specific language of this -- this resolution {sic}. As you may be aware, we do not have the opportunity to amend this resolution {sic} and send it back to the House. So it's more or less a take-it-or-leave-it approach. And since it's an opportunity to provide education per se, an additional billion dollars, I'm going to take it as opposed to leave it. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Senator Noland, this is obviously one of --- the -- the millionaire's tax, as it's being phrased here, that's -- that's embodied in your -- in your bill, is just one of a number of tax ideas, if you will, that have been floated in this building. The Presiding Officer, Senator Harmon, had one. There have been other

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proposals out there. Why did you decide to pick the Speaker's idea, as opposed to an idea that maybe originated or was brought forth by a Member of your caucus here in the Senate?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Noland, again, to the extent you wish to respond.

SENATOR NOLAND:

Thank you, Senator. You know, Senator, I'm sure that we would all agree that politics does make for some strange bedfellow and the Speaker and I have a rather unique relationship, but this is a good idea, and just because I may not necessarily agree with the Speaker on all of his policy measures, this one seems to be a good idea and I was not going to turn down the opportunity to assist - further assist in advancing it.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, any more questions on the bill before us?

SENATOR RIGHTER:

You know, Mr. President, as tempted as I am to follow up with Senator Noland and ask him more specifically about the unique nature of his relationship with the Chairman of the Democrat Party and the Speaker of the House of Representatives, I think later I'll probably just take a group of my friends over and we'll ask him and have a conversation about that. In the meantime, I wonder if I could just comment on the bill.

PRESIDING OFFICER: (SENATOR HARMON)

So long as you and I can have a conversation later about the grammatical use of the word "Democrat", that would be fine. To the bill, Senator.

SENATOR RIGHTER:

Thank you very much, Mr. President, Ladies and Gentlemen of

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the Senate. Setting aside the obvious political drive here brought forth by the Chairman of the Democrat Party of Illinois to drive -- hopefully drive out turnout in a year when the elections look more favorable for some than perhaps they do for others, this is the wrong way to do this. This is the wrong way to do this. If this happened -- if this happened, money moves. Money is mobile. For those of you who don't understand that, look it up. Okay? You will move more and more and more people out of Illinois. You'll move more wealth out of Illinois. The wealth that you're counting on to fund the expansions that you want to pay for in Medicaid, for the school funding that you say you want to put forward, all the other initiatives that you have in mind, that wealth will be leaving this State in even greater numbers than it is today, if this is the signal we send to people who are job creators, not to mention, as has been mentioned on this Floor before, I know of absolutely, absolutely no expert in the area of education funding who is going to say you should take this kind of money and just allocate it right on the basis of how many students are in each district. That's the wrong way to do this as well. I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The final speaker seeking recognition before the motion is Senator McCarter.

SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

Question of the sponsor.

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PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator McCarter.

SENATOR McCARTER:

Senator, if the people of Illinois decide that this is a good idea and if this becomes a bill and if it become -- is passed and signed by the Governor, how will this be different than the promise made that, like the Lottery money, will increase funds for education?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Noland.

SENATOR NOLAND:

Senator, I wasn't here during the debate or the passage of the lottery, but my father was here in Illinois, hired by the Department of Revenue, and he helped install the original lottery building. And he did advise me, at that time he voiced a similar concern that you have about how that money might be spent, and he said to me, he said, "You know, the way the money is purported to be spent on education may end up in a bit of a shell game, like the lottery, like gaming itself, and be a matter of -- of a miracle when you win and reality when you lose." But in order to make sure that we create -- we forge a new reality for the children of this State, I promise you, I pledge to this Body that for my part, as I have done with my work on EFAC, the Education Funding Advisory Committee, and Senate Bill 16, that I will do everything in my power to make sure that that money goes for the purposes of education.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter, do you have another question?

SENATOR McCARTER:

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Yes, please.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

So you -- you mentioned a -- a phrase there, shell game. And -- and I think that's what most people in this State understand it as, 'cause it really doesn't -- the lottery money doesn't add on top of what we have for education to give them any more. It simply goes into the fund and we give them less by the same amount. And I -- and I don't -- and I guess I don't understand how this is going to be any different, especially when -- I mean, how -- how can we be guaranteed this is going to be more for education when the House budget apparently is cutting education? How -- how can we be assured of this?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Noland.

SENATOR NOLAND:

...you -- thank you, Mr. President. And thank you, Senator, for the inquiry. I'm not sure that there are any guarantees, but as I said in my previous response, I am committed to working with you to make sure that these dollars go to where we are suggesting they will. This is an advisory referendum. We are not bound by it. It will be up to us to make -- to craft the legislation that makes for those guarantees.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

Last question: Million dollars of what? What is it a million of - revenue, net income, gross income? How will that be defined

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on the ballot to where people will understand what kind of business will pay this extra three percent?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Noland.

SENATOR NOLAND:

Senator, we're not changing the language of this referendum. It can only be so specific. Remember, bear in mind, that it is up to us to craft the legislation, so perhaps you want to make that a part of the ongoing debate, and if, in fact, the caution that you want to urge voters as they step into the voting booth and vote on this. But it is taxable income for individuals above one million dollars.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

To the bill: Ladies and Gentlemen, to say that we're not going to decide ahead of time what language is presented to the voters is ridiculous. We -- we know what you can do with words. You can portray anything with words that is completely miles away from reality. We haven't decided what revenue is, what -- what a -- a million of what. This is a game and, unfortunately, you're -- you're really messing with the wrong people here. In the name of helping the kids, you are attacking job creators in this State. Now, if we continue this, they may not even be there for you to tax by the time this gets into law. You say you want to protect the children, then you take the jobs away from the parents who are trying to provide for the children. This is pure politics. This is not good fiscal policy. This is not the way to run a State. This is one more item that you're going to put on this ballot that

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is pure politics to drive people that you want to vote for you, keep you in power, keep your position, and keep your pension.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Noland, to close.

SENATOR NOLAND:

Thank you, Mr. President. To a couple of those points, I just want to say that, you know, we're going to have an opportunity here to craft additional language when we actually put a constitutional question on the ballot for folks, after we do this. This is advisory; that would be binding. Secondly, you know, a - a millionaire that is providing for their family and providing for their children is probably doing a pretty fair job of it and I'm not -- I'm not sure those children are going wanting. I'm not sure what this bill has to do with Medicaid or -- and I'm not buying, and I don't think the people should buy, this argument that wealth will be leaving the State of Illinois. People are not moving. There's only -- there's hardly even anecdotal evidence that that occurs. Ultimately, Mr. President, this comes down to a matter, I -- I think, what is ancient wisdom. The words of Adam Smith and the Parable of the Talents comes to mind, where the Parable of the Talents, it's -- I'm -- I'm not a biblical scholar, but I remember from my childhood and Sunday school the whole notion that to whom much is given, much is expected. What that -- what is drawn from that is this story of a master or a father of a household who provides talents, or money, to their kids or to their -- to their servants. And he gives five to the first, two to the second, one to the last. And the first two go out and double their money, and he says, very well and fine, I'm now going to provide you with greater responsibility. But the last one merely buries

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that talent and does nothing with it. And he says, this does not work for us. What we're doing with that money of a million plus, and the way that millionaires tend to invest it, is essentially burying an asset that is available to the people or that should be made available, not just to the people of the State of Illinois, but the children of Illinois, with which what we can do is unearth their hidden talents and to provide for an investment in their futures and all of the State of Illinois, increasing gross domestic product and our overall wealth in the State and the quality of life of our people. Adam Smith - no communist, that's for sure - the father of capitalism, once stated, "It is not very unreasonable that the rich should contribute to the public expense, not only in proportion to their revenue, but in {sic} something more than (in) that proportion." - Adam Smith, Wealth of Nations, 1776. He was no Marxist, no Leninist, and he was not Fidel Castro, where he was privatizing or advocating that we privatize private wealth or nationalize private wealth. This is sound economic policy. It's going to make for good education policy. It's the right thing to do and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall House Bill 3816 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 33 voting Aye, 17 voting No, none voting Present. House Bill 3816, having received the required constitutional majority, is declared passed. We're going to turn, with leave of the Body, to page 12 of your printed Calendar to the order of House Bill 5755. Senator Martinez. Mr. Secretary. Senator Martinez seeks leave of the Body to recall

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House Bill 5755 to the Order of 2nd Reading. Now on the Order of 2nd Reading, House Bill 5755. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez, on Floor Amendment No. 1.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. I will speak more on the bill on 3rd Reading. It just places a nonbinding advisory question on the November ballot.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez moves for the adoption of Floor Amendment No. 1. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 5755. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5755.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez, to present the bill.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. House

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Bill 5755, as amended, places a nonbinding advisory question on the November 4th, 2014 ballot asking voters, "Shall any health issue {sic} (insurance) plan in Illinois that provides prescription drug coverage be required to include prescription birth control as part of that coverage?" And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR CUNNINGHAM:

Thank you, Mr. President. I move the previous question.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. We have two speakers seeking recognition. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

...bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR MURPHY:

We had an interesting debate or discussion in committee about this bill. First of all, this bill {sic} was just filed the other day. This is such a pressing concern that it wasn't filed until the very last minute and is an advisory referendum on the ballot. The question being asked has been settled by Illinois law for ten years, not just by any legislator, but by the sponsor of this bill, who shepherded this through a decade ago. There have been no attempts to repeal the bill since then. There's a supplemental assist on this concept from the Affordable Care Act, which the fig leaf covering up trying to justify doing this is, "Well, they might repeal the Affordable Care Act" and that way this might go away,

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except for the fact that, in Illinois, it's been set in law for ten years. What this is, what the bill before this was, what the Obama library was, what the voting rights, all of this stuff is all this year, is nothing less than the desperation that your side of the aisle has, because people in this State might actually pay attention this year and fire some of you people for the despicable record that you have and for the fact that you've driven a once great State into the ground with your failed liberal policies. Anything -- anything is better to you than losing that power, and you'll do anything, shiny object here, shiny object here, anything we can do to distract from the fact that we have among the highest unemployment rates in the country since you took over total control twelve years ago. Poverty - how often did we hear about poverty this week? You bleed on about poverty all year. The problem is, since you took total control of State government, poverty's up a third in this State. You care so much about 'em, you want more of 'em apparently. We, on this side, don't.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

We want people out of poverty.

PRESIDING OFFICER: (SENATOR HARMON)

Could you constrain...

SENATOR MURPHY:

Put the timer on.

PRESIDING OFFICER: (SENATOR HARMON)

Could you constrain yourself to the -- the bill before us and avoid personalities? Much would be appreciated.

SENATOR MURPHY:

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Whose personality? What, your whole party? Are you guys a...? I'll add -- I'll say Democratic, if you'll let me continue.

PRESIDING OFFICER: (SENATOR HARMON)

I would appreciate that, Senator Murphy. Thank you. But let's restrain ourselves and discuss the bill. Thank you.

SENATOR MURPHY:

You're about to pass another bad budget in this Chamber. You're about to have another year of failure. You're going to do everything you can to distract. But you know what you're really doing? You're demeaning the people in this State who are looking for serious responses. This is a gimmick. It's a stunt. It's a game, and everybody down here knows it. You're talking about something that's been settled law for ten years, but you just want to gin people up over issues that really don't exist. I think it's shameful. I think it speaks to just how scared you really are that the people are finally onto you. I urge a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Murphy. The final speaker, seeking recognition before the previous question was moved, is Senator Syverson. Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that she will yield. Senator Syverson.

SENATOR SYVERSON:

Senator, what -- what's the intent of this? To get the -- to get the -- the view of the public? Is it strictly from the -- the -- the -- the side of the birth control or -- that it's -- that it should be covered in all policies?

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Senator. The -- right now, there is two challenges right now in court and, again, it's, again, an attack on women's health care. This is what this is about. And why we put this question on the -- as a referendum on the ballot is to engage our constituents across the whole entire State about some of the issues that are going. So referendums are good. These nonbinding advisory referendums are good for the State of Illinois. People can get engaged on some of the real serious issues. This is an attack, again, on women's contraceptive, you know, health care. Again, it's a woman issue and I think that this will prove, as these decisions are made -- are -- are finalized in court, that if there is something that has to be repealed, at least the woman's contraceptive -- at least here in Illinois, we have a very strong support from the entire State about something that we fought for twelve years ago, and we want to make sure that we -- that we have the strong support for it now, in case Illinois and many of the other states that passed contraceptive bills also be, you know, on the alert with these attacks that are coming.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson.

SENATOR SYVERSON:

So, Senator, your belief then is that all the health plans that are providing prescription drug coverage should be required to cover birth control as well?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

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SENATOR MARTINEZ:

I really believe that every woman should be offered. It's up to her or not - not between her boss or the employer. It should be the decision that the woman should be able to make and that she should get coverage for it.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson.

SENATOR SYVERSON:

Well, the way the resolution is -- is worded, it -- it -- it -- it says that all health plans that cover prescription drugs will be required to cover birth control. We have an awful lot of seniors that are on Medicare Part D. That's a prescription drug plan. The concern with that is that this resolution says then that insurance companies have to start charging for Medicare -- for -- for a prescription -- or, for birth control for all Medicare supplements and have to start covering for that, because that is a health plan covering prescriptions in Illinois. I don't think that was the intent, but if it says all health plans, is -- that would include then the cost of adding this to the -- the plans of Medicare supplements. So we've already seen the -- the problems under the Affordable Care Act with cost-shifting going on. And I -- so, can you maybe address your thoughts on what the impact this is going to have on Medicare supplements across the State of Illinois?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Senator. You know what? Let me give you a couple of stats here about, you know -- virtually ninety-nine percent of

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-- of American women between the ages of fifteen and forty-four who are sexually active have used birth control at some time. For many women, birth control is used for the {sic} host of health care reasons. Fifty-eight percent of pill users cite health benefits as contributing factors for using birth control. Some of them are endometriosis, menstrual pain, menstrual regulation. There's a lot of reasons why women, other than not to have children, use this. And I think it's very important that continues to be the case here. All women, whether they use it or not, should have access to it. And, right now, that is under attack on the ACA and we want to be ready here in Illinois just to show our voices are very strong on this kind of -- of legislation, to really just reinforce our -- our stand on this bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson.

SENATOR SYVERSON:

I guess I'm concerned because, again, we're talking about the need for providing birth control for seniors. I looked at the top ten list of -- of birth control prescriptions that are out there and I crosschecked it with the list of those drugs that are available under the Part D program in Illinois for seniors and none of those drugs are currently offered. And so what this is implying then is that we're going to -- we're going to require that these carriers now add this coverage to seniors and increase the cost of their policies for something that they obviously aren't going to be using. And so I think there ought to be some -- at least more clarity than to have a broad comment that says all health plans that provide drug coverage have to have birth control coverage. I think people would find that ludicrous that we're

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looking to mandate birth control coverage on -- on seniors in Illinois when we're facing so many other bigger issues.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, again. And I think that we're just forgetting what we're asking. This is an -- this is just a question, an advisory -- nonbinding advisory question that we want to hear back from the people of Illinois. And, right now, nothing is going to change as far as the health plans that are right now in place. This is just a question that we should continue to make sure that coverage also includes prescription birth control as part of the coverage. That's all we're asking. It's a question that we are asking all of our constituents in the State of Illinois.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson was the last speaker seeking recognition before the previous question had been moved. So, Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you, Mr. President. Again, you know, as we move forward on what's going on with the Affordable Care Act, right now, there are two court cases that are pending and, again, it's an attack on women's health issues, health rights, to whatever a woman needs. So, you know, this is just something that is a nonbinding advisory question being asked out there to the constituents of Illinois to see if this coverage should also include birth control. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The question is, shall House Bill 5755

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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 31 voting Aye, 18 voting No, none voting Present. And House Bill 5755, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, the Senate will stand at ease for a moment to allow the Committee on Assignments to meet. Will all members of the Committee on Assignments please report to the President's Anteroom immediately? Senator Trotter in the Chair. (at ease)

PRESIDING OFFICER: (SENATOR TROTTER)

Senate will come to order. Mr. Secretary, Committee Reports.
SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Human Services Committee - House Bill 4665; refer to Revenue Committee - House Bill 4616; re-refer to Executive Committee - House Bill 3796; Be Approved for Consideration - House Bill 1165 and House Bill 3199.

Signed, Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Criminal Law Committee - Motion to Concur on House Amendments 1 and 2 to Senate Bill 2801, Motion to Concur on House Amendment 1 to Senate Bill 3538; refer to Executive Committee - Floor Amendment 2 to House Bill 2453 and Floor Amendment 4 to House Bill 5622; refer to Judiciary Committee - Motion to Concur on House Amendment 1 to Senate Bill 3405; refer to Licensed Activities and Pensions Committee - Motion to Concur on House Amendment 1 to

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Senate Bill 3551; refer to Local Government Committee - Motion to Concur on House Amendment 1 to Senate Bill 504; refer to Revenue Committee - Motion to Concur on House Amendment 1 to Senate Bill 345 and Motion to Concur on House Amendment 1 to Senate Bill 2778; refer to State Government and Veterans Affairs Committee - Committee Amendment 1 to House Bill 3835, Motion to Concur on House Amendment 1 to Senate Bill 2640 and Motion to Concur on House Amendments 2 and 3 to Senate Bill 3222; refer to Transportation Committee - Floor Amendment 2 to House Bill 1022, Motion to Concur on House Amendment 1 and 2 to Senate Bill 2932 and Motion to Concur on House Amendment 1 to Senate Bill 3574; Be Approved for Consideration - Floor Amendment 2 to House Bill 961, Floor Amendment 5 to House Bill 2427 and Floor Amendment 1 to House Bill 3199, Motion to Concur on House Amendment 1 to Senate Bill 1098. Pursuant to Senate Rule 3-8(b-1), the following amendments will remain in the Committee on Assignments: Floor Amendment 1 to Senate Bill 353, Floor Amendment 1 to Senate Bill 729, Floor Amendment 3 to House Bill 2427 and Floor Amendment 5 to House Bill 3784.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR TROTTER)

President Pro Tem Harmon back in the Chair.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, the following committees will meet today: The Transportation Committee will meet in Room 400 at 3 p.m. today. That is a room change. The Transportation Committee will meet today at 3 p.m. in Room 400. The Licensed Activities and Pensions Committee will meet in Room 400 at 2:30 p.m. today. The State Government and Veterans Affairs Committee

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will meet in Room 409 at -- at 2:30 p.m. today as well. And the Committee on Revenue will meet in Room 212 at 3 p.m. today. Senator Hastings, for what purpose do you rise?

SENATOR HASTINGS:

Thank you, Mr. President. I move to waive all notice and posting requirements, so that House Bill 3796 can be heard today in the Senate Executive Committee.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hastings move -- moves to waive all notice and posting requirements so that House Bill 3796 can be heard today in the Senate Executive Committee. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and all notice and posting requirements have been waived. Senator Hastings, for what purpose do you rise?

SENATOR HASTINGS:

Thank you, Mr. President. I move to waive all notice and posting requirements so that House Bill 3835 can be heard today in the State -- or, Senate Government Committee -- Senate State Government Committee. I apologize for that.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hastings move to -- moves to waive all notice and posting requirements so that House Bill 3835 can be heard today in the Senate State Government Committee. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and all notice and posting requirements have been waived. Senator Steans, for what purpose do you rise?

SENATOR STEANS:

I move to waive all notice and posting requirements so that House Bill 4665 can be heard today in the Senate Human Services Committee.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans moves to waive all notice and posting requirements so that House Bill 4665 can be heard today in the Senate Human Services Committee. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and all notice and posting requirements have been waived. Senator Kotowski, for what purpose do you rise?

SENATOR KOTOWSKI:

Thank you, Mr. President. For the record, the previous speaker pressed her light after I did, so I'm a little bit offended. I move to waive all notice and posting requirements so that Senate Resolution 1184 can be heard today in the Senate State Government Committee.

PRESIDING OFFICER: (SENATOR HARMON)

Checking with the Parliamentarian to see if that's in order. Senator Kotowski moves to waive all notice and posting requirements so that Senate Resolution 1184 can be heard today in the Senate State Government Committee. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and all notice and posting requirements have been waived. Senator Manar, for what purpose do you rise?

SENATOR MANAR:

Thank you, Mr. President. I move to waive all notice and posting requirements so that House Bill 4616 can be heard in the Senate Revenue Committee.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Manar moves to waive all notice and posting requirements so that House Bill 4616 can be heard today in the Senate Revenue Committee. All those in favor will say Aye.

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Opposed, Nay. The Ayes have it, and all notice and posting requirements have been waived. Senator McCann, for what purpose do you rise?

SENATOR McCANN:

Thank you, Mr. President. I move to waive all applicable Senate rules so that Senate Joint Resolution 78 can be heard in the Senate Executive Committee today.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCann moves to waive all notice and posting requirements so that Senate Joint Resolution 78 can be heard today in the Senate Executive Committee. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and all notice and posting requirements have been waived. Senator Koehler, for what purpose do you seek recognition?

SENATOR KOEHLER:

Thank you, Mr. President. I wasn't able to get to my switch on time. I'd like to have the record reflect that I was intending to vote Yes on House Bill 3816.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The record will reflect your intent. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Thank you. I rise to move nothing at the moment, but I do reserve that right at the end. I appreciate the fact that you put the committee list out there verbally. Could we not get a written list that's passed around to everybody, so we'd have that in front of us? And if -- if not, then I'd like to move the previous question.

PRESIDING OFFICER: (SENATOR HARMON)

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Thank you, Senator. I appreciate your interest in our committee assignments for the day. They will all be posted electronically so that they'll be available to you and to the public. And we look forward to you arriving at all committee hearings on time, ready to move the previous question. Thank you, Senator Rose. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 1259, offered by Senator Mulroe and all Members.

Senate Resolution 1260, offered by Senator Mulroe and all Members.

They are both death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Resolutions Consent Calendar.

SECRETARY ANDERSON:

Senate Resolution 1258, offered by Senator Bivins.
It is substantive.

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

Message from the House by Mr. Mapes, Clerk.

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

Senate Bill 121.

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

House Amendment 3 to Senate Bill 121.

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We have received like Messages on Senate Bill 452, with House Amendments 2 and 3; Senate Bill 641, with House Amendment 1; Senate Bill 1778, with House Amendments 1, 2, and 3; Senate Bill 2730, with House Amendments 1 and 2; Senate Bill 3113, with House Amendments 1 and 5; Senate Bill 3259, with House Amendment 4; Senate Bill 3275, with House Amendment 1. Passed the House, as amended, May 29th, 2014. Timothy D. Mapes, Clerk of the House.

Message from the House by Mr. Mapes, Clerk.

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

House Joint Resolution 100.

Offered by President Cullerton, and adopted by the House, May 29th, 2014. Timothy D. Mapes, Clerk of the House. It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Manar, for what purpose do you rise?

SENATOR MANAR:

Thank you, Mr. President. For a point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR MANAR:

I rise to welcome a Page for the Day, Erin Gheen, who is joining us today in the Senate. Erin is thirteen years old and she currently is finishing the seventh grade here in Springfield at Springfield Christian School. Her interests are babysitting, singing, acting, and playing the piano. She loves performing for local arts theaters here in Springfield and her first role was at

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the Muni here in Springfield in 2011. She likes school and spending time with family and friends, and her future goal is to attend the Disney College Program. I would like my colleagues here in the Senate to join me in welcoming Erin to the Senate today. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Erin, welcome to the Illinois State Senate. Please rise and be welcomed. Ladies and Gentlemen of the Senate, turning to page 11 of your printed Calendar, we are returning to the Order of House Bills 3rd Reading. Near the bottom of the page is House Bill 5491. Senator Biss, are you ready to proceed? Senator Biss seeks leave of the Body to recall House Bill 5491 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, House Bill 5491. Mr. Secretary, have there been any amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senators Biss and Althoff.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Biss, to explain the amendment.

SENATOR BISS:

Mr. President, the -- the amendment becomes the bill. I would move its adoption and hope we can discuss it on the Order of 3rd Reading.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Biss moves for the adoption of Floor Amendment No. 1 to House Bill 5491. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, have there been any further Floor amendments approved for consideration?

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SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 5491. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5491.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Biss, to explain the bill.

SENATOR BISS:

Thank you, Mr. President, Members of the Senate. As some of you will recall, my predecessor, Senator Jeff Schoenberg, left this Chamber now almost two years ago, unfortunately sticking all of you with myself, a pale shadow of what you had before, and so I stand here today to continue his work and correct some of his errors on the topic of -- of procurement. House Bill 5491, as now amended, is a agreement reached between the four caucuses, as well as the Chief Procurement Officers and a variety of other stakeholders on procurement reforms. Before I explain it, I want to particularly thank Leader Althoff for her work representing the Senate Republicans in fashioning this -- this package. That work was critical. It makes a -- a large number of -- of very technical changes, a series of corrections and standardizations and clarifications of language. There -- there are two components of the bill that are, I think, more substantive and worthy of mention in the outset. The one regards a series of changes associated with the small business set-asides that were really introduced at

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the interest of the -- of the Chamber, and -- and there's a variety of those changes, but some of the more significant ones are that the thresholds are -- are increased, essentially to kind of keep in place with CPI, from, for instance, ten million to thirteen million dollars for wholesale small businesses and from six to eight million dollars for retail businesses and businesses selling services and from ten million to fourteen million dollars for construction businesses, as well as some standardization of other thresholds. And the other set of changes were done at the request of the public universities and there are -- there are several exemptions, I think, worth worthy of mention: first of all, an exemption for procurement of membership in research organizations; also, for procurement expenditures for the placement of students in externships, practernships, field experiences, medical residencies, and rotations; and then, also, for university-operated radio and television stations; and then, finally, a hybrid exemption around the medical schools, which is also quite important. Again, I want to thank everyone for all their work on this and happy to discuss it, if people have any questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR ALTHOFF:

You know, again, to the -- to the Body, this is one of those issues that whenever we take on large issues and deal with massive

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change, typically what happens is we follow-up with trailer bills because we don't always cover every single item. It's been a pleasure to work with the Senate Dems, as well as both of the caucuses in the House. I would anticipate this is something that every single Session we somewhat chip away at. So thank you very much to everybody who was involved, including our staff members, who spent hours of time working on this legislation. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Seeing no further discussion, Senator Biss, do you need to close?

SENATOR BISS:

...Yes votes.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall House Bill 5491 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 Aye, none voting No, none voting Present. House Bill 5491, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we're going to turn back to page 9, still on the Order of House Bills 3rd Reading. House Bill 3942. Senator McGuire. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3942.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McGuire.

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SENATOR MCGUIRE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3942 validates a referendum passed in Chaney-Monge School District 88 in Crest Hill, Illinois, on March 8th, 2014, which authorized the district to issue bonds. The bill clarifies and confirms that the district voters gave the requisite authorization by their approval of the ballot question as presented and that no additional action beyond the proposed legislative adoption is now necessary.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 3942 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 Aye, none voting No, none voting Present. House Bill 3942, having received the required constitutional majority, is declared passed. Senate Bill -- or House Bill 3963. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3963.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 3963 establishes that the examination requirement for licensed professional engineers, enrollment for engineer interns, and

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enrollment for structural engineer interns be established by rule. It also makes a technical change regarding the examination requirements for land surveyors. This language originally passed the Senate as Senate Bill 2736 without any opposition.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall House Bill 3963 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, none voting No, none voting Present. House Bill 3963, having received the required constitutional majority, is declared passed. At the bottom of the page is House Bill 4113. Senator Cunningham. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4113.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cunningham.

SENATOR CUNNINGHAM:

Thank you, Mr. President and Members of the Senate. House Bill 4113 will give the Cook County sheriff and sheriffs throughout the State the same statutory authority that the IDOC has now to place nonviolent offenders into certain alternative sentencing programs. I know of no opposition. Be happy to answer any questions and I ask for the Chamber's support.

PRESIDING OFFICER: (SENATOR HARMON)

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

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House Bill 4113 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 Aye, none voting No, none voting Present. House Bill 4113, having received the required constitutional majority, is declared passed. Turning to page 10 of your printed Calendars. At the top of the page is House Bill 4216. Senator Haine. House Bill 4223. Senator Forby. House Bill 4264. Senator Haine. House Bill 4283. Senator Cunningham. House Bill 4286. Senator Stadelman. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4286.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Stadelman, on the bill.

SENATOR STADELMAN:

Thank you, Mr. President, Members of the Senate. House Bill 4286 creates a TIF extension for the Village of Machesney Park. I am not aware of any opposition.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 4286 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 Aye, none voting No, none voting Present. And House Bill 4286, having received the required constitutional majority, is declared passed. Ladies and

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Gentlemen of the Senate, just for purposes of an announcement, we need to make sure we add, the Committee on Executive will be meeting at 2 p.m. in Room 212. The Executive Committee meeting at 2 p.m. in Room 212. Senator Stadelman, are you seeking recognition? Senator McCann, for what purpose do you rise?

SENATOR McCANN:

For a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR McCANN:

I would like to -- I would like to introduce today -- thank you, Mr. President. I would like to introduce my Page for today, Caleb Pickett. Caleb is six years old and is the son of Matt Pickett, on our Senate Republican staff. Caleb loves to build with Legos, and when he grows up, he would like to be a fireman. And so I hope you'll all join me in welcoming him to the Senate here today.

PRESIDING OFFICER: (SENATOR HARMON)

Welcome to the Senate, young man. Continuing on the Order of House Bills 3rd Reading. House Bill 4304. Senator Jones. House Bill 4527. Senator Lightford. House Bill 4530. Senator Althoff. House Bill 45 -- I'm sorry. Turning to the top of page 11 on your printed Calendar. House Bill 4593. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill... House Bill 4593.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 4593 amends the Department of Financial and Professional Regulations {sic} (Department of Professional Regulation) Law of the Civil Administration {sic} (Administrative) Code so as to allow the Department to issue volunteer licenses to health care professionals employed in practices at free or public health clinics. The bill prohibits a health care worker from holding a license and a volunteer license at the same time. And this is an initiative of the Illinois State Medical Society.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 4593 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 Aye, none voting No, none voting Present. House Bill 4593, having received the required constitutional majority, is declared passed. Continuing on the Order, House Bill 5017. House Bill 5307. Senator Steans. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5307.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Yes, thank you, Mr. President, Members of the Senate. House

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Bill 5307 adds a new Section to the Community-Integrated Living Arrangements, or CILAs, Licensure and Certification Act. It requires that if the CILAs are going to accept residents' funds for safekeeping, it requires them to purchase a surety bond or other commercial policy. And the intent of this is to really make sure that there's protection for the residents' dollars that are entrusted to the CILA staff.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall House Bill 5307 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 Aye, none voting No, none voting Present. House Bill 5307, having received the required constitutional majority, is declared passed. With leave of the Body, we are going to turn to the Order of House Bills 2nd Reading on page 14 of your printed Calendar. House Bill 6060. Senator Steans. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 6060.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Continuing on the same Order, we have paperwork filed, I understand, that allows Senator Kotowski, as the chief cosponsor, to present bills on behalf of President Cullerton. We are turning to Senate -- House Bill 6093. Mr. Secretary, please read the bill.

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SECRETARY ANDERSON:

House Bill 6093.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. House Bill 6094. Senator Kotowski, again, presenting for Senator Cullerton. Mr. President -- Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 6094.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. House Bill 6095. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 6095.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. We have paperwork filed as well that allows Senator Steans to present the bills on which she is a -- chief cosponsor with President Cullerton. House Bill 6096. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 6096.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. House Bill 6097. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 6097.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. We are checking on paperwork related to one last appropriations bill. Ladies and Gentlemen of the Senate, page 13 of your printed Calendar, House Bill 3793. Paperwork has been changed to change the chief -- has been filed to change the chief cosponsor from President Cullerton to Senator Steans. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3793.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. All right, with leave of the Body, we're going to turn back to the Order of House Bills 3rd Reading for one -- one last bill before we break for committees. At the bottom of the page is House Bill 5512. Senator Mulroe. Mr. Secretary, please read the bill. Senator Mulroe seeks leave of the Body to

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recall House Bill 5512 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, House Bill 5512. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Mulroe.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe, on Floor Amendment No. 2.

SENATOR MULROE:

Floor Amendment 2 - thank you, Mr. President, Members of the Senate - it becomes the bill. I'll be happy to explain it on 3rd. I'd move for its amendment {sic}.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe moves for the adoption of Floor Amendment No. 2 to House Bill 5512. All in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Mulroe.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe, on Floor Amendment No. 3.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. It's a deleting of a line of the -- of the Amendment 2.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe moves for the adoption of Floor Amendment No. 3 to House Bill 5512. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

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SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 5512. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5512.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. House Bill 5512 provides that the statute of limitations in the Code of Civil Procedure be stayed for individuals who are not legally disabled at the time the cause of action accrues, but who subsequently become legally disabled before the statute of limitation runs. It applies to specific causes of action, such as defamation, personal injury, and sexual abuse. The bill also provides - and this -- this provision of the bill withdrew the opposition from the Chamber to make them neutral - provides that the statute of limitation shall not be stayed in excess of ten years from the date of adjudication of the legal disability for causes of action under Sections 13-205 and 13-206 with respect to written and oral contracts.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. We have two speakers seeking recognition. Given that we are trying to get to committee, I am going to turn the timer on. I don't imagine that's going to cause anyone

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Mulroe, I've been advised, but I just want to hear it from you, that the amendment that -- the amendments you have added have removed the opposition to the bill. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe.

SENATOR MULROE:

That is correct, Senator Righter. Initially, the -- the Chamber was opposed to it because the disability -- the statute would continue running until the disability was removed. What we did was, at that point that the disability was adjudicated, we're saying that it can no longer -- the statute will extend no longer than the ten years.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Righter. Senator McGuire, for what purpose do you...?

SENATOR MCGUIRE:

Questions of the sponsor, please, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield.

SENATOR MCGUIRE:

Thank you. Senator Mulroe, if I may, three questions for purposes of legislative intent. First, except for Sections 32-205 and 32-206 {sic}, does House Bill 5512 in any way diminish or

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reduce the statute of limitations or repose for minors or persons that are under a legal disability at the time that a cause of action accrues?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe.

SENATOR MULROE:

Thank you, Senator McGuire. And those are with -- exceptions for Sections 13-205 and 13-206. The answer is, no. House Bill 5512 does not limit the statute of limitations or repose for minors or persons that are under a legal disability at the time that a cause of action accrues.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McGuire.

SENATOR MCGUIRE:

Thank you. Second of three questions: Senator Mulroe, the intent of the bill is to stay the period of limitations for a person who is not under a legal disability at the time that the cause of action accrues, but does come under a legal disability before the period otherwise runs. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe.

SENATOR MULROE:

Yes, that is correct. This bill will only stay the period of limitations for a person that is not under a legal disability at the time that the cause of action accrues, but comes under a legal disability before the period would otherwise run.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McGuire.

SENATOR MCGUIRE:

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...you. Final question: Is it correct that the new section (b) of House Bill 5512 is completely independent of section (a), and the repose periods of section (b) are not applicable to section (a)?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Mulroe.

SENATOR MULROE:

That is correct.

PRESIDING OFFICER: (SENATOR HARMON)

Seeing no further discussion, the question is, shall House Bill 5512 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 54 voting Aye, none voting No, none voting Present. House Bill 5512, having received the required constitutional majority, is declared passed. The Senate will stand in recess to the call of the Chair. After committees meet, the Senate will reconvene to receive committee reports and for further Floor action. The Senate will reconvene for further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senate will come to order. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 1261, offered by Senator Lightford and all Members.

Senate Resolution 1262, offered by Senator Harmon and all

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Members.

Senate Resolution 1263, offered by Senator Koehler and all Members.

They are all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

Message from the House by Mr. Mapes, Clerk.

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

House Bill 4677.

Which amendment is as follows:

Senate Amendment 1 to House Bill 4677.

Non-concurred in by the House, May 29th, 2014. Timothy D. Mapes, Clerk of the House.

Message from the House by Mr. Mapes, Clerk.

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

House Bill 5416.

Which -- which amendment is as follows:

Senate Amendment 1 to House Bill 5416.

Non-concurred in by the House, May 29th, 2014. Timothy D. Mapes, Clerk of the House.

Message from the House by Mr. Mapes, Clerk.

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

Senate Bill 1681.

(Secretary reads title of bill)

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

House Amendment 2 to Senate Bill 1681.

We have received like Messages on Senate Bill 2187, with House Amendments 1 and 5; Senate Bill 2644, with House Amendments 2 and 4; Senate Bill 2793, with House Amendments 1, 2 and 3; and Senate Bill 3530, with House Amendments 3 and 4. Passed the House, as amended, May 29th, 2014. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, will all Members within the sound of my voice please come to the Senate Floor? We're ready to go to the Order of House Bills 3rd Reading and also Motions to Concur. All Members within the sound of my voice, please come to the Senate Floor immediately. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, reports Motion to Concur with House Amendment 1 to Senate Bill 3551 Recommend Do Adopt.

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Resolution 1184 Be Adopted; Motion to Concur - House Amendment 1 to Senate Bill 2640, House Amendment 2 to Senate Bill 3222 and House Amendment 3 to Senate Bill 3222 Recommend Do Adopt; and House Bill 3835 Do Pass,

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as Amended.

Senator Hutchinson, Chairperson of the Committee on Revenue, reports Motions to Concur - House Amendment 1 to Senate Bill 345 and House Amendment 1 to Senate Bill 2778 Recommend Do Adopt; and House Bill 4616 Do Pass.

Senator Harmon, Chairperson of the Committee on Executive, reports Senate Joint Resolution 78 Be Adopted; Motion to Concur - House Amendment 2 to Senate Bill 3309 and House Amendment 1 to Senate Bill 3425 Recommend Do Adopt; House Bill 3796 Do Pass; Senate Amendment 2 to House Bill 2453, Senate Amendment 4 to House Bill 3784, Senate Amendment 1 to House Bill 3961 and Senate Amendment 4 to House Bill 5622 Recommend Do Adopt.

Senator Sandoval, Chairperson of the Committee on Transportation, reports Motion to Concur - House Amendment 1 to Senate Bill 3574, and Senate Amendment 2 to House Bill 1022 Recommend Do Adopt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Once again, Ladies and Gentlemen, will all Members within the sound of my voice please come to the Senate Floor immediately? All Members to the Senate Floor. We're ready to go to the Order of House Bills 3rd Reading and Motions to Concur. All Members to the Floor, please. Ladies and Gentlemen, if you'll turn to page 13 of your printed Calendar on the Order of House Bills 2nd Reading. With leave of the Body, we'll go to the bottom of the page, House Bill 4418. Senator Delgado, do you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4418.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Ladies and Gentlemen, if you'll turn to page 12 of the regular Calendar on the Order of House Bills 3rd Reading. We're going to start off where we left off. House Bill 5584. Leader Muñoz. Mr. Secretary, let's go to 5592. Leader Martinez. Indicates she'd like to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5592.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. House Bill 5592 amends the Illinois Municipal Retirement Fund Article of the Illinois Pension Code and allows an active member to elect a -- a reversionary annuity. Currently, only retirees can make the election. The election is non-revocable. A reversionary annuity is an annuity that goes to the person of the member's choosing upon the member's death. The member also gets to select the size of the annuity. The member's annuity is reduced in order to offset the cost of the benefit. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 5592 pass. All those in favor will vote Aye. Opposed, Nay.

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 54 voting Aye, 0 voting Nay, 0 voting Present. House Bill 5592, having received the required constitutional majority, is declared passed. Senator Oberweis, for what purpose do you rise?

SENATOR OBERWEIS:

Thank you, Mr. Speaker {sic}. A point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Oberweis.

SENATOR OBERWEIS:

I would like everyone here to give a warm Springfield welcome to my grandson, Tim Oberweis, who graduated last night from Naperville North High School and will be heading on to Indiana University in the fall.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Tim, welcome to the Illinois Senate. Thanks for joining us today. Nice to have you here. Ladies and Gentlemen, before we start on Supplemental Calendar No. 1, Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Thank -- thank you, Mr. President. I'm sorry. On that last bill, 5592, can you ask the record to reflect I would have been a Yes vote?

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so record what your intent was and that was to vote Aye. Ladies and Gentlemen, Supplemental Calendar No. 1 has been distributed. On the Order of Secretary's Desk, Concurrence, Senate Bills, we have Senate Bill 741. Leader

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Trotter, do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 741.

Signed by Senator Trotter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter, on 741.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 741, as we recall, went out of here -- it was a -- with language on it addressing the RUGs issue, the methodology in which we will receive payment and pay the nursing homes throughout the State in accordance to federal guidelines. It has come back to us basically as our Medicaid omnibus bill. In this -- this is a product of the legislative working groups {sic} (group) that was convened to sort through Medicaid issues pressing -- facing -- presently facing the program of 2014. The bill represents agreed-upon language between representatives of the hospital, nursing home, managed care, and community care provider entities. The HFS, DPH, DHS, and Aging were also involved in this, providing policy solutions to the Medicaid program to Illinois. The bill includes agreements providing policy guidance for Medicaid managed care, a hospital finance plan for the following four years, service expansions, parity with federal guidance pursuant to Affordable Care Act, and the final agreements related to rate reform for both hospital and nursing home industries.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on the concurrence?

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Senator Murphy, for what purpose do you rise? Your light was on first.

SENATOR MURPHY:

To the motion, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Murphy.

SENATOR MURPHY:

Senator, we -- we certainly understand a lot of work has gone into this and -- and we've got friends who have put time into this as well. You know, and I think Senator Righter is going to speak to a little bit more of the substance of it, but, you know, we heard a rousing speech. The gentleman from Park Ridge, earlier today, gave us a rousing speech. He built himself to fever pitch about this wonderful opportunity for working in a bipartisan fashion, and it reminded me of a time when we worked in a bipartisan fashion for a really, really big issue, the SMART Act. And Republicans reached out across the aisle at that time in a manner of trust that the supermajorities and the Governor would keep the commitment that was made, because you knew at the time you couldn't pass the bill you needed to pass without our help. And we made some suggestions. We got some good things in there. And, unfortunately, that trust has been broken several times since then. The first time was when Governor Quinn laid down at the arbitration and allowed the private vendor to be thrown out, eliminating potential savings in the hundreds of millions. This bill represents another three hundred million dollars of unreform clawbacks of the commitment we reached on a bipartisan basis. It's interesting, we had been told time and again that there was no money without a tax increase and we would have savage cuts, and

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yet here we have no tax increase and -- and Medicaid's being expanded. That doesn't compute. So, we got the private vendor reneging. You're backing out of the reforms that were in the bill that were essential to putting this State on a path to fiscal sanity. You've -- you did it last year, you're doing it again now. I guess the only thing left out there to pull the rug out from under the original agreement would be to take the Section 25 reforms out. I certainly hope we won't see anything on Section 25 reform in the near term. While there are some things in here that our friends like and maybe some communities can benefit from, unfortunately, this puts us back on that fiscal path, just like your budget will tomorrow, where the bond houses look at us like we're from another planet and job creators scratch us off their list. So while I respect and appreciate the efforts of the sponsor, I have to urge a No vote and ask you one last time, for purposes of comity and agreement going forward, when you make your word, please don't back out of it just because you can, because you have the supermajority and the Governor's Mansion.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Trotter, I want to rewind the tape a little bit to, oh, three weeks ago and maybe a little bit before then, when all of the talk in the building emanating

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from the Governor's Office, from the Majority side of the aisle, was that State government would literally come to its fiscal knees but for an extension of the sixty-seven percent tax increase that passed three and a half years ago, and there was the parade of "terribles" that was put out by the Majority about all the programs that would have to be cut, all the devastating and draconian measures that would have to be taken but for the extension of that tax increase. And now we're at a point here today whereby it appears that the extension of that tax increase is not going to happen, at least for the time being, yet, yet, we have enough money not just to avoid those draconian cuts that were being talked about before, but we have the money to expand the Medicaid program by almost three hundred million dollars in the coming fiscal year. You have been around here for a long time, Senator. You're well schooled, not just in Medicaid issues, but budget issues generally. Tell me how we got from that point three weeks ago to where we are today.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

You know, we've done a lot of things to get us to where we are today, but what we are attempting to do today, and specifically, is to address the basic needs of the citizens of this State. We did make some changes to Medicaid a couple years ago and we erroneously called it the SMART Act. And as of -- you've heard me say before on this Floor, there was some things that just were not smart at all and we've made those adjustments in this budget. What we were trying to do at the time, as I recall, is try to ensure that going forward that we would not have

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the same kind of actions being taken that we couldn't afford. Well, some of those things we put in the SMART Act, we couldn't afford, and one in particular was in the dental. We realized after eliminating dental for -- for people on Medicaid that utilizing hospitals and utilizing emergency rooms was going to triple the cost that -- from what we said we were going to save. We realized that one of the things that we wanted to do, not only have accessible health care, but also quality health care delivered to all of the citizens of this State, and to do that, we had to address some of their preventive needs and we had to look at not only dental care, but also podiatry care. We realize in this -- in this bill here, we're also putting money back in for psychotropics. We realized after the fact, in that SMART Act, that eighty-two percent of those drug regimens that we had said we wanted to eliminate were also, one, approved down the line. Why are we denying people quality health care trying to save a dollar, when it wasn't really saving lives? And I thought that was our purpose in going forward. So when you -- when you mention those hundreds of millions of dollars that we're spending, the actuality is, we're only spending 76.8 million dollars, 'cause the rest of it is reimbursable through the feds. We are getting matches. We are maximizing all of our resources to get those dollars and give and deliver the best health care possible to the citizens of this State.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

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To the bill, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. It goes on unanswered, in terms of dollars, how you went from saying we have to have an extension of the tax increase in order to move forward as a State in any meaningful way to, "Well, I guess we don't need that money right now, but let's go ahead and expand the State's largest spending program", just like that. Either your numbers that you were using then weren't real, the numbers you're using now aren't real, or maybe the numbers you're using then and now aren't real. Senator Trotter talked about a provision of the SMART Act that is being changed in this bill that has to do -- the four prescription drug limit. One of the issues that we tackled two years ago was the fact that in the Medicaid program there were precious few, if any, controls on the prescription drugs being allowed to be obtained by Medicaid enrollees and the fact that they were being overprescribed or contra-prescribed and that was unhealthy for the people who are on the program in the first place. And so we put in the four prescription drug limit. The Department saved tens of millions of dollars, of taxpayer dollars, and they improved the health of the people who were taking the prescription Medicaid {sic} in the Medicaid program in the first place. You're right. Eighty-two percent of requests to have more than four prescriptions was -- were approved, Senator, which means that one-fifth they didn't need to be taking, that the overprescription rate in the Medicaid program was one in five, which is a devastatingly high number and a number you would never, ever find in the private sector. That's why the four prescription drug limit needs to stay in place. And one of the exceptions

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you're poking in that, the psychotics {sic}, is the one area that the Department said was more ripe for abuse and harm for those enrollees than any other area. Yet here we are saying, "Ah, we don't need that." We are going to triple the amount of time that we give an enrollee to respond to a request from the Department to provide information to indicate that they are still eligible for the program - three months, a quarter of a year. Now I understand that people need help and I believe in a responsible safety net, but can't we all get on board with the notion that a month or maybe a little bit longer is enough time for someone to submit a letter to a Department to say, "Yeah, my economic conditions haven't changed and I'm still eligible for the program", as opposed to three months, during which time you will leave them on? Two years ago, we passed a landmark piece of legislation with bipartisan support that began to rein in a program that was spinning out of control. You are now un reforming that program. And in the end, the people who will suffer the most from that will be the people who you say you care about the most. The lower income folks who need the Medicaid program will suffer from this, because providers will start to drop out again because they're not being paid. And it's -- that means that those -- those dependents, those enrollees, won't have access to health care. That's what you're doing here. That's what you're doing here. I urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR STEANS:

To the bill.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Steans.

SENATOR STEANS:

So I just want to point out a couple things, as having been very involved in the Medicaid program and all the reforms, and -- and there has been a lot of terrific work done in this Chamber over a number of years and it has truly been in a bipartisan fashion. It just saddens me that it may not be done so again today here in this Chamber, although I actually expect it -- it may be. I can tell you that on this bill itself, it certainly was bipartisan over in the House, which I think is as it should be. I want -- I want to commend the sponsor for all the work that's been going in, many hours in negotiating this bill. There is a net cost to this bill, but it is not a tremendous cost and it is certainly not unrefining the Medicaid program. It is making a few corrections and tweaks for things that were not -- I think that we've learned. You know, most -- I heard across the aisle earlier today, when you do big bills, you usually have a trailer to make some -- some fixes. Some of the things we're fixing: Adult dental. People end up in the emergency room when you don't take care of that preventative care and it ends up adding to your costs later on in other areas. Podiatry. What we knew about podiatry, in fact, is we didn't get rid of being able to do that work, we inadvertently - and I don't think we understood this when we did the SMART Act - we just said podiatrists couldn't do that work. Higher cost surgeons and whatnot could still be doing the same kind of work. This is just making sure now that a lower-cost person whose expertise in it can be providing -- providing those services. And with regards to prior auth, again, prior auth is

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still in place. We're just now making exceptions that almost every other state does because of what we've learned from -- after implementing the -- the SMART Act; that people who have serious mental illnesses all -- you know, are going to have more than four prescriptions. We just know that. So instead of making everyone go through the paperwork and added bureaucracy -- you know, added cost to it, we're streamlining it there. And the only other exception we're making to the prior auth under this bill is for kids who are in care coordination, meaning their prescriptions are already getting managed, so we're not going to have these issues going on that -- that we have in funding the general population. Other prior auth is still in place. We also know that there's a lot of rate reform issues that are covering {sic} in here. The feds are requiring this. The hospitals have been at the table. We've known, when we did the SMART Act, we were going to have to do rate reform for the hospitals. There's new requirements at the federal level, new coding, we have to do this or the hospitals are not going to down the road be able to get paid by the feds under our current systems. We've been doing this in cooperation with the hospitals. All the hospitals are fully on board with this and it means an enormous amount across this State to the kind of care our hospitals are going to be able to provide to their clients that are on Medicaid. And we've also done some rate adjustments for nursing homes and our assisted living facilities. We have the lowest rates in the country for these facilities right now. Making some tweaks means we're going to continue to provide access to folks to these facilities. And, finally, what we've really been doing in the Medicaid program - that I think is so meaningful for everyone across the State and where I very much appreciate all the

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work we've done on both sides of the aisle on this - is we're really getting rid of what was a broken fee-for-service system, and we have gone to care coordination. And this bill now puts in place further steps to ensure that this care coordination system is going to work to the benefit of people on the system, as well as the provider groups, as well as the taxpayers, by making sure that people are getting the right care, in the right place at the time, and thus reducing costs overall. We are just making sure it's an even playing field for all the different systems here who are going to be participating in our care coordination efforts. We are really setting up a variety of models, which we've already done. We're making sure now everyone's going to play by the same rules under those variety of models. I very much urge an Aye vote. I think this is a great piece of legislation. Really, really, thank the sponsor for all the work that's gone into this and look forward to some bipartisan support up here on the board.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for question. Senator Syverson.

SENATOR SYVERSON:

Senator, there's a number of areas that we could go over, but I just want to concentrate for a second on the dental area. Over the last year, we've had a number of negotiations on solutions to the dental problem, from going to zero to phasing in some different options that we had looked at. Obviously, as this comes back, it

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-- it comes back at a number that's even higher than what everyone was hoping it would be. And so, my question to you is, the concerns that were raised when we had initially talked about scaling back on -- on this program, are -- are -- are you open to the idea of making sure that we can work with the Department to have some -- maybe some better auditing done, that we can look to provide some safeguards in the way the billing and who is doing the billing with the -- with the -- with these dental charges going forward, that we can have a system that -- that the patients are getting the care that they actually need and maybe what -- and not what they don't need, and that we're weeding out problems that are in the system? Like I say, are you open to us sitting down and coming up with -- working with the Dental Society and coming up with some language that would put some better outlines in -- in this program?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

Yes, thank you for the question. You know, absolutely. The great thing about this Body is that we do have the power, we have the authority to continue to look at things and make adjustments as we go. And just -- in contrary to others who think we're non-reforming, we're just correcting, and that's what we continue to do in this Body. So, yes, I'm always looking forward to work with individuals who want to do that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- further discussion? Senator Koehler, for what purpose do you rise?

SENATOR KOEHLER:

To the bill, Mr. President.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Koehler.

SENATOR KOEHLER:

Yeah, I rise in support of this -- of this bill. I was a party to many of the discussions that were held with the different groups that were negotiating this. And I have to really say that my perspective on the whole Medicaid area is based on what I see going on in my community. If you want to reduce it to a black-and-white balance sheet, well, then you can take a different perspective on this. But we have to understand that health care -- just by cutting our costs in Medicaid, doesn't mean the issues go away, because, still, poor people get sick, and if there's not resources out there to -- to really help and to treat them, then we know that that cost is passed on to all the private pays. For twenty-one years before I came to the Senate, I was President of Labor Management Cooperative Health Care Programs in Peoria. So I negotiated physician contracts. I negotiated PPO contracts with hospitals, pharmacy contracts. I'm not an expert, but I know how the system works, and the system works, when there's not resources, that poor folks have to go to a emergency room, and the cost gets very expensive and all that cost is passed on to everybody else who's a private pay. I heard from places like the Human Service Center in Peoria, which is the mental health provider in Peoria, and they pleaded with me - don't limit us just to, arbitrarily, four, you know, prescriptions for our clients, because you don't know what they need; we know what they need. And -- and I think we have to stop trying to play physicians and -- and people who know how to treat the poor and work with our providers so that they can have the best resources and make the best decisions

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possible. And so it's for -- for people like the Human Service Center and like the Community -- Heartland Community Health Center and St. Francis Hospital and Methodist and Proctor Hospital in Peoria that this bill is good, because they were at the table, they helped negotiate it, and it takes us into the area of trying to do the best to -- to really solve our health problems in our communities. This is not just a black-and-white balance sheet. This is real people.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCANN:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCann.

SENATOR McCANN:

Senate Bill 741 has been described by some folks as an unraveling of the SMART Act. I don't see it that way. I believe the SMART Act was a great piece of legislation with great intentions and some very good outcomes. As the sponsor mentioned earlier, we're revising some of -- some of that bill so that we can have even better outcomes in the future. I think we all agree that no matter what the tax rate might be, that no matter what other policies we might put in place, until we get our -- a handle on Medicaid spending, the single-largest line item in our budget, it's going to be very difficult to balance that budget and to move forward in a positive direction. So we have to embrace entitlement reform, but we need to do that in the form of a paradigm shift and not in the form of how we fund Medicaid in FY'15. The paradigm

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shift will come from instituting the words of a -- of a -- one of our greatest Presidents, a good Democrat, John F. Kennedy, when he said, "Ask not what your country can do for you, but what you can do for your country", so that we can then actually become what another great President, a good Republican, a favorite son of Illinois, said "a (shining) city on the {sic} (upon a) hill", "the last best hope for {sic} (of) man on earth". So this bill seeks to make a good bill better. This bill says, perhaps we should invest seventy-five dollars in a tooth extraction to save thousands of dollars in emergency room visits. Another issue that I would like to work with both caucuses on in the near future is something as simple as Flomax. That's a prescription for kidney stones. We won't pay for that - twenty-dollar-a-month prescription we won't pay for - but we'll pay for an ambulance ride, an emergency room visit, and a CAT scan every time. That makes no sense. So I hope that we all can come together on this issue and some other issues to actually restore people's faith in us as a Body, as a government, and ultimately, hopefully, they will have faith in themselves again and we can move forward. And we can do this by making the smart act; we can come together in an act of common sense, and maybe, henceforth, Senate Bill 741 will be regarded as the common sense Act. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. I want to thank everyone for their comments and that's how our process works. We're not through in revising the SMART Act. We're not through with trying to ensure that we deliver the best health

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care to the citizens of our State. The reason why everyone got together and the reason why the hospitals are for this is because every hospital in this State is a winner. Now, no one can say that they were the number one winner, but everyone won something in this bill. We still have to do more. We still have hospitals that are still at risk. We're going to have to look at the safety net hospitals. In this language, we extended the authority for those safety net hospitals along with the language until 2018. In this, we've also extended the assessments for the State until 2018, the two assessments that we have that have been working, that have delivered us so far. In this bill, we have done the right thing for nursing homes. We looked at their rates - in some cases rates that haven't been changed in ten years, others in four years. We've done that. We've made those incremental changes to make a system better. Is it complete? Not at all. We have a lot of work to do down here. And I want to thank everyone who was on that Medicaid task force for all the hours that they put in; the -- of course, as always, the staffs that was there, that put in the hours even after we went home and that had other issues that we had to address. To make sure that we have the best health care delivery system in the country, it's going to take all of us to work together on a continuous basis. So with that, sir, I ask for an Aye vote from everyone on House Bill -- on Senate Bill 741.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Leader Trotter. Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 741. All 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

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question, there are 46 voting Aye, 10 voting Nay, 0 voting Present. Senate Bill 741, having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 741, and the bill is declared passed. Ladies and Gentlemen, we're going to continue on Supplemental Calendar No. 1. It has been distributed. Ladies and Gentlemen, we will be using the timer during debate. We'll have -- each speaker will have five minutes during the -- to discuss the legislation. Next up, we have Senate Bill 978. Senator Raoul, do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 978.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the juvenile automatic expungement bill. The House Amendment 3 maintains the genesis of the bill, but it provides a -- a -- a more narrowed number of offenses that are eligible for this automatic expungement. It limits it to -- it -- it provides that arrests for sex offenses and Class 2 felonies and higher are not eligible. It also allows individuals with older juvenile arrests for eligible offenses, which did not result in formal charges, to request that the Department of Police expunge those records, and allows individuals to verify that their expungements have been completed.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DILLARD:

...you -- thank you, Mr. President and Members. I want to make the Chamber aware of what we're dealing with here. This is an expungement bill and I've voted for expungement bills in the past. And the amendment that Senator Raoul is trying to concur with makes the bill more palatable than it left the Senate, but I still have concerns about what we're doing here. Under this bill, the State Police will be required to automatically, automatically, expunge Class 3 and 4 felony, felony, arrest records without any judicial oversight, such as retail theft or aggravated, aggravated, battery. Speaker Madigan, if you care, took every one of his targeted Members off of this roll call for a reason. Even juveniles -- you know, even though juveniles can today have their arrest records expunged - they can go to court and they can do that - this speeds up the process and, in doing so, takes judges completely, completely out. So that a minor with ten felony arrests automatically is treated the same way as a minor with only one arrest, a fact that a judge, I think, certainly would take into consideration, somebody who had ten arrests versus one arrest. Expungement bills have already -- you know, they're needed to strike a balance for the individual and what's just for society, but this expungement bill is automatic. It's bigger than the other ones that are around and it's clearly a risky endeavor, and I think that's why all of the House Democrats didn't vote for this bill, because they know that this not the right balance and it's tilted a little out of whack for an expungement bill of this kind. And I would urge caution to all of the Members. Thank you.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul, to close.

SENATOR RAOUL:

I -- I appreciate the remarks of the previous speaker and I appreciated his vote to get it out of committee. And I remind the Chamber that these are arrests. The judge never got involved in the -- underlying cases because they -- they -- they were never charged. There was never a petition that went to juvenile court on these. These are mere arrests. And as those of you-all who may live in Chicago know, oftentimes in -- in the projects, there -- what the Chicago Police Department did were sweeps, where they just arrested anybody in the vicinity, whether or not they did anything wrong. And so those juveniles shouldn't be saddled with an arrest record. I urge your support and I -- I do appreciate the previous speaker's vote that got it out of committee.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 3 to Senate Bill 978. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 36 voting Aye, 16 voting Nay, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 3 to Senate Bill 978, and the bill is declared passed. Next up on Supplemental Calendar No. 1, we have Senate Bill 2727. Senator Steans. Do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

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

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Amendment 2 to Senate Bill 2727.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, to your motion.

SENATOR STEANS:

Yes, just as a reminder to the -- to the Chamber that this was the bill that bans the production and distribution then of microbeads in personal care products. We worked with the industry and got this to an agreement. The amendment here is just adding over-the-care -- over-the-counter products to it as well. Still an agreed-to bill. Urge your Aye vote. This makes us the first state to put in place a ban on these microbead products.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HOLMES:

Yes, I just want to urge an Aye vote, because I think it's always such an interesting thing when the Chemical Industry Council and all the environmentalists are all on the same page. So I definitely urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 2 to Senate Bill 2727. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 2 to Senate Bill 2727, and the bill is declared passed. Next up,

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we have Senate Bill 2770. Senator Althoff. Indicates she would like to proceed. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2770.

Signed by Senator Althoff.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. This is a very simple amendment. It changes the words "jointly liable" to "jointly accountable", and the term "jointly accountable" is already in rule and we wanted to be consistent with existing language.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 2770. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill -- 2770, and the bill is declared passed. Next up, we have Senate Bill 2802. Senator Van Pelt. Do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 2 to Senate Bill 2802.

Signed by Senator Van Pelt.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Van Pelt, on your motion.

SENATOR VAN PELT:

Yes, this is a simple correction that was suggested by the Illinois State Police. It retains the bill as it was passed by the Senate, but it has a cross -- there was a cross-referencing omission that the State Police caught, and so therefore the amendment was put in to address that issue. And I urge your Aye...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 2 to Senate Bill 2802. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 2 to Senate Bill 2802, and the bill is declared passed. Next up, we have Senate Bill 3038. Senator Raoul. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3038.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3038, as amended by House Amendment No. 1, represents

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the agreed amendment to the Workplace Violence Prevention Act trailer bill. I want to first acknowledge Senator LaHood. This -- this bill encourages -- incorporates language proposed by Senator LaHood as an agreement between the AFL/CIO, I -- Illinois Chamber of Commerce, Retail Merchants, and the Manufacturers' Association. Creates procedures for employers to apply for a workplace protection restraining order. Provides remedies for an employer against any individual who violates an order, and outlines hearing and notification requirements for court issuing orders. And also protects employees from discrimination based on a protective order. And it also includes exemptions for those engaging in legitimate and lawful speech related to -- to a labor dispute.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LaHOOD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator LaHood.

SENATOR LaHOOD:

Thank you, Mr. President. Thank you, Senator Raoul, for that presentation there. And, as Senator Raoul mentioned, this is a trailer bill to a bill we passed last year that passed unanimously. And there was a lot of negotiation with all of the parties that happened over the last six months, really, and Governor's Office was very involved with that, and I appreciate their input and being part of the negotiations and helped facilitate those. And would ask for an Aye vote. Thank you.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 3038. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 3038, and the bill is declared passed. Next up on our Supplemental Calendar, Ladies and Gentlemen, we have Senate Bill 3522. Leader Hunter. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 3522.

Signed by Senator Hunter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter, to your motion.

SENATOR HUNTER:

Thank you, Mr. President. 3522 still provides that funding appropriated by the Department of Human Services shall be used by the Department, in collaboration with the appropriate agencies, to contract with and reimburse counties or qualified programs for services delivered under the Offender Initiative Program and the Second Chance Program {sic} (Probation). I know of no opposition and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

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SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield for a question. Senator Murphy.

SENATOR MURPHY:

Senator, I think we had some questions when this went through the first time and -- and it doesn't appear that the House really addressed the mechanisms for this funding, and -- so can you please explain for us where this money is being parked and what the mechanism will be for how it's -- how it's spent?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

Senator, this bill -- this bill is still subject to appropriation.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

So, will it be appropriated in the budget that we see tomorrow?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy. Excuse me. Excuse me. Senator Hunter.

SENATOR HUNTER:

Thank you. I don't believe so. I'm not really sure, Senator.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

So why are we doing this?

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Hunter.

SENATOR HUNTER:

It's something that's need -- that needs to be done. We had several situations where there -- that if dollars are ever appropriated, then we needed a mechanism in place so that the dollars could be guided where it needs to go.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

And -- but -- but it's your understanding, as we sit here now, that these line items will not be appropriated either through any of the budget bills for FY 2015 or the supplemental appropriation or the capital appropriation. None of the seven bills we're going to see tomorrow contain money for these line items. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

If there are dollars in any of those bills, it's news to me, Senator. I would just hope that by us passing this legislation here today, this is a mechanism that would be in place in the event that there are some dollars available. That's all we're doing here.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Do you know, if there is not money expressly in the budget for these two funds, if the Governor will have the authority to put money into these funds, if they're created by this bill?

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

This bill doesn't do that, Senator.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

I know this bill doesn't do that. What I'm asking is, if we create this vehicle for the Governor, but it doesn't go -- money -- no money goes into it in the approp bills, will he have some other way to put money into it through his -- through his authority? As you know, Senator, he's got a bit of a track record with funds that look eerily similar to this one. So, given some of the things we've seen in the budget already, I have little confidence in the due diligence that's been done by those who put the budget together, so I'm trying to do a little of it for us so we can avoid being a national embarrassment again. So I'm going to ask again: Does the Governor have the ability, if these funds are created, to put money into them, even if it's not appropriated in the budget we pass tomorrow?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

Senator Murphy, the bill very clearly states that this bill is subject to appropriation. As far as I know, there are no dollars in any of the -- the budgets that are going to be presented before us. Now, exactly what is going to happen during the Veto Session or later on this -- I have no idea. But, at this moment, I can tell you that this bill is subject to appropriations and

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there are no dollars at this time. This is simply a mechanism in place in -- in the event that dollars come through.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy, you have about -- less than a minute. Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President. Thank you. Senator, I appreciate your interest in these outcomes and these goals. I have serious questions about the means you've chosen to the end and even greater doubts about Governor Quinn's ability, given his past exploits with the Neighborhood Recovery Initiative, to do this in an honorable way. He does have latitude and budget authority to move money around. I -- I strongly urge a No vote on this bill, because he does not need, based on his history, anymore buckets to move money around in for political purposes before an election. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HUNTER:

Just, I will simply ask for an Aye vote. Thank you very much.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 2 to Senate Bill 3522. 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 37 voting Aye, 19 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment

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2 to Senate Bill 3522, and the bill is declared passed. The bottom of our Supplemental Calendar No. 1, Ladies and Gentlemen, we have Senate Bill 3552. Senator Morrison, do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3552.

Signed by Senator Morrison.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Morrison, to your motion.

SENATOR MORRISON:

Thank you, Mr. President. This bill provides and allows for a protocol for the removal of county appointees. The amendment simply removes county superintendent of highways or county engineers from that Section. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 3552. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in Senate -- House Floor -- House Amendment 1 to Senate Bill 3552, and the bill is declared passed. Ladies and Gentlemen, still on Supplemental Calendar No. 1, at the top of the Calendar, on the Order of House Bills 2nd Reading, we have House Bill 4534. Leader Harmon, do you wish to proceed? Mr. Secretary, please read the bill.

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SECRETARY ANDERSON:

House Bill 4534.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now we're going to go back to the regular Calendar, Ladies and Gentlemen, House Bill 5622, which is on page 12. We're on the Order of House Bills 3rd Reading. House Bill 5622. Senator Raoul. Senator Raoul -- Senator Raoul seeks leave of the Body to return Senate {sic} Bill 5622 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have Senate -- House Bill 5622. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul, to present Floor Amendment 3.

SENATOR RAOUL:

I'd like to table Floor Amendment 3.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Senator Raoul withdraws Floor Amendment 3. Are there any other Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul, on Floor Amendment 4.

SENATOR RAOUL:

Floor Amendment 4 allows an employee to have two free declined

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transaction fees per month.

PRESIDING OFFICER: (SENATOR SULLIVAN)

And do you seek its adoption? Senator Raoul.

SENATOR RAOUL:

And I humbly seek its adoption.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 5622. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5622.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5622, as amended, is an initiative of the Attorney General. The bill establishes requirements for the use of payroll cards by employers, which are not currently addressed by Illinois law. The bill allows for the use of payroll cards with protections to limit excessive fees and unreasonable practices. Under the bill, an employer may not make receipt of wages by payroll card a

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condition of employment. The employer must disclose all terms and conditions of the payroll card to the employee. The employer must allow an employee the opportunity for a free withdrawal of the employee's full wages at least once every two weeks. There was heavy negotiations with regards to the issue of declined transaction fees, as I mentioned with regards to Floor Amendment 4. There -- there -- there was agreement finally on the notion that there would be two free declined transaction fees for -- per month. Beyond those two free declined transactions, a bank may charge reasonable fees to cover the costs to process -- the actual costs to process declined transactions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HARMON:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Harmon.

SENATOR HARMON:

As Chairman of the committee that took this bill up, I think no fewer than four times, I want to compliment the sponsor for his work in fashioning a compromise and also to compliment the -- the tenacity and flexibility of both the Attorney General's Office and the Department of Labor and the evolving thoughtfulness of the financial institution community at large. This is a -- the more I heard about the bill in committee, the more convinced I am that it is a necessary bill and a -- and an excellent compromise. I compliment the sponsor and all the stakeholders for reaching this good agreement at the very end.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator Raoul, do you wish to close? Ladies and Gentlemen, the question is, shall House Bill 5622 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 5622, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, let's go to House Bill 5889, which is on page 13. At the top of page 13, we have House Bill 5889. Senator McGuire. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5889.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McGuire.

SENATOR McGUIRE:

Thank you, Mr. President and Members of the Senate. House Bill 5889 is a permissive bill which allows the Will County Board, by ordinance, to impose a judicial facilities fee to be used for building a new courthouse. This is an initiative of the Chief Judge of the 12th Judicial Circuit, Circuit Court of Will County.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 5889 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.

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Secretary, take the record. On that question, there are 46 voting Aye, 7 voting Nay, 0 voting Present. House Bill 5889, having received the required constitutional majority, is declared passed. Next up, we have House Bill 5903. Senator Forby. Let's go to House Bill 5938. Senator Koehler. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5938.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler, on House Bill 5938.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. This bill has been around for a few years. We passed it out of the Senate last year and it did not make it through the House. So this creates the Conveyance and Encumbrance of Manufactured Homes as Real Property (and Severance Act). Basically, what this allows is for manufactured homes to be treated as real property for purposes of obtaining mortgages, refinancing, or selling homes. And this is brought to us by the Illinois Bankers Association. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 5938 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill

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5938, having received the required constitutional majority, is declared passed. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Point of personal privilege, if I may, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Rose.

SENATOR ROSE:

Mr. President, on the preceding bill, House Bill 5889, I wish to have been recorded as voting No and I just ask the record to reflect that. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate that was your intent. Ladies and Gentlemen, still on page 13, regular Calendar, House Bills 3rd Reading, we have House Bill 5968. President Cullerton. Ladies and Gentlemen, if I can have your attention for an announcement. The following committees will meet this evening: Judiciary will meet in Room 212 at 6 p.m. Human Services will meet in Room 409 at 6 p.m. Just those two. Judiciary, Room 212 at 6. Human Services in Room 409 at 6 p.m. Ladies and Gentlemen, on the regular Calendar, if you'll turn to page 8, still on the -- still on the Order of House Bills 3rd Reading, we have House Bill 1463. Senator Delgado. Mr. Secretary, please read the gentleman's bill.

SECRETARY ANDERSON:

House Bill 1463.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

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Thank you, Mr. President and Members of the Senate. House Bill 1463 is now a product of not only the City of Chicago, but we want to give thanks to the Illinois Retail Merchants Association, the Licensed Beverage Association, Wine and Spirits Distributors of Illinois, and the Associated Beer Distributors. As amended, it gives the Chicago liquor control commissioner authority to close a liquor licensee's premises, without notice or a hearing, for up to thirty days, if the commissioner believes that the continued operation of the premises poses an excessive risk to the community, which shall be based on occurrence of criminal activity at the establishment. During the thirty-day closure period, the licensee will have an opportunity to be heard. If the licensee is engaged in the conduct of another business or businesses on that premises, then the commissioner's orders shall not be applicable to the other businesses or businesses -- business or businesses on the licensed premises. The bill also allows distributors, in coordination with the liquor control commission and police department, to remove any product from the closed retailer for which they have not received payment. And I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 1463 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 53 voting Aye, 1 voting Nay, 0 voting Present. House Bill 1463, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, still on the regular Calendar, page 8, we will go to 2427. House Bill 2427. Leader

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Harmon. Mr. Secretary, please read the bill. Mr. Secretary, Senator Harmon seeks leave of the Body to return Senate Bill -- or, excuse me, House Bill 2427 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have House Bill 2427. Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon, on Amendment 4.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment 4 becomes the bill. I move for its adoption.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Floor Amendment No. 5, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon, on Amendment 5.

SENATOR HARMON:

Thank you, Mr. President. Amendment 5 simply adds a definition we discussed in committee. This is catching up with that debate. I move for its adoption.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 5? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and

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the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2427. Leader Harmon. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2427.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Along with Senator Frerichs, we have been negotiating for some time on a resolution to the accidental conflict between the renewable portfolio standard and the municipal aggregation program, both very successful programs that do not work well together. The crux of it is that that leaves an awful lot of money in the Renewable Energy Resource {sic} (Resources) Fund that cannot be spent today. We have not been able to successfully reconcile all those conflicts, but instead are offering this, a one-time thirty-million-dollar supplemental procurement from the Renewable Energy Resource {sic} Fund to be used to jump start the solar industry in Illinois and to create a great many jobs. All of the stakeholders are in agreement in support of this -- this bill and I would ask you for your Aye votes. I look forward to questions and comments.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Any discussion? Senator Frerichs, for what purpose do you rise?

SENATOR FRERICHS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for questions. Senator Frerichs.

SENATOR FRERICHS:

Senator Harmon, I have a few questions here to establish legislative intent. Is it the intent of this bill that the Illinois Power Agency procure solar renewable energy credits primarily from newly installed, distributed generation systems?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Yes, it is.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Is it the intent of this bill that the Illinois Power Agency be allowed to procure solar renewable energy credits from new utility scale solar projects in Illinois, including those sited on brownfield sites?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Yes, it is, and I know that was of particular concern to Senator Clayborne, so I'm delighted to be able to report that that is also contemplated.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Is it the intent of this bill to initiate a procurement of solar renewable energy credits to help Illinois solar companies expand their business opportunities, create new businesses, and to create jobs in the solar industry?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

And, finally, is it the intent of this bill to help strengthen and diversify the Illinois power grid through development of new distributed generation resources?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Yes, it is. And thank you for those questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, seeing no further discussion, the question is, shall House Bill 2427 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2427, having received the required constitutional majority, is declared passed.

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Ladies and Gentlemen, if you'll turn to page 9 of your printed Calendar, still on the Order of House Bills 3rd Reading, we have House Bill 3784. Senator Haine. All right, let's go -- Mr. Secretary, let's go to House Bill 3831. Senator Hutchinson. Mr. Secretary, let's go to House Bill 3961. Senator Link, on 3961. Indicates he'd like to proceed. Mr. Secretary -- Senator Link seeks leave of the Body to return House Bill 3961 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have House Bill 3961. Are there any Floor amendments, Mr. Secretary, approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, to present Floor Amendment 1.

SENATOR LINK:

Thank you, Mr. President. This amendment becomes the bill. I'll be more than happy to discuss it on 3rd Reading and I wish its approval.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 3961. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

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House Bill 3961.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Link.

SENATOR LINK:

Thank you, Mr. President. We have a concurrence bill that this is related to. As amended, this is the trailer bill for the smoke-free campus, Senate Bill 2202. This bill amends the Smoke-Free Campus Act to allow individuals to smoke in their cars on college campuses. I know of no objection to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 3961 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 50 voting Aye, 1 voting Nay, 0 voting Present. House Bill 3961, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, if you'll turn to page 10 of your printed Calendar, the regular Calendar, still on the Order of House Bills 3rd Reading, we have House Bill 4527. Leader Lightford, on 4527. Mr. Secretary, let's go to page 11 of the printed Calendar, to House Bill 5333. Leader Lightford, on 5333. Leader Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

I thought I saw my bill up there on the board, Mr. President. I was so excited and prepared to go.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Leader Lightford, just one moment. We'll go back to that order just -- just momentarily. Before we go to House Bill 4527, Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Reluctantly, I'd like to -- for the second time today, I'd like to be recorded as having intended to vote Yes on House Bill 3961. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate that was your intent. Ladies and Gentlemen, we are on page 10 of the regular Calendar, House Bills 3rd Reading, middle of the page. We have House Bill 4527. Leader Lightford. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4527.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Lightford.

SENATOR LIGHTFORD:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is an initiative of our Illinois State Board of Ed. They're looking to require charter schools to comply with all federal and State laws and rules that are applicable to public schools that pertain to special education and English language learners. I'd be happy to answer questions. There was a full debate in committee. ISBE's attorney answered all of the questions that needed to be answered. I'd do my best to do as well as she did, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Thank you. Is there any discussion? Senator Brady, for what purpose do you rise? Before you do, Ladies and Gentlemen, let's hold the visiting down, please. Shh. Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Thank you, Mr. President. To your point, could the sponsor repeat what she said? I couldn't hear a word.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Absolutely. Ladies and Gentlemen, let's -- let's hold the visiting down. Leader Lightford, could you repeat your explanation, please? Leader Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'll be more than happy to. House Bill 4527 requires all charter schools to comply with all federal and State laws and rules that are applicable to public schools that pertain to special education and English language learners. This is an initiative of the State Board of Education and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Senator, can you tell me what the State Board's motivation is? We've been dealing with charter schools for a long time.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lightford.

SENATOR LIGHTFORD:

Well, their motivation is to make sure that all of our public schools provide special education opportunities and English language learners {sic} for all children. It's part of the federal

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statute and we'd like to be in compliance with the federal statute.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield for a question. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, one of the -- one of the things, I think, when charter schools were -- were set up, we wanted to try to give them some flexibility, maybe to try other things. One reason charter schools were set up in the first place - and I think you were -- you were a -- a supporter of charter schools at the time - was to give them that flexibility, because a lot of things were not happening that needed to happen in the public school system, in particular in Chicago, and -- and many other areas too. This is, I think, an attempt to sort of basically say, you know, we're -- we're going to make these charter schools -- take away a lot of their flexibility, make them do exactly what public schools do, and -- and in the end - I -- I don't know whether it is the goal finally - to sort of take all the flexibility that they're -- away, that they are no different than -- than the public school system, and, therefore, make them maybe obsolete. Would you answer that, please, that criticism?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Lightford.

SENATOR LIGHTFORD:

So, first, Senator, I was not a Member when we first enacted

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charters. I actually became a Member after that, when we began to expand on charters, and I did carry the Charter School Act of 2009, I believe it was. I'm not a huge proponent of charters and I'm not an opponent of charters, and I've stated that before. I'm for the best opportunities that we can provide for our schoolchildren. So, simply put, to answer the autonomy situation -- or question, I feel that all charters are afforded flexibility, but when you look at the charter law, it does not extend to laws that are designed to prevent discrimination in public schools. So if you look at Section 27A-4 of the charter law, that's made very clear. It provides that, notwithstanding all of the exemptions charter schools are afforded from various parts of the School Code, charter schools shall be subject to all federal and State laws and constitutional provisions prohibiting discrimination on the basis of disability, race, gender, color, national origin, religion, marital status, or need for special education services. House Bill 4527 is intended to ensure that federal and State anti-discrimination laws are enforced consistently in every public school in Illinois.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, in the bill, you -- you have, I think, that every charter school must have a -- a special ed director. Is that -- is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Lightford.

SENATOR LIGHTFORD:

Yes.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

I guess my question to you and all the Members of the General Assembly is, what -- what next? I mean, what -- you know, if -- if we keep changing things and adding to what they do, pretty soon it has the -- it -- it is -- you know, there -- there will be no need for a charter school, because they will -- they will be -- have no flexibility left. Where would you say we should -- we should stop? Is -- is there a point, or should we continue to do these sorts of things to take away their flexibility?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lightford.

SENATOR LIGHTFORD:

So, Senator, I do want charters to have some flexibility, because that does make them unique and different and offer more options for children and for their parents and there are a lot of areas in the State that benefit from such a charter school. And we have some awesome charter schools in the State. We have some that are just as average as the traditional school, and we have some that doesn't do as well and they shouldn't be renewed. So there's every category that they would fit in. But the challenge here is that when we look at federal and State law as it relates to children with special disabilities and children who need help with English language, they should also allow them the same opportunity at that charter school. Because if they're a public school, they're not a choice school, they're not a test-in school, they're not -- they're -- the -- a regular public school, then I think it's discriminatory if they're not providing those

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particular services for the kids. So the rationale is that the Illinois Department of Education administration, their compliance presupposes compliance with all State statutes, regulations, and rules concerning special ed. So the Illinois State Charter Commission has challenged this position, asserting that charter schools are not subject to any State imposed requirements that exceeds federal special education statute and regulations. So the intent of this is to clarify that charter schools are required to comply with special education and ELL laws. And I would think that these are two areas that we will want to be in compliance with.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Luechtefeld, you're out of time, but I'm going to give you a brief opportunity to close -- or not to close, but actually to speak to the bill. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you. And I -- I guess the concern I think that everyone in this Chamber should have is that if we continue to do what this bill does, then there will be very little difference of -- between charter schools and the public school system, with not a lot of flexibility. I guess my concern is, what comes next? So, again, I know that likely you're going -- with the majority, you're going to probably vote for this and pass it. But I -- if you're not concerned about this, then -- then you must believe that charter schools really don't have a place, because sooner or later they -- they will be the same as the public school and have no place in our education system. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis, for what purpose do you rise?

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SENATOR OBERWEIS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Oberweis.

SENATOR OBERWEIS:

Senator, I have a stepson who recently got his master's in education at Harvard and chose to use that to teach on the South Side of Chicago at a charter school, Ralph Ellison. I believe that he's doing that because he believes that giving parents a choice of schools for their kids provides a better educational opportunity for those kids. I know I strongly believe that as well. And -- and I'm wondering -- and I believe you expressed that giving parents choice is a positive. I'm wondering how this bill helps provide more choice for parents. I mean, it seems like it's going to make it more difficult for the charter schools and end up, in the long run, providing less choice. Am I -- am I incorrect?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lightford.

SENATOR LIGHTFORD:

Yes, you're -- you're incorrect. This only enhances the opportunity for parents who children are disabled to also attend that charter school and -- and have services provided to them in a learning environment. And it would also assist children who are challenged in English language to also be able to attend that charter school. It actually opens the door for more children. These are critical areas. It's -- it's not some general, vague program. We're talking about kids who have special needs and they should be addressed and able to attend that local charter school

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as well.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

To the bill: I -- I think this is a very difficult call. I understand exactly where the Senator's trying to go and it certainly makes some rational sense. My concern is that this just makes it more difficult for the charter school and that we're going to end up with fewer charter schools, which gives fewer parents those choices that I think are so important. I think it's competition between schools that ends up providing a better education for everyone involved. So, for that reason, I'm going to vote against the bill, but -- but I understand where you're trying to go and I -- I think there's rationale to that. I'm just concerned that -- that we will end up with more restrictions and fewer schools to give parents fewer choices. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR SANDOVAL:

(Remarks in Spanish)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Okay.

SENATOR SANDOVAL:

Mr. President, to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

To the bill: (Remarks in Spanish) You know, I stand here.

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This is a great country that my parents came across the river in 1960 and landed on the shores of "Plymouth Rock", Back of the Yards, Chicago southwest side. And they came with one vision, of educating their children -- having children and educating their children in America and being Americans. I'm proud to be an American. There are two tools that are important to succeed in, in America. And those are being a citizen and speaking English - not Spanish, speaking English. And sometimes I -- although I speak in the southwest side Grabowski vernacular, but I do it in English, not in Español. I'm an American and we should speak English in America. And English is our primary language. And English should be our primary language in schools. I have the greatest number of charter schools probably of -- than most legislative districts. In light of there being a school and me being an advocate of neighborhood schools - one of which is named after my late sister, who was a school teacher, the Socorro Sandoval Elementary, which is a Chicago public school - I rise here today and I'm not going to try to suade anyone from voting against this bill, I'm just going to tell you how I'm going to vote. I'm not in support of this initiative. I had -- when I had my -- my children, my twins -- my -- my wife is from Mexico. I got married in Mexico. She came to this country and we had children, and the first language and only language of my children at home was Spanish. When they went into -- when they got tested for first grade, they failed the English proficiency test. My wife came home and she said, (Remarks in Spanish) - they will not be able to be in the English class, because they failed the test, therefore they will be put in the bilingual classes. She agreed - she's from Mexico; she's an American, a naturalized citizen today - she agreed; I agreed that

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we would sign a waiver - we would waive the responsibility so that our children would be placed in an English-only class, because it was important for us that our children learn English and be educated in English and become proficient in English. There are two important tools to succeeding in America - that is citizenship and that is speaking English. And if the Illinois State Board of Education wants to implement federal mandates on bilingual education, well, they should have done it when they authorized the charter, and it's never too late. There's no need for legislation. They should mandate - it's federal law, no need for special legislation - and order them to do it. It's that simple. God bless America. Let's speak English in the classroom.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

I -- previous speaker -- that was -- that was encouraging to hear. English is important. But, folks, we -- this is the fourth bill dealing with charters. None have promoted charters. Every one of those bills seems to go against supporting charters. This is another one of those bills. You know, what you're doing with this bill is taking away the flexibility and the innovation that has characterized charters and made them a success. Now, if you want to make charter schools regular public schools, like it was said, go right ahead. This bill's for you. But they're not

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regular public schools. They are public schools, but they're not regular. They're different, they're unique, because they have that flexibility and they have that innovation to make sure they get outcomes for those kids, and that is that those kids succeed. Not all charters are perfect - let's face it. You put bad leadership in a charter school, it's probably going to be a bad charter school. But I will tell you in the district that I have represented, there are good leaders in those charter schools and that flexibility and that innovation allows them to be a huge success when regular -- when regular public schools are failing. We voted against virtual learning. Fourth time now, we're -- we're -- we're trying to take down charter schools. This is the wrong direction to go if you want to think forward for your kids as far as education in this State. I encourage a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. To the bill, sir.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Delgado.

SENATOR DELGADO:

First of all, I want to commend Leader Lightford and the -- and in her role as the vice-chair, as the lady has been an education expert and is an education expert when it comes to our needs. What gets me here, folks, is that I find that there's a lack of urgency or even a level of sensitivity why we should be in compliance. I want to point out that nothing in the charter law -- law expressly

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provides that Article 14 - Children with Disabilities, Article 14C - Transitional Bilingual Education. I guess those two areas don't mean too much to some folks in this Chamber, 'cause it doesn't seem to have even come up as this is why it's one of the most important parts of moving in this direction. Because shouldn't that be under some federal compliance? Aren't those families, aren't these children of English language learners and children with disabilities important? Well, like my colleague who said in Spanish, well, (Remarks in Spanish) my parents are from Puerto Rico, but I was born in Newark, New Jersey, and I capisce Italiano too. But at the end of the day, what we do -- my television was my teacher. My mother spoke to me in Spanish and we spoke English at home, but we are proud. We have cultures. We have food. But this doesn't have anything to do with that. It has to do with being in compliance with Article 14, 14C, which are applicable. ISBE took the position that all special education requirements set forth in Article 14 of the School Code and part of 226 of the 23 Illinois Administrative Code applies to charter schools. The rationale is that the idea of compliance presupposes that -- this position, asserting that charter schools are not subject to any State-imposed requirements that exceeds federal special education statute and regulation? The intent of this legislation is to clarify that charter schools are required to comply with special education and with ELL laws. So in -- in summation, no one on -- seems to be discussing the -- the urgency of the compliance. Well, should we let them do what they want? I find it irresponsible to continue to justify this position. And the only concern this Member has is that none of these two subjects seem to be very important to many of these Members. That's why I strongly -- I

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stand in strong support, as the former Chair of Public Health, as the -- as the Chair of Education, as a former local school counsel, as an American-born Puerto Rican. Puerto Rico is a commonwealth of this nation, and we need to be able to comply with federal laws. So with that, I would ask all green lights on this, 'cause this isn't about politics. If you're here as a legislator, then I hope you're here for the next generation and not just here for your next campaign. Please vote Aye.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Bertino-Tarrant, for what purpose do you rise?

SENATOR BERTINO-TARRANT:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

My colleague has pretty much said what I'm going to say, so I'm going to make a -- a quick statement here. If charter schools are supposed to give parents choice, that choice should include our ELL students and their special ed students; otherwise, we are excluding these children from choice. This is a solid bill. It should have been corrected a long time ago. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Last speaker seeking recognition, Senator Holmes. For what purpose do you rise?

SENATOR HOLMES:

To the bill, please, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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To the bill, Senator Holmes.

SENATOR HOLMES:

I -- I thought it was admirable restraint that the last speaker made her comments, because I, quite honestly, didn't push my button at first. I'm a supporter of this legislation. I'm a cosponsor on it. But I was extremely offended. One of our gentlemen Senators from the other side of the aisle made a comment about charter schools are different and they're special. So, if they're so special, they don't have to do anything that we think is fair and is right and that our students deserve. Well, if that's the case, that's fine; they can be as special as they want, but then don't take our public education dollars. Fund yourselves and you can make your own rules. But if you're going to take public education dollars, please, have your top priority be educating the public, our children. And if you're going to do that, you need to make sure that our special needs students and our non-English-speaking students have the opportunity to enjoy that special education they're going to get at a charter school. I urge everybody to vote Aye on this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Special education requirements: The Individuals with Disabilities Education Act established a broad framework to define and regulate special education programs in the United States, but leaves to the states the responsibility for developing and executing educational programs for students with disabilities. Only by consistently enforcing Article 14 of the School Code and Part 226 of the 23

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Illinois Administrative Code across all Illinois schools is -- then and only then, is ISBE able to guarantee that the IDEA compliance and a free appropriate public education for every student, regardless of the school type. Yes, these are unique children. These are children who have disabilities and children who have a English language barrier. This is an absolute necessary to effectuate the guarantee that students with disabilities be afforded the same rights and safeguards in all of our public schools, regardless of the school type and our children that need English language learners {sic}. I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, shall House Bill 4527 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 34 voting Aye, 15 voting Nay, 0 voting Present. House Bill 4527, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, with leave of the Body, we're going to turn to page 11 of the printed Calendar, to -- to the -- we're still on the Order of House Bills 3rd Reading. House Bill 5333. Leader Lightford. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5333.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lightford.

SENATOR LIGHTFORD:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. With Committee Amendment No. 1 adopted, it removed all opposition. It requires ISBE to prepare and file a report with the General Assembly on the instruction of Black History in Illinois just for one year, opposed to every single year, as the House sponsor originally requested. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 5333 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 46 voting Aye, 2 voting Nay, 0 voting Present. House Bill 5333, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, on page 9 of the regular Calendar, on the Order of House Bills 3rd Reading, we have House Bill 3784. Mr. Secretary, you should have paperwork changing the sponsorship from Senator Haine to Senator Harmon. Is that correct?

SECRETARY ANDERSON:

Yes, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon seeks leave of the Body to return House Bill 3784 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 3784. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Leader Harmon, on Amendment 4.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment 4 to House Bill 3784 is a very modest modernization of the Currency Exchange Act. I want to be clear, I'm going to move for its adoption, but I am not going to call it on 3rd Reading. The -- there is still discussion among the industry as to the proper scope and timing. So I move for the adoption of the amendment, but I plan to hold it on 3rd Reading, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Mr. Secretary, still on the Order of House Bills 3rd Reading, on page 10 of the printed Calendar, we have House Bill 4264. Leader Haine, you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4264.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine.

SENATOR HAINE:

Thank you -- thank you, Mr. President, Ladies and Gentlemen

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of the Senate. This merely allows the Prisoner Review Board to have the authority to take some of their Vehicle and Equipment Fund money, which they get from supervision and fines, to allow them to streamline the integration of recordkeeping between other agencies and the DOC, especially to a digital format.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 4264 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 4264, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, it's my understanding Supplemental Calendar No. 2 has been distributed. On the Order of House Bills 3rd Reading, we have House Bill 3199. Senator Steans, on House Bill 3199. Do you wish to proceed? Senator Steans seeks leave of the Body to return House Bill 3199 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 3199. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, to present Floor Amendment 1.

SENATOR STEANS:

Yes, thank you, Mr. President, Members of the Senate. Just to clear up any confusion there may be, this had been Senate Bill 200, so we've heard it as that in committee, Executive Committee.

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Senate Bill -- now Senate {sic} Bill 3199 is making sure that schools are available to the local election authority for use as a polling location. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, do you seek to have the amendment adopted?
Senator Steans.

SENATOR STEANS:

Sorry. Yes, and then I will not need to speak to it when it's adopted.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Now on the Order of 3rd Reading, we have House Bill 3199. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3199.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

As I previously stated.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Is there any discussion on the legislation -- or is there any discussion on the bill? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 3199 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 3199, having received the required constitutional majority, is declared passed. Still on the regular Calendar, on the Order of House Bills 2nd Reading -- excuse me, I said regular Calendar, actually, on Supplemental Calendar No. 2. On Supplemental Calendar No. 2, on the Order of House Bills 2nd Reading, we have House Bill 3796. Senator Hastings. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3796.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up, we have House Bill 3835. Senator Hastings. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3835.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government and Veterans Affairs adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up, we have House Bill 4616. Senator Manar. Do you wish to move this to 3rd? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4616.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Ladies and Gentlemen, can have your attention for an announcement? The following committees will be meeting tomorrow morning: At 9 a.m., Local Government in Room 212. Also at 9 a.m., Criminal Law in Room 409. Those two committees in the morning at 9 a.m. - Local Government, 212; Criminal Law, 409. Both of those at 9 a.m. tomorrow morning. Ladies and Gentlemen, the Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports, but no further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will come to order. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 1264, offered by Senator Barickman and all Members.

It's a death resolution, Mr. President.

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PRESIDING OFFICER: (SENATOR HARMON)

Resolutions Consent Calendar. Mr. Secretary, Introduction of Bills.

SECRETARY ANDERSON:

Senate Bill 3665, offered by Senator Kotowski.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

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

Senate Bill 229.

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

House Amendment 1 to Senate Bill 229.

We have received like Messages on Senate Bill 2612, with House Amendments 2 and 3; and Senate Bill 3125, with House Amendment 2. Passed the House, as amended, May 29th, 2014. Timothy D. Mapes, Clerk of the House.

Message from the House by Mr. Mapes, Clerk.

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

House Bill 3794.

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We have received a like Message on House Bill 4020. Passed the House, May 29th, 2014. Timothy D. Mapes, Clerk of the House. Message from the House by Mr. Mapes, Clerk.

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

House Joint Resolution 97.

Offered by Senator Delgado, and adopted by the House, May 29th, 2014. Timothy D. Mapes, Clerk of the House. It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, Introduction of House Bills.

SECRETARY ANDERSON:

House Bill 3794, offered by Senator Manar.

(Secretary reads title of bill)

House Bill 4020, offered by Senator Martinez.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Raoul, Chairperson of the Committee on Judiciary, reports Motion to Concur on House Amendment 1 to Senate Bill 3405 Recommend Do Adopt.

Senator Hunter, Chairperson of the Committee on Human Services, reports House Bill 4665 Do Pass.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned:

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Refer to Transportation {sic} Committee - House Bill 3794; Be Approved for Consideration - House Bill 105.

Signed, Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Floor Amendment 2 to House Bill 105.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR HARMON)

There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10 a.m. on the 30th day of May, 2014. The Senate stands adjourned.