

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

HB0306	Recalled	97
HB0306	Third Reading	98
HB0354	Second Reading	105
HB1450	Second Reading	106
HB1457	Third Reading	136
HB1617	Second Reading	106
HB1720	Second Reading	106
HB4934	Third Reading	99
HB5154	Veto Action	132
HB5224	Third Reading	103
HB5635	Third Reading	100
HB5756	Second Reading	107
HB5863	Veto Action	112
HB6063	Third Reading	101
HB6065	Veto Action	134
HB6267	Out Of Record	103
HB6267	Third Reading	102
SB0336	Third Reading	13
SB0458	Out Of Record	6
SB0458	Recalled	3
SB0458	Third Reading	5
SB0550	Concurrence	135
SB0678	Concurrence	112
SB0737	Recalled	119
SB0737	Third Reading	125
SB0902	Third Reading	6
SB1014	Recalled	8
SB1014	Third Reading	9
SB1310	Third Reading	10
SB1716	Concurrence	46
SB1716	Motion	93
SB2559	Concurrence	113
SB2800	Concurrence	107
SB2843	Concurrence	115
SB2878	Concurrence	115
SB3538	Concurrence	116
SB3538	Out Of Record	117
SB3776	Concurrence	117
SB3973	Second Reading	12
SB3976	Third Reading	14
SR1075	Resolution Offered	2

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SR1076	Resolution Offered	2
SR1077	Resolution Offered	2
SR1078	Resolution Offered	2
SR1079	Resolution Offered	2
SR1080	Resolution Offered	3
HJR0127	Resolution Offered	138
SJR0080	Concurrence	108
Senate to Order-Senator Clayborne		1
Prayer-The Reverend Flo Scott		1
Pledge of Allegiance		1
Journal-Approved		1
Journal-Postponed		2
Senate Stands at Ease/Reconvenes		3
Committee Reports		3
Senate Stands in Recess/Reconvenes		12
Senate Stands at Ease/Reconvenes		94
Messages from the House		94
Senate Stands at Ease		95
Senate Reconvenes		96
Committee Reports		96
Senate Stands in Recess/Reconvenes		110
Committee Reports		111
Senate Stands at Ease/Reconvenes		119
Committee Reports		119
Messages from the House		137
Adjournment		138

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Regular Session of the 96th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Reverend Flo Scott, of Pawnee Methodist Church.

THE REVEREND FLO SCOTT:

(Prayer by the Reverend Flo Scott)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Brian -- Benjamin Yount with Illinois Statehouse News seeks leave to videotape. Seeing no objection, leave is granted. Stewart Orlin with WFLD-TV Chicago seeks leave to videotape. Seeing no objection, leave is granted. Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of May 3rd, 2010.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senators has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter moves to approve the Journal just read by the Secretary. There being no objection, so ordered. Madam

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Tuesday, November 30th, 2010.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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 -- of the printed transcript.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Abel Uribe with the Chicago -- Chicago Tribune seeks permission to photograph Members of the Senate. Seeing no objection, leave is granted. James Carder, of Blueroomstream, seeks leave to video live stream. Seeing no objection, leave is granted. Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 1075, offered by Senator Murphy and all Members.

Senate Resolution 1076, offered by Senator Murphy and all Members.

Senate Resolution 1077, offered by Senator Bomke and all Members.

Senate Resolution 1078, offered by Senator Haine and all Members.

Senate Resolution 1079, offered by Senator Maloney and all Members.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

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

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Resolutions Consent Calendar. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. If the members of the Committee on Assignments will come to the President's Anteroom immediately. The Senate stands at ease. Senator Schoenberg in the Chair.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate will come to order. Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur with House Amendment 1 to Senate Bill 1716.

Filed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Clayborne in the Chair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Will all the Members at the sound of my voice please come to the Floor? We're getting ready to start. Senate Bill 3rd Reading, final action. All Members at the sound of my voice please come to the Floor. Senator Haine, on Senate Bill 336. Senator Haine. Senator Haine. Out of the record. Senator Koehler, on Senate Bill 458. Madam Secretary. Oh! I'm sorry.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator -- Senator Koehler, do you wish to proceed? Senator Koehler seeks leave of the Body to return Senate Bill 458 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 458. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Let's hold it down a little bit. Thank you. Is there any -- Senator Koehler, to explain.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. This amendment streamlines the settlement process for property tax disputes that are appealed by the Property Tax Appeal Board. Basically, what this does is it allows the local board of review and a taxpayer to settle the case without having to wait for the -- the PTAB to send a notice to the appeal board of review. It came out of committee unanimously and I'd appreciate support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Sullivan, on... Senator Koehler, do you wish to proceed? Senator Koehler indicates that he does. Madam Secretary, read the bill.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SECRETARY ROCK:

Senate Bill 458.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler, to explain.

SENATOR KOEHLER:

I just explained it on 2nd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question --  
Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, for your courtesy and I  
apologize, Senator Koehler. My -- my information, Senator  
Koehler, is that you filed an amendment on this bill today. Is  
-- one, is that correct? And two, if that's the case, you're  
about ready to move this over to the House in which, obviously,  
that amendment won't be of much use.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Yes, thank you, Senator, for your question. There was an  
amendment filed. It was a -- basically a typo replacing  
Property Tax Board of Appeal with Property Tax Appeal Board.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Righter.

SENATOR RIGHTER:

Is that Amendment 3 that you're referring to, Senator Koehler? And if so, just to save a little time here, the second question is, is that an issue that you think now doesn't need to be resolved?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

We're going to take this out of the record until we find out what the strategy is. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The bill will be taken out of the record. Senator Sullivan, on -- on Senate Bill 597. Out of the record. Senator Wilhelmi, on Senate Bill 598. Out of the record. Senator Cullerton, on Senate Bill 737. Out of the record. Senator Schoenberg, on Senate Bill 759. Out of the record. Senator Harmon, on Senate Bill 852. Senator Harmon. Senator Harmon. Out of the record. Senator Sullivan, on Senate Bill 902. Madam Secretary, read -- read the -- read the bill.

SECRETARY ROCK:

Senate Bill 902.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan, to explain the bill.

SENATOR SULLIVAN:

Thank you, Mr. President. The -- the legislation amends the Fish and Aquatic Life Code. Removes language that dictates

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

how monies from the Migratory Waterfowl Stamp Fund must be spent. Currently, there is conflicting language within the Wildlife Code and the Fish and Aquatic Life Code and this amendment -- or this change in legislation addresses that and makes the language consistent.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 902 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yea, none voting Nay, none voting Present. Senate Bill 902, having received the required constitutional majority, is declared passed. David Spencer with The State Journal-Register seeks permission to photograph for the newspaper. Seeing no objection, permission is granted. Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR ALTHOFF:

Thank you. To the Ladies and Gentlemen in the Chamber, I have with me today a Page. Her name is Gianna Ventrella. Her mother and father, Cindy and Vince, are in the gallery behind the President's chair. She is a senior at Crystal Lake High School. And she has been in these Chambers before as a participant of the YMCA's Youth and Government program, both as a page, a lobbyist, and as a legislator. So, today she actually

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

gets to watch us in action, up close and personal. So, might we welcome her, please, and her parents in the gallery?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please stand, and welcome to the Illinois State Senate. Thanks for coming today. Thank you. Senator Bomke, for what purpose do you seek recognition?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state -- please state your point.

SENATOR BOMKE:

I also have two Pages with me today, Pages for the Day, Anna and Faith -- and Faith. They -- they are the -- the -- Senator Righter's secretary's minister's daughter {sic}. And they're going to be with us today. So if anyone needs anything, they're in dire need of money. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thanks for coming, Anna and Faith. Hope you enjoy your day. Thank you. Senator Raoul, on Senate Bill 1014. Senator Raoul seeks leave of the Body to return Senate Bill 1014 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1014. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to explain.

SENATOR RAOUL:

Floor Amendment 1, deletes all and becomes the bill. I'll

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

explain it on 3rd.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1014.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to explain.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1014, as amended, is nearly identical to Senate Bill 3734, which passed the Senate unanimously. It expands the definition of drug paraphernalia to include individual tobacco wrappers, known as blunt wraps. They are often used to smoke marijuana, crack, and other -- controlled substance. Senate Bill 1014 retains the current penalties for drug paraphernalia. I urge your support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1014 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

wish? Have all voted who wish? Have all voted who wish? Take the record. There are 56 voting Yea, none voting Nay, none voting Present. Senate Bill 1014, having received the required constitutional majority, is declared passed. Senator Dillard, on Senate Bill 1310. Senator Dillard -- I mean, Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1310.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard, to explain.

SENATOR DILLARD:

Thank you, Mr. President and Members. This is a continuing chunk - and, as you can see, the size of the bill is rather substantial - of the CLEAR Commission, which is the Criminal Code rewrite committee on which President Cullerton and I have served for a number of years. And I just want to tell you six provisions that are in this particular major piece of the reediting of a Criminal Code in Illinois that was written in 1961. For the record, this moves many of the current provisions of the Criminal Code in Chapter 720, criminal acts, to different parts of the Code to improve the Code's internal organization. It consolidates many current criminal offenses which are set out in separate Sections into a single Section in an effort to eliminate redundant language and bring related provisions together for clarity. It incorporates case law into various statutory provisions so that the law is a comprehensive statement of what a lawyer or a judge, defendant or victim need

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

to know about an offense. It eliminates provisions that have been found to be unconstitutional and clogging up our Criminal Code. It repeals some existing criminal offenses in favor of covering those offenses with a general provision or an offense. And then lastly, it -- it is a complete statutory -- or, adds a complete statutory cross-reference fix for all proposed renumbering and relocation of the Code Sections. There are some substantive changes being made in some of the provisions, most of which involve correcting oversights in the coverage of current law. Clarifies the required mental state for committing an offense. It uses some more artful and modern wording. And lastly, it eliminates a few existing penalty loopholes that are there. We have passed other major provisions. And, again, I want to commend Senator Cullerton, who has me carrying this, for his work in -- really when he was the Chairman of the Judiciary Committee, along with former Senator Carl Hawkinson, in recognizing that our Criminal Code is archaic and needs to be updated, realigned, and made so that people, especially judges, understand it. And I'd be happy to answer any questions, but would urge a favorable vote, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1310 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 57 voting Yea, none voting Nay, none voting Present. Senate Bill 1310, having received the required constitutional majority, is declared passed. With leave of the Body, we will come back to Senate Bill 3952. We will stand at

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

ease for a moment. (At ease) Anne Kelly with WCLA {sic} (WCIA) seeks permission to videotape. Seeing no objection, leave is granted. Senator Trotter, for what purpose do you seek recognition?

SENATOR TROTTER:

Thank you very much, Mr. President. For a point of an announcement.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your announcement.

SENATOR TROTTER:

Yes, there will be a Democratic Caucus immediately, for fifteen minutes, in the President's Office.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That is in order and the Senate Dems will caucus. Senator Syverson, for what -- what purpose do you seek recognition?

SENATOR SYVERSON:

Thank you, Mr. President. Likewise, then, the Senate Republicans will caucus in the Leader's Office during the same time frame.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That is in order as well. My understanding is that this will be a strict fifteen minutes. So we will return at 10:55 - 10:55. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Senate will come back to order. On the Order -- top of page 2, on the Order of 2nd Reading, is Senate Bill 3973.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Silverstein. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 3973.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. At the top of page 2 is Senate Bill 336. Senator Haine. Senator Haine indicates that he wishes to -- is there... Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 336.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to explain the bill.

SENATOR HAINE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill clarifies the definition of medical -- what's medically necessary for purposes of determining coverage for physical therapy under the State Employees Group Insurance Plan. Restricts it to the treatment of autoimmune diseases. This grows out of a bill we passed this past spring. It's a trailer bill. It's an initiative of CMS. There's no

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

opposition.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 336 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 51 voting Yea, none voting Nay, none voting Present. Senate Bill 336, having received the required constitutional majority, is declared passed. Proceeding down to Senate Bill 852. Senator Harmon. Senator Harmon. Out of the record. Going down to the bottom of page 2 is Senate Bill 3976. Senator Raoul. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 3976.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to explain.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3976 creates two Acts related to redistricting: the Illinois Voting Rights Act of 2011 and the Redistricting Transparency and Public Participation Act. The Illinois Voting Rights Act provides that in addition to the requirements imposed by the Constitution of the United States, federal law and the Illinois Constitution, any redistricting plan shall be drawn to create crossover districts, coalition districts, or influence districts, where possible. The Redistricting Transparency and Public Participation Act requires

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

that the Senate and the House establish separate or a joint committee to conduct at least four public hearings in four distinct geographic areas of the State after the census data has been released. I urge your support of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is a fairly substantial and major piece of legislation and begins part of our process on redistricting. So, if the sponsor would yield for a few questions, I'd appreciate it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard, the sponsor indicates that he will yield.

SENATOR DILLARD:

Senator, what is the purpose of this particular proposal?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

It is to create greater transparency on the redistricting process, as well as to protect voting rights of racial and language minorities.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

So, Senator, when we go through the remapping process, how would this bill be used to actually draw maps? What's this bill's purpose with respect to the drawing of the -- the new districts for all of us that we'll run under next time?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Raoul.

SENATOR RAOUL:

The purpose is to have public hearings and to make sure that the specified districts -- the criteria that are put into the Illinois Voting Rights Act are observed during the redistricting process in a manner consistent with the United State {sic} Constitution, federal law and traditional redistricting principles, as well as the Illinois Constitution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

Is there any other reason that this proposal would be needed?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

This -- this proposal is consistent with the U.S. Supreme Court's opinion in -- in the Bartlett case, where the specific districts that are mentioned -- the specific districts that are mentioned - crossover, coalition districts and influence districts - are defined in the -- in -- in Kennedy's opinion.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

Would it be fair to say that people would be placed into districts based upon their race or perhaps a language that they speak?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR RAOUL:

No. This -- this, again, is consistent with Justice Kennedy's opinion and it -- it adds criteria consistent with the United States Constitution, federal law and other -- and the Illinois Constitution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

Knowing how you feel about - as do I - diversity, is this bill designed to increase the number of minorities that serve in the Illinois General Assembly?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

No. This bill is designed to protect voting rights.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

I guess one last question. I mean, Senator, do you believe, you know, at the current time that the number of minorities that are represented in the General Assembly is a smaller percentage than the minority population at large in Illinois?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

I don't know.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Murphy.

SENATOR MURPHY:

Thank you. You know, like the sponsor, I wasn't around the last time we did this and I think many of us weren't, so I think it's a good educational opportunity for a lot of us to go through the -- the Voting Rights Act component of this. I suspect later there will maybe be a little more heated discussion about the transparency side of this bill, but, you know, there was a lot of support for an agreement on your Voting Rights Act language in this bill and I commend you for that. But I want to -- I want to -- I want to understand - and, you know, we -- we lawyers can kind of show off to the non-lawyers what we learned in law school - about sort of the hierarchy of - of law and legal precedence for various authorities. And we start with the U.S. Constitution. Then we have federal statutes. Then after that, we have the State Constitution, and then we have State statutes. And with this, I know, you know, there's a lot of reference in here -- specific reference in here to influence districts, coalition districts, crossover districts. Does this bill then put those districts sort of next in the legal hierarchy line, as -- as you understand it?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

No, because the legislation expressly states in Section 5-5(a) and 5-5(d) that the -- that the requirement to create

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

crossover, coalition or influence district is subordinate to any requirement imposed by the United States Constitution, federal laws regarding redistricting, and the Illinois Constitution. That is a statutory mandate and we understand that a State statute is subordinate to a requirement in either the U.S. or Illinois Constitution and it's also subordinate to any federal statute. This legislation mandates that drawing of these districts -- mandates the drawing of these districts, but only after the mapmaker has complied with these other redistricting mandates.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

And -- and that was my understanding too: Those -- those -- those legal authorities come first, then our bill. There are other things that are considered. Political boundaries are considered in map drawing. And there are other things below those legal authorities we cited before. And I guess what I'm trying to figure out is, in -- in sort of mapping out this hierarchy of things that are considered, after we go through the federal Constitution, federal statute, Illinois Constitution and we get to the Illinois statute, after that you have other means with which to draw a map. Political boundaries, for example. Will this statute put the coalition districts, the influence districts and the crossover districts in line ahead of, say, political boundaries in the mapmaking process by statute?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

You know, I -- I -- I stick to my prior statement. This comes right after compliance with the United States Constitution, federal laws -- regarding redistricting, and the Illinois Constitution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

One last question. Does this legislation provide for the use of crossover, coalition and influence districts in the place of majority-minority districts?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

I stick to the previous statement. As you know, -- in federal law -- one of the federal laws is the federal Voting Rights Act, and this -- this -- the Illinois Voting Rights Act is subordinate to -- to the federal Voting Rights Act.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

Understanding that hierarchy that we went through, can -- under your bill, can you split up a majority-minority district and create three influence districts?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

That's a hypothetical, and you need to understand what the -- you would need to understand what -- the requirements of the Section 2 of the federal Voting Rights Act. As stated before,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

this -- this bill stands subordinate to the federal Voting Rights Act.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

Well, hypothetically, could you take what is currently a sixty-percent majority African-American district and divide that into three influence districts, where that formerly majority-minority population is split into three influence -- new influence districts within, say, the City of Chicago? Is that -- is that possible or permissible under the language in your bill as it relates to the federal Voting Rights Act?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

You're talking about a hypothetical and you would need to understand what the Voting Rights Act would require in that specific hypothetical. This bill stands subordinate to the federal Voting Rights Act. And that's the intent of this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dale Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Thank you, Mr. President. I wonder if the sponsor might yield, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. And thank you for your

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

indulgence. Senator Raoul, we had a spirited discussion last night in committee and I'm glad this one is a little more sedate and a little more scholarly, at least on the front end. When we start this process -- we started this process some time ago under your leadership as Chairman of this Redistricting Committee. We started using terms like influence districts and crossover districts and coalition districts and a hundred others, and there are not that many people who understand exactly what those terms mean. And I think it is -- it will benefit the entire Body and this entire process for Members of -- of this Chamber to have a better understanding of what those terms and some others mean. So, along those lines, I guess I want to do a -- a brief tutorial, a brief redistricting 101, if you would. And let's talk about what those terms mean. And I want to start with the -- what is called an influence district. And those are the words that are used in your bill, I believe -- influence, crossover and coalition. Those are in the bill. So I want to stick to the bill. A -- an influence district -- tell me, when you use the word "influence district" in the bill, what that means.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

The -- the phrase "influence district" means a district where a racial minority or language minority can influence the outcome of an election even if its preferred candidate cannot be elected.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR RIGHTER:

Thank you. Is -- when -- when deciding whether or not a district is, or could be, an influence district, is it the preferred method to use primary election results or general election results?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

That's a hypothetical. That depends upon the circumstances presented. The intent of this bill is to be subordinate to the federal Voting Rights Act, federal law, the U.S. Constitution, and the Illinois Constitution. And we would apply the federal Voting Rights -- Rights Act to analyze specific hypotheticals.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

And that -- I've heard that line before. That the -- the -- the question -- I mean, at some point, we're not going to be talking about process anymore. At some point, someone's going to be drawing a map, Senator. So, let's -- let's -- this question is aimed at that. All I'm asking is, is the base that you're going off of. I mean, you're going to -- you are proposing to put in Illinois law language about influence districts, and I am asking you how influence districts will be determined - using general election or primary election results. Can you tell me what that is?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

I -- I believe we would need census numbers before we could determine anything. This -- this language with regards to influence districts is taken directly out of the Bartlett decision. And so we -- we get our guidance in crafting this Illinois Voting Rights Act from the United States Supreme Court.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you. Senator, if -- if a -- if an influence district -- if -- if someone draws an influence district and the minority candidate is not elected, but a Democrat candidate is elected, would -- would you have considered that influence district to have performed, or to have done its job?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

I -- I'm sorry, I don't understand the question.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Influence districts like crossover and coalition districts are being drawn for a reason. In other words, there's a goal, I'm assuming, that's being sought by the drawing of those districts. And what I'm asking, in your mind, as you want to put this language in Illinois law, is that goal effectuated if a nonminority Democrat is elected in a district that's drawn as an influence district?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR RAOUL:

By -- by definition, an influence district is a district where a minority group may not be able to elect a candidate of its choice, but can influence the outcome. I -- I don't stand here before you prepared to say what the will of the voters in -- in specific areas are -- is, rather.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Let's move on to the next term that we've been using. What's a "crossover district"?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

The phrase "crossover district" means a district where a racial minority or language minority constitutes less than a majority of the voting-age population but where this minority, at least potentially, is large enough to elect the candidate of its choice with help from voters who are members of the majority and who cross over to support the minority's preferred candidate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Senator, when I talk to someone about this issue who doesn't talk about it or teach it for a living, the -- every time the first -- the first question I get back is, "Okay, what's that number? What's the floor?" I mean, obviously, you stated the ceiling is less than a majority. What's the floor?

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

What's the percentage have to at least be in order to qualify as a crossover district?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

I can't state a specific floor. It depends upon the -- the -- the specific circumstances and I can't predict, going in the future, what the specific circumstances will be.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

The -- if a crossover district or something that is intended to be a crossover district is drawn pursuant to your language, how many times does the minority-preferred candidate - the minority candidate - have to win over the course of that district's existence in order for you -- would you to consider it to be a -- a legitimate crossover district? Every...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator... I'm sorry.

SENATOR RIGHTER:

I'm sorry. Every time? Half the time?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

I'm done. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

This -- this term -- all of these terms - crossover,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

coalition and influence districts - are taken directly from the United States Supreme Court in the Bartlett decision. I can't stand here before you and -- and -- and answer the question of how many times would -- would fit that definition. I'm -- I'm trying to be consistent with the -- with the United States Supreme Court's opinion in the Bartlett decision.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

...you. Thank you. Last question on -- on -- on these kinds of districts, Senator. Does every -- would you consider every district that has minorities in the district, language or racial, and elects a Democrat to be a crossover district? I mean, at what point is that kind of district not a crossover district - it's just a district that has language or racial minorities in it and happens to elect a Democrat?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

Again, I'm -- I'm being asked to speculate. What we're trying to do in the Illinois Voting Rights Act is to be consistent with the United States Constitution, the Supreme Court's opinion in the Bartlett decision, where we've -- gained our guidance in this case, federal law, and the Illinois Constitution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, and the end of my questioning is

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

in sight. So I appreciate very much your indulgence. Last phrase, Senator, is "coalition districts". Can you define that for me as you use it in this bill?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

The phrase "coalition district" means a district where more than one group of racial minorities or language minorities may form a collation to elect the candidate of the coalition's choice.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, is a -- what -- what is the barely sufficient number? In other words, a coalition district, I take it, means more than just a handful of -- and let's -- let's take -- let's take African-Americans and Latinos, if we can just use an example. Is -- what's -- what does the -- what does the minimum mix need to be? In other words, is it ten? Is it twenty? Is it twenty thousand? How many need to be of -- of each of those, whether it's racial or language minorities, in order to constitute a coalition district? What's -- what is that? What do you have in mind as that number?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

The question's asking me to be speculative. It depends upon the specific circumstances. The term "coalition district" is taken directly verbatim from the opinion in Bartlett

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

decision, and we're trying to be consistent with the Supreme Court's definition, the United States Constitution, federal law, and the Illinois Constitution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Senator Raoul, what are the -- in drawing a coalition district, what are the -- what are the parameters we need to abide by? And let me be more specific when I say that. Is that if you have - as a hypothetical - significant concentrations of African-American voters or Latino voters, I mean, what are the rules that -- that you believe that the mapmakers have to abide by to be in accordance with the Constitution and your language, were -- were it to become law, insofar as dividing those voters up? In other words, how -- how split can you make them in different districts and still abide by the Constitution?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

We're getting loud in the back. Can we please hold our conversations down? Senator Raoul.

SENATOR RAOUL:

The guidance would come from the United States Supreme Court's decision in the Bartlett case and in other federal decisions applying -- applying that. And -- and it would have to be consistent with the United States Constitution, federal laws, and the Illinois Constitution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Would -- would this language,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Raoul, allow the mapmaker to divide African-American and Latino populations from majority-minority districts into influence districts that are less compact but where there is a conflict between candidates of each of those races is avoided? In that specific scenario, would this language allow or mandate that?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

That question states a specific scenario that does not give me all the circumstances. What -- what this Act would do is certainly comply with the federal Voting Rights Act, the United States Constitution, the Supreme Court decisions, and the Illinois Constitution, and other federal laws.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Senator Raoul, more generally now, do you believe that if this language becomes law that the effect of this, and it may be the intended effect - you may believe this is what needs to happen; that's -- and that's what I'm trying to define here - do you believe that this removes some or all of the discretion of the General Assembly to make decisions about where these lines should be drawn with regards to influence or coalition or crossover districts? In other words, is it -- is it your intention to at least to some extent tie the hands of the General Assembly by putting these specific mandates in law?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR RAOUL:

This is a statutory mandate and we understand a State statute is subordinate to a requirement in either the U.S. or Illinois Constitution and is also subordinate to any federal statute. This legislation mandates the drawing of these districts but only after the mapmaker has complied with these other redistricting mandates.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Raoul, before -- before sitting down and putting pen to paper - and I know that's not the way they do it - and making a decision about creating an influence or a crossover or a coalition district, does there need to be made a determination by that mapmaker that whatever racial or language minority groups that is -- are the focus of that -- the attention at that time, that they vote as a block? Does that determination need to be made first, that they vote as a block?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

I'm utilizing the definition in the Bartlett decision. What the mapmakers would have to do is be consistent with the U.S. Constitution, the federal statutes according to the federal Voting Rights Act, the -- the federal court's interpretation in various cases of -- of the Voting Rights Act, and the Illinois Constitution. And this does -- this -- this bill does nothing to be inconsistent with that - falls subordinate to all of those

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

things.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Dale Righter. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I want to ask you the same question, except rather than asking whether or not a determination needs to be made that they vote as a block, does a determination need to be made that they share similar interests other than, obviously, the language issue or of -- of -- of a specific race? Are there -- do -- do we need to -- would that mapmaker need to make a determination they share other interests?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

I -- I almost need a recorder here. I stand by my previous answer. The -- the -- the mapmakers would have to make determinations consistent with how federal courts have -- have interpreted the federal Voting Rights Act, consistent with the U.S. Constitution, other federal laws, and the Illinois Constitution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

To the bill, if I might, Mr. President. I know you're relieved to hear that request. To the bill, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR RIGHTER:

Thank you. Thank you. Ladies and Gentlemen of the Senate, now that you're all relaxed in your chairs and some of you have probably dosed off, I...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sorry about that, Senator Righter. Can we please hold our conversations to a minimum?

SENATOR RIGHTER:

Thank you, Mr. President. First, my sincere thanks to -- to Senator Raoul for his patience in answering these questions, for the deliberate process that he went through last night in answering many questions, and allowing amendments to this bill to be offered. I do appreciate that very much. If the process that - and this is an extraordinarily important process, and you know that as well as anyone, Mr. President - if the process of redistricting goes forward in as deliberate a fashion as what we've seen thus far, we'll all be well served with that. I rise in support of Senate Bill 3976. It's not a perfect bill. There are things that we would have liked to have seen very much different than what's in here and we'll continue to offer those up and -- and give the sponsor and others our opinions, but I plan on supporting Senate Bill 3976. Thank you for your indulgence, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield for a couple of questions?

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, first of all, thanks so much for the process that we've had so far up to date. I was actually able to attend a couple of the commission hearings that we had throughout the summer. Very informative. Very enlightening, as well as very long in some cases. But that's okay, because that's what we're here to do and here to talk about. This morning, just now, we've had a lot of discussion about the part of this bill that creates the Illinois Voting Right -- Voting Rights Act of 2011, but we've really not touched that much on the Redistricting Transparency and Public Participation Act. So I'm going to try and focus there. Just a couple of questions to -- to really try and -- and bring home some things here as well. Can you tell me exactly what you mean, just very succinctly, about Transparency and Public Participation Act? What exactly does that mean in this bill?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

That -- that means that at -- at minimum four hearings will be held in four distinct parts of the State to allow for public input once the census data is released.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. And -- and I understand that that means a minimum of four hearings. Now, in this bill, though, as I

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

understand and recall from the discussion in committee last night, there's nothing in there that mandates, if you will, or calls for public hearings after maps have been drawn and made public. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

There's nothing in this bill, but as -- as -- as you know, when legislation is introduced - and a map would be legislation - we have hearings that are open to the public. And so our practice here in the General Assembly is to have public hearings. And my practice, as the Chairman of the Redistricting Committee, has -- has been to have public hearings. I've had 'em throughout the State, and -- and as you mentioned in your opening remarks, I've had 'em as long as I need to -- to have -- have them, including a nearly five-hour long hearing that we had this past spring. And -- and -- and my intention is to include that type of openness and transparency as we go forward.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. And -- and, Senator, you have done that and I'm not questioning that at all, and I want to make sure you do understand that. But yesterday we did hear from a couple of witnesses who just expressed some concern that it was not actually in the bill. They understand the committee process. They understand the fact that according to our rules here in the Senate that once we do have a bill that's been introduced and it is out there, that then we go through a committee hearing

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

process. But I -- I do want to -- to just, if I can read a couple of quotes. And this is coming from the Campaign for Political Reform about Senate Bill 3976. While ICPR is supportive of this first section, the second session -- section addressing transparency needs significant strengthening -- strengthening. In fact, I contend that the first section of the bill, which calls on map drawers to create crossover, influence and coalition districts, will be of minimum value to the public without more sunshine. And I think what they're talking about here, as I -- as I recall, is that the four hearings that are specified in the legislation are great; however, it's unclear as to what exactly might be discussed at those four hearings prior to this time, and that afterwards, there would be a clear cut understanding of what is to be discussed - you know, the proposed boundary lines for this district or that district. And so I think that, you know, coming from the Illinois Campaign for Political Reform about the bill is one thing that we need to really take into consideration. Also, there was some concern about data that might be made available to special interest groups or communities of interest in order for them to try and draw their own maps or their own boundaries in an effort to be transparent as well. And I think that, you know, they were really looking for something that would ensure that they were allowed access to that kind of data that we will have access to. And I don't believe the bill calls for that, and I think that was one of the -- the concerns that they had. Also, we had testimony from the Asian American Institute stating "It is crucial that public hearings be held after legislators draft but before they finalize maps and that legislators consider maps and

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

comments proposed by the public." Now, I don't question your sentiments, and as I recall, you indicated the legislative process will take care of that. We'll have hearings. And that's your commitment and I appreciate your commitment, Senator. But, to the Body and to those that are listening and watching this, the fact remains sometimes the legislative process is short-circuited by something called one-hour postings. And I know that is not your intention. So, please don't take it that way. But certainly around here -- in fact, this week we've seen a myriad of bills that supposedly are going to come to the Floor for a vote sometime today that are going to be going to committee, and these are major public policy questions in the State of Illinois that will be here for a one-hour posting. Now I know that that is not your intent, but certainly we can't control that. And when time comes that someone wants to push forward with a bill, we might not have a six days' posting so that people have an opportunity to take a look at those maps. I would just request and I would just suggest perhaps that we need to include that in this piece of legislation as well, just to ensure the public that transparency - that word that so often is overused here in the Illinois General Assembly - is, in fact, what it's deemed to be. So, thank you, Senator.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter, for what purpose do you seek recognition?

SENATOR HUNTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill, Senator Hunter.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR HUNTER:

I would like to commend the sponsor for taking the initiative in -- in this redistricting matter. I stand in support of this proposal because it ensures that Illinois mapmakers, consistent with traditional redistricting principles, exercise the authority recognized by the U.S. Supreme Court decisions to create minority crossover, coalitions, and influence districts, especially in light of -- of the long Illinois history of polarized voting and the need to remedy its effects. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, for what purpose do you seek recognition?

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senate Bill 3976 uses the phrase "racial minorities and {sic} (or) language minorities". What are racial minorities and language minorities, for purposes of legislative intent?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

Thank you. Section 5-5(c) of the bill defines the phrase to mean the same class of voters who are members of a race, color, or language minority group receiving protection under the federal Voting Rights Act. The federal Voting Rights Act currently protects voters who are African-American, American

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Indian, Asian-American, Alaskan Natives or of Spanish heritage.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. The bill provides definitions of the terms "crossover", "coalition" and "influence" districts. What is the source of the definition for these terms?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

These -- these definitions were taken from Justice Kennedy's plurality opinion in the Bartlett versus Strickland case.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, why do we need a bill that calls for the creation of crossover, coalition and influence districts?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

The United States Supreme Court has indicated that beyond the mandates of the federal Voting Rights Act that states are free to draw these types of districts. I believe it is good public policy to protect minority voting rights by drawing these districts, provided that we comply with the redistricting criteria mandated by the United States Constitution, federal statutes regarding redistricting, and the Illinois Constitution.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Raoul, is it unconstitutional to mandate the drawing of crossover, coalition or influence districts? Does this violate the equal protection clause of the U.S. or Illinois Constitutions?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

No, because the legislation expressly states in Section 5-5(a) and 5-5(d) that the requirement to create crossover, coalition, or influence districts is subordinate to any requirement imposed by the United States Constitution, federal laws regarding redistricting, and the Illinois Constitution. This is a statutory mandate and we understand that a State statute is subordinate to a requirement in either the U.S. or Illinois Constitution and is also subordinate to any federal statute. This legislation mandates the drawing of these districts but only after the mapmaker has complied with these other redistricting mandates.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Raoul, does this legislation create a preference between crossover, coalition or influence districts? Which one should the mapmaker draw if given a choice?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Raoul.

SENATOR RAOUL:

This -- this bill does not mandate which the -- which of the districts would be preferred. If, hypothetically, a mapmaker had more than one option available among these types of districts, I would expect that other traditional redistricting principles would help guide the mapmaker in the decision.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, for the indulgence. Just one last question for the sponsor. Article 10 of the bill creates the Redistricting Transparency and Public Participation Act and requires a -- that four total hearings be held regarding legislative redistricting. Would the bill's required six-day hearing notice requirement apply to any additional hearings that a redistricting committee or joint redistricting committee would hold?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

No. The six-day notice requirement only applies to the hearings mandated by the bill. Any other public hearings that the Senate or House decides to hold will be governed by the Chamber's applicable rules.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any further discussion? Seeing none, Senator Raoul, to close.

SENATOR RAOUL:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Thank you, Mr. President. I'd like to thank the Members on the other side of the aisle for their support on this bill. In committee yesterday, it passed out of the committee unanimously. This has been a journey. We've been working on redistricting for the past year and a half. I want to focus on the transparency for a moment. I received several questions in -- in committee, as well as here on the Floor, with regards to transparency. Ideally, I would have loved to have more transparency, more hearings in this bill. I passed a resolution out of this very Chamber earlier this year with more hearings, both before and after maps would be -- would be drawn. That bill failed in the other Chamber. That bill did not get one vote from any Member from the other side of the aisle, either in this Chamber or in the other Chamber. I will not allow minority voting rights protection to be held hostage by people who may not want other provisions that I had in Senate Joint Resolution 121. The voting rights protection provisions are meant to be consistent with the United States Constitution, federal statutes, and the Illinois Constitution. I urge your support of this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 3976 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. There are 53 voting Yea, 4 voting Nay, none voting Present. Senate Bill 3976, having received the required constitutional majority, is declared passed. Senator Hendon, for what purpose do you seek recognition?

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR HENDON:

Thank you, Mr. President. Just an observation. We debated that bill for about an hour and a half. It went out of here 54 to 3, or whatever. Those sponsors of bills that I'm on, if you talk about your bill that long, I'm going to switch my vote. I just wanted to let them know that.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Wilhelmi, for what purpose do you seek recognition?

SENATOR WILHELMI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR WILHELMI:

Thank you. Ladies and Gentlemen of the Senate, I'm really pleased to tell you that I'm joined today by a Page with me from Rock Island, Illinois, Senator Jacobs' district. His name is Christopher Cooper. He's a thirteen-year-old, who's a seventh grader at Edison Junior High in Rock Island. Christopher enjoys cross country and karate, and he wants to be a Senator here in the great State of Illinois in the next coming years. He's also joined today by his grandfather, William Frederickson, who's in the gallery with a very dear friend of my family, Sister Grace Henneberry, who's also a very dear friend of Representative Ed Sullivan, who when he was in grade school, Sister Grace was the Principal of Santa Maria del Popolo School in Mundelein, Illinois. Please join me in welcoming them all to the Illinois Senate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to the Senate. Thanks for coming. Good luck to

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

you. Senator Harmon, for what purpose do you seek recognition?

SENATOR HARMON:

For purposes of introductions, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point -- your introduction. I'm sorry.

SENATOR HARMON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I'm delighted to have with me on the Floor today my crack district office staff, Cara Caldbeck and Rob Barren, who've been running the -- the district office very well for many years. I'd ask you to -- to join me in welcoming them to the Chamber today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Thanks for coming and spending time with us today. Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Jacobs.

SENATOR JACOBS:

I -- I have in the gallery today, Moline Mayor Don Welvaert. I'd like the Senate to have the Mayor rise and give him a nice round of applause. He's a good Mayor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Mayor. Thanks for coming. Senator Frerichs, for what purpose do you seek recognition?

SENATOR FRERICHS:

For a point of personal privilege, Mr. President.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR FRERICHS:

I'd like to start by welcoming -- it is a pleasure to welcome the cadets of Lincoln's Challenge Academy to be with us here today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...about that, Senator Frerichs. Let's hold our conversations down.

SENATOR FRERICHS:

I'll start over. It's a pleasure to welcome the cadets of Lincoln's Challenge Academy to be here with us today. Since Lincoln's Challenge was first founded in 1993, many have been impressed with the success of this program. Cadets and graduates who have finished the program leave with their lives significantly changed and many contribute {sic} on path of military and civic service. Lincoln's Challenge Academy is an example of how government helps to provide a hand up to help young people learn how to help themselves and their communities. There are similar programs in twenty-nine other states, but I think we, here in Illinois, can be proud that we have the best challenge academy in the country. And what I -- call on my colleagues here in the Senate in welcoming the cadets from Lincoln's Challenge in the back of the room today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Thanks for coming. Good luck to you. Senator Frerichs, for what purpose do you seek recognition?

SENATOR FRERICHS:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Another point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

State your point, Senator Frerichs.

SENATOR FRERICHS:

Senator Jacobs pointed out a fine Mayor from his district here today. We also have up in the gallery on this side, the Mayor of the Village of Ogden, square in the middle of my district, Mayor Jack Reidner. Would like to invite -- welcome him to visit the Senate today as well.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Mayor. Thanks for coming. Jim Mastri with -- WLS-TV ABC Chicago seeks permission to videotape. Seeing no objection, leave is granted. Randy Squires, Associated Press, freelance, seeks permission for still photography. Seeing no objection, leave is granted. Gordon Graham, WAND-TV, seeks permission to videotape. Seeing no objection, leave is granted. Jason Ronimous, WICS, seeks leave to videotape. Seeing no objection, leave is granted. The Supplemental Calendar No. 1 is being distributed. We'll stand at ease until it is distributed. (At ease) The Senate will come back to order. Supplemental Calendar No. 1. Senator Koehler, on Senate Bill 1716. Do you wish to proceed? Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1716.

Filed by Senator Koehler.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler, to explain.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. This bill is known as the Illinois Religious Freedom Protection and Civil Union Act. It allows adults, regardless of gender, to enter into a civil union, thereby acquiring the same legal obligations, responsibilities, protections, and benefits as afforded or recognized by the law of Illinois that relates to spouses. It incorporates directly or by reference substantial provisions from the Marriage and Dissolution of Marriage Act to -- related to prohibit civil unions, civil union licenses, and the dissolution of civil unions. Expressly, it states that nothing in this Act shall interfere or regulate the religious practices of any religious body and it protects the freedom of religious bodies to choose whether or not to solemnize civil unions. This is a bill that has been worked on with a lot of energy and a lot of passion for some time. I want to read a statement and this is a quote. And I'll tell you who it's from and when it was from after I read it. "I do not wish to save any pockets of prejudice for the future. I have an interest in what happens long after I have left this mundane sphere. I have a couple of grandchildren. And {sic} I want them to grow up in a country of opportunity as completely free from hatred {sic} (hate) and prejudice and bias as can be consummated by legislation, and a maximum amount of good will on the part of lawmakers who will ultimately be the authors of whatever goes on the books." That statement was made on April 16th, 1964, by Senate Minority Leader Everett Dirksen. And I was very happy to hear some of the references to Senator Dirksen that was made in the House last night as this issue was debated. And I want to

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

thank Representative Bill Black for bringing that to our attention, because without Senator Everett Dirksen, there would have been no Civil Rights Act of 1964 or Voting Rights Act of 1965. I'm very fortunate to have the great City of Pekin in my district. Pekin is the home of Senator Dirksen. And so after I heard the comments by Representative Black, I -- I got really intrigued by it, because if you know anything about Senator Dirksen, you know him to be a courageous leader and a man of real principle. And so I happened to call Frank Mackaman this morning, who is the Executive Director of the Dirksen Center, and I told him what the discussion was last night and I said, "just kind of help me to understand the full breadth of what this man did". And he told me, he said, "Dave, Senator Dirksen was involved in civil rights as an issue because he believed it to be a moral cause." And when he first got there in April of 1937, he was instrumental in passing the anti-lynching bill passed that year. He went on to establish in 1953 -- he introduced the first bill in the Senate called the Civil Rights and Privileges Act of 1953. And it goes on and on. Senator Dirksen was not a newcomer to the issue of civil rights. He was a leader and he was a courageous leader. And when asked why the Minority Leader of the U.S. Senate would help pass this kind of legislation, his response was "because it's a moral cause." I know we've had a lot of phone calls, a lot of discussions amongst ourselves, amongst our constituents about this issue. I recently had a call from somebody in my district who had a differing point of view than I do on this and he was very frustrated with me, and he said, "Why do you do this? What -- what motivates you to -- to want to be the sponsor of this

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

bill?" And I thought about all the things I could -- I could say that are the usual arguments that we make about legislation, but I had to relate it in a very personal way. I said, "Because I have a gay daughter." And I said I see this issue now through the eyes of a father who has a gay child. And what it means is that I have one daughter amongst my three who does not have the same rights as the other two. And I don't understand that. And you met my daughter the week before Thanksgiving. Maggie was here with me. Her partner, Brennan, who is Sergeant Brennan Kramer, who has served two tours of duty in Iraq. To me, this is for them. They deserve the same rights and protections that we grant to citizens in the State of Illinois. There's been a lot of talk about what this bill is and what it isn't. Let me tell you what it isn't. It is not gay marriage. As a clergyman, I can tell you that there is something very special about the sanctity of marriage as we define it within our religious institutions. This is not that. This is a secular way of legally providing protection and benefits across the board to all of our citizens. The two issues that I think this affects mostly - and I see this in my role as a -- as a clergyman when I make hospital visits - but when people are involved in a gay partnership and one of those partners gets sick and they go to the hospital, that partner -- the other partner does not have the same rights in terms of -- of following the care of their loved one, and the same way upon a death and settling the estate. You may have partners that have been involved thirty/forty years and there's no legal claim. You could have a long lost brother or sister you haven't seen in thirty years and they come and they lay claim to property which

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

was really joint property by these two individuals. Martin Luther King, Jr., talked about the arc of history and how it bends towards justice. And I think that that really is a description of what America has been. You know, at each age -- within each generation, we have sought to make the American dream more accessible and more available to all of our citizens. And it goes back to some of the issues that we've had to deal with constitutionally even. And this is part of that, because society does change its viewpoints. And the beauty about America is that we are able to incorporate that into our evolution as a nation and as a people. Let me read you something else and I'll tell you where it's from after I read it: Moral -- moral or social equality between different races does not in fact exist, and never can. The God of nature made it otherwise, and no human law can produce it. No human tribunal can enforce it. There are gradations in -- gradations {sic} (gradations) and classes throughout the universe. And from the tallest archangel in Heaven down to the meanest reptile on -- on earth, moral and social inequalities exist, and therefore must continue to exist throughout all eternity. Now that sounds archaic and awful to us at this point. But that was an opinion issued by the -- the 1869 Georgia Supreme Court on interracial marriage. And there was a time in our history when interracial marriage was not allowed. And I knew this firsthand because, in my time right after seminary, when I went out to work for the National Farm Worker Ministry, I encountered a group of Filipino farm workers who had retired and had lived in their own special village that was built for them, and I asked about, well, why -- why are these

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

old retired farm workers all -- you know, all of Filipino descent living in this place? It was because when they were brought to California to harvest the food, they were -- there was no Filipino women brought. And because of antimiscegenation laws, they were not allowed to marry anyone outside their race. And therefore, they grew old without the benefit of having family. And we've changed those laws. And we have evolved. And again, we are part of that arc of history that is bending towards justice. That's what the American dream is all about. So I ask for your support and your vote on this bill because I think it's a time for us to be courageous in our leadership, to put resolve in our grabbing ahold of a piece of that arc, and making it happen for the citizens of Illinois. Thank you and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

Thank you, Mr. President. To the bill: Ladies and Gentlemen of the Senate, I would ask, why civil unions now? We have -- nearly ten percent of Illinois workers are unemployed. Home foreclosures are at all-time historic highs. Our budget is unconstitutionally and catastrophically imbalanced. State pensions are bankrupt. Social services decimated. Education on its knees. We are the incompetence laughing stock of government mismanagement and misplaced priorities. And our one-party leadership spends our time on homosexual civil unions. You know, some people now claim that the most recent Governor's race was lost because the opposition saddled one candidate with social issues despite his protest to the contrary that we should

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

be first and only focused on jobs, the budget, and restoring confidence. Yet, here we are, forced to debate an issue that may be political payback to a small, but very politically powerful, special interest group. Several years ago I offered representatives of the homosexual community to confirm that decisions being made -- made between loved ones, like medical decisions, health care necessities, assets transfers on death, et cetera, would be allowed under Illinois contract law in power of attorney statutes. I even offered to work on consolidating these statutes in one place so that they could be used more easily. My offer was sincere and genuine. However, to this date, years later, I have never heard back from those representatives. You know, perhaps this call for compassion and commonsense middle ground is really smoke screen and charade. The Chicago Sun-Times, which recommends civil unions as an important step to initiating homosexual marriage, reported on November 10th, 2010, of the five states, plus D.C., that now allow homosexual marriage, four began with civil union laws. So it's at the risk of some awkwardness and what many of our constituents should consider grossly misplaced priorities, we now engage in a conversation concerning the most basic questions about the facts of life. Yes, we end up talking about sex. For those who don't accept doctrine from thousands of years of religious tradition of one man, one woman and for those who don't accept public health arguments confirmed by many CDC studies about the dangers of homosexual practices, let me confine my evaluation of civil unions and subsequent homosexual marriage to a natural law platform, and ask the first question, why does government have any valid reason to regulate emotional

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

relationships among people? It is true that marriage is, in part, an emotional union. And it is also true that spouses often take care of each other, thereby reducing the caregiving burden on other people. But neither of these truths is the fundamental reason for marriage. The reason marriage exists is that sexual intercourse between men and women regularly produces children. If intercourse did not naturally produce vulnerable children who add to the population of a country, neither society nor government would have much reason, let alone a valid reason, to regulate people's emotional unions. Government does not regulate nonmarital friendships no matter how intense they are. My goodness, if the purpose of marriage is to take care of parents and siblings, to establish inheritance order, or to provide hospital visitation procedures, why are we not regulating interfamily relations and calling them civil unions? No, what the institution and policy of marriage aims to regulate is the sex, not love and commitment. Marriage exists to solve the major challenge that arises from sexual intercourse between men and women, but not from sex between partners of the same gender. What to do about its potential generation of vulnerable children is the unique point of -- of marriage policy. Now that does not mean that marriage is worthwhile only when it yields children. The law has never taken that view. What a healthy marriage culture does is encourages adults to arrange their lives so that as many children as possible are raised and nurtured by parents who have the greatest natural incentives and instincts to permanently protect them. We wonder why there is so much chaos, pain, and even expense in our society for raising healthy children. Look at new data released by the U.S. Census

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Bureau showing the largest increase in poverty in U.S. recorded history last year. An additional 3.7 million Americans fell into poverty in 2009. Buried in the census report are startling figures revealing the principal cause of child poverty is the collapse of marriage. Single-mother families are almost five times more likely to be poor than are married couples with children. Nearly seven percent, or seven out of ten, poor families with children are headed by single parents and less than eight percent of new single moms are under eighteen years old. So, I believe that we need to stop experimenting with traditional marriage. We are already deeply trapped in the consequences of poor individual choices and public policy decisions. Our focus must remain on self-discipline, self-sacrifice, and the exercise of traditional virtue. I ask you to please vote No.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Duffy, for what purpose do you seek recognition?

SENATOR DUFFY:

To the bill, Mr. President. This civil union...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill.

SENATOR DUFFY:

This civil unions bill has brought out a lot of emotions and created much discussion. I think that is good. The people of Illinois need to stand up and get engaged in politics. I ran for office in the State Senate to encourage job growth, to fight corruption, and to keep taxes low. I was never inspired to run for office due to any specific social issues. As a State Senator, I do not believe that it's my job or place to tell

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

anybody who to love or how they should socially behave behind closed doors. However, I do have some concerns about this bill and so does my constituents, purely on practical financial reasons and concerns. As you know, Illinois is broke. We don't have any money. Our cup of debt is full and we cannot take one more drop of financial strain. As the Minority Spokesperson for the Pensions Committee, our seventy-eight-billion-dollar pension debt is always at the top of my mind. I review every single piece of legislation based on what the financial impact will be on our State and how our current unsustainable pension burden will be affected by it. I have personally talked with Representative Harris, the sponsor of this bill, and I've met with him many times. I greatly appreciate his passion and dedication to this issue. He is fighting for what he believes in his heart to be right. He has overcome many obstacles and has done a great job working this bill and getting it to the Senate Floor for a vote. My question to Representative Harris has been, just as I have questioned every other single bill since I've been in office, is how much will this cost the Illinois taxpayers? What impact will this have on our five State pension systems? If this civil -- civil unions bill passes, will it increase our pension liability by tens of millions, hundreds of millions? Please put me in the ballpark and give me an estimate of how much money this will increase our pension liability if this bill is passed. Representative Harris has done a great job getting information back to me. He's been very thorough and gracious with his time. He has provided me with what he has, but it is clearly apparent that when you look at all the information I received from the Commission of {sic}

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

(on) Government Forecasting and Accountability, the CMS, the Illinois Department of Commerce and Economic Opportunity, and -- and other areas, that we can speculate and offer opinions on the financial impact this would have, but these are all guesstimates at best and that the forecast -- that no one can actually forecast or give any actual cost of what this bill will cost. If I treat this bill like all bills that come across my desk, how can I support it if we don't know how much money this will cost Illinois taxpayers or how we will pay for it? No matter how politically popular or emotionally charged this topic is our State cannot afford to continue to pass any bills until we know exactly how much money it will cost the taxpayers. For all these reasons, unfortunately, I cannot support this bill in this form. In our State's current financial crisis, I believe this Body must be disciplined enough to first and foremost understand the exact short- and long-term costs to every piece of legislation that we vote for in this Chamber. Thank you very much.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator McCarter, for what purpose do you seek recognition?

SENATOR McCARTER:

Questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator McCarter.

SENATOR McCARTER:

Senator, you mentioned in your opening statement that the - - this bill is not a gay marriage bill. Yet, if you could please explain to me how it's different, 'cause I -- I'm looking at it, seeing Sections 5, referring to the law to spouses; 25 -

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

those prohibited from -- from this, being those that are relatives, cousins specifically; and then Section 45 talking about dissolution. It refers to Sections 301-306 of the Illinois Marriage and Dissolution of Marriage Act. So, if you could explain to me how this is different.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Yes, Senator, thank you for your -- or, question. There is a legal framework that certainly borrows from what has been done in other parts of Illinois law and that's very true. This differs because Illinois law also states that marriage is between a man and a woman and to do otherwise is illegal. And this does not overturn that. So this becomes a civil union bill because really we're not talking about the sanctity of marriage here in a religious context.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator McCarter.

SENATOR McCARTER:

So how is Section 25(3), (4) and (5) relevant?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Again, this is language that's taken already in -- in part of the -- the law in other -- other areas. And it sets up a framework legally to be able to have some kind of a process to -  
- to go through.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator McCarter.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR McCARTER:

I -- I guess I don't -- I don't -- I still have concern why -- why that's relevant, why we would be concerned whether someone could -- have a civil union of someone of the same blood or first cousins. I -- I guess I don't understand that. But let me go into another -- what -- what -- can the State truly afford the increased cost by adding on the burden of pensions and health benefits? And -- and -- and do you have a cost estimate for what that is?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Yes, thank you. Let me just go back to your previous question. One of the things you have to understand is that civil unions are not only available for people of the same-sex partnerships, but also heterosexuals. So, this language pertains to -- to some of those instances as well. In terms of the cost, you're aware, of course, that Illinois, in terms of health care benefits, already offers domestic partner benefits and so there is no impact in terms of what currently Illinois is already doing with -- with -- regarding health care. In terms of pensions - and I met with two representatives of the pension boards this morning - there already is a one percent, or close to one percent, extra premium that's charged to each employee that is in one of our pension systems. Upon retirement, if you do not have a survivor listed, you get that money back. If you do have a survivor listed, then you go on and -- and either that kicks in or it doesn't. So, in a sense, everybody has been paying that all along and so, I've been told, the impact is --

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

is neutral. I mean, it could be a slight increase; it could be a slight decrease. But the actuaries have built this in already to the tables of what they've anticipated to be surviving partners.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator McCarter.

SENATOR McCARTER:

Senator, will all employers in the State of Illinois be forced to add coverage and pension benefits to newly formed civil unions?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

It depends on what their current policy is. No -- no one in Illinois is -- is required, at this point, to offer any -- any level of benefits. It'd be the same as if you had a single employee that you hired and they got married. That benefit would extend to that -- that partner in that case. This would likewise extend that.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator McCarter.

SENATOR McCARTER:

...affect hiring within a nonprofit 501(3)(c) {sic} (501(c)(3)) church organization?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Yes. Religious organizations are specifically exempt in the Human Rights Act as employers, and this does not pertain to

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

religious organizations in any way. They are allowed..

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator McCarter.

SENATOR KOEHLER:

I'm sorry. They are -- they are allowed to -- to not participate in that.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator McCarter.

SENATOR McCARTER:

Will this change our education curriculum in the State of Illinois in any way?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

No, I don't see how it would.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator McCarter.

SENATOR McCARTER:

To the bill: You know, it's -- it's amazing, we - and this has already been said - we -- we -- we're under this huge burden of -- of debt. We have a budget that we have failed to be able to balance. It -- it seems to be every -- on everyone's mind, yet we come back here and -- and spend a lot of time on issues like this. Now, I do -- I do recognize and I'm very grateful that we've at least set up panels and commissions to deal with a couple -- a couple of the major cost drivers. That being workers' comp and Medicaid. And I think that's a step in the right direction, but I just -- I just have -- even though I have complete love and respect for everyone that is -- you know,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

wants this to become law, I just believe it's wrong to not show the -- to honor and respect the institution of marriage between a man and a woman. And I think this is the wrong direction to go for the State of Illinois. I just -- I just urge everyone to vote No on this, kindly. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jones, for what purpose do you seek recognition?

SENATOR J. JONES:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill, Senator Jones.

SENATOR J. JONES:

Thank you, Mr. President. You know, I -- I totally disagree with the -- with the sponsor. I mean, this is -- it may be your interpretation that it's not about marriage, but it is and we're starting down that path. If this isn't it, it will be very shortly. And so, philosophically, I -- I just have to oppose it. And we all have friends or relatives, you know, that are gay. If you don't, you're -- you're not reaching out very far, because, you know, I have a lot of good gay friends that I highly respect and -- and support. But I'm -- but I'm telling you right now, this is the wrong path for us to take. And I -- I tell you what's really disturbing to me, Senator Koehler, about this bill coming forward right at this time, we just went through an election and your party's in the majority and it -- and it will continue to be in the majority come January. The Governor will be of your party. He campaigned on this very issue. And -- and that's his privilege to do that. But I have a problem whenever he makes this a priority over what he -- what

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

the other things was that he campaigned on. And he campaigned on jobs and turning the economy around in this State and paying our bills. Yet, as I've witnessed this bill the last couple of days, over in the House when it was being debated yesterday, there is some major pieces of legislation out here that would create thousands of jobs in the State of Illinois and bring revenue to the State of Illinois immediately, put people to work at construction jobs and bringing revenue into this State. Not once have I seen the Governor lobby for any one of those pieces of legislation in the last few days or even weeks or months. But, yes, he walked on the House Floor yesterday and lobbied Members to support this piece of legislation, and it's my understanding he even called some Senators this morning lobbying this piece of legislation. And I have a real problem when our priorities are same-sex marriages and we're not addressing the prime issues of this State. Not once has the Governor come down here in the last few weeks since the election and met with any of us, saying, "Hey, here's how we're going to try to solve the budget. What's your ideas?" We need to get down to that. We need to do those things before we start addressing issues like Senate Bill 1716. Rome is burning folks and we're sitting back watching it happen without doing anything. So, I would ask the Governor, before he really lobbies for this bill, that he get out there and lobby for the things that would put people to work in the State of Illinois and bring revenue into the State so we can pay our vendors. I've got a vendor in my district that we owe over a half a million dollars to, that supplies food to our prisons. We used to have five people bid that. He's the only one left. Do you know what'll happen if I don't -- quit -- if I

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

would quit begging the Governor's Office to pay him each month? If he quit, we'd have riots in our prisons, folks. We need to address the issues of this State. You know, this is something that should never be brought before us, especially at this point in time. And I would strongly urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

SENATOR BIVINS:

Thank you, Mr. President. To the bill: I have great respect for the sponsor and appreciate your kindness and -- and respect you've shown to me since I've come into the Senate. But I also have to respectfully disagree. And while I'm not a member of the clergy or a theologian, over the last three or four decades I have filled the -- the pulpit of a -- of denominational and nondenominational churches many times. And I'm not sure that we're reading the same book, but you and I can have a respectful discussion about that at another point in time. You know, I've heard a lot of arguments about this. I watched a little bit of the Floor debate last night in the House and I watched some blogging and -- and discussion about this on the Internet. And many have argued that this bill is not same-sex marriage. The truth is, this bill sets up another type of marriage. And I've heard also in arguments that many of have said that -- they've invoked the name of Martin Luther King to bolster their positions, but what I haven't heard said was something Doctor King's daughter, Bernice, said, who happens to be a minister, and she said, "I know deep down in my sanctified sole that he did not take a bullet for same-sex unions." That were her words, not mine. Another argument I heard mentioned

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

several times was the perceived need to visit someone in the hospital. On April 15th, President Obama issued an executive order requiring hospitals that receive federal funds, which is about 99.9 percent of all hospitals, to extend visitation rights to the partners of gay men and lesbians and respect patients' choices about who may make critical health care decisions for them. So if that is the intent of this bill and if that's what it's about, that issue has already been resolved. And finally, have you thought about or asked yourself how this would affect the children in Illinois? In Massachusetts, where they have same-sex marriage, all public schoolchildren from kindergarten up are taught that same-sex marriage is just the same as heterosexual marriage. Since same-sex marriage is the public policy of that state, parents are being told that their children must be taught homosexuality, as well as heterosexuality, as young as kindergarten. If civil union/same-sex marriage becomes the official policy of Illinois, you can expect the same in our schools. The mothers and fathers of your districts will not be in support of this and I urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Rutherford, for what purpose do you seek recognition?

SENATOR RUTHERFORD:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill, Senator Rutherford.

SENATOR RUTHERFORD:

Thank you. A number of years ago, we had a piece of

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

legislation in the House when I was there; it was the Human Rights Act, and it did not pass. I later came to the Senate, and I think it was 2004 or 2005, we had the Human Rights Act. And at that time, it was opposed by a lot of people. It was uncomfortable for a lot of people to even have the debate. I voted for that bill because, in my heart, I truly believed it was the right thing to do. And now we have this before us today. This past year, as you all know, I've been all over Illinois. And I mean literally all over Illinois. I've been in your districts. And this legislation today, it is opposed by some and it's uncomfortable for some. But the one thing that I do know about the people of Illinois is that they want fairness. The people of Illinois, they don't want discrimination. There's going to be much said about this legislation. I understand that. But one thing that I do know, it's the right thing to do. I will be voting Yes on Senate Bill 1716.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Schoenberg, for what purpose do you seek recognition?

SENATOR SCHOENBERG:

I rise in support of the motion, Mr. President. Like to speak to the motion.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

You may speak.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We've had some discussion earlier about the role that government plays in regulating interpersonal relationships. We've also had some discussion about the financial implications

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

for the legislation that's before us today. One of the things that makes this nation exceptional and without peer is that one of our guiding constitutional ideals is equal protection under the law. It's a bedrock principle of American democracy. It's a fundamental constitutional right. It, along with other rights and principles, set this nation apart as the greatest in the world from others. And we need to embrace that bedrock principle once again and hold it tighter. Yesterday, in committee, there was discussion about the problems, potential problems, that could be created by equal protection under the law. To me that was unfathomable. I couldn't conceive it. And I asked the question: At what point do religious institutions get to erode or impair equal protection in our society, in a pluralistic civil society? There was no answer. I still haven't received that answer and I don't think I ever will to my -- not just to my satisfaction, but to the satisfaction of people whose political views are often diametrically opposed to mine. In preparation for today's vote, I read through the arguments, I read through the op-ed articles written by Ted Olson. Ted Olson, the Solicitor General under George W. Bush - the conservative's conservative. Probably the top conservative lawyer in the nation. Ted Olson, who along with his adversary in Gore -- in Bush versus Gore, David Boies, Ted Olson argued how essential equal protection under the law is. Ted Olson says that it's clear that individuals are entitled to be treated equally under the Constitution and I'm reasonably confident that this is the right time for these injustices to be vindicated. He wasn't even talking about civil unions. He was talking about something which is distinctly separate from what we're

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

considering today, but which has some of the common arguments in opposition. The role of religious institutions and the role of faith in our community is central. It's important to me in my life. I know it's important to all of you. We have differing viewpoints on that very personal series of questions as well. But we, over time, have taken measures to strengthen and protect not just individual religious freedoms, but institutional religious freedoms, so that people can practice their faith, so that institutions do not violate their religious missions. But we don't compromise; we don't impair. We don't erode equal protection under the law. We are all God's children. We not only make certain that people can function according to their religious practices and values in the workplace and that they're protected by the law, we don't make religious institutions do things which run contrary to their theology. We even provide public support for religious institutions to help the most vulnerable in our society. We provide public support to religious-based hospitals. We don't tell them that they have to assist individuals in -- exercising their rights under Roe versus Wade if that's against the spirit of their religious mission. We don't make them do that. We do provide assistance for faith-based institutions that help the most vulnerable in our society. We do provide support as long as it's not crossing a threshold of sectarian purposes for parochial schools to provide basic educational needs as long as it's not religious instruction. There's a vital role that faith and religious institutions play in our society, in our diverse pluralistic civil society, but we don't have any set of circumstances legally - and I would venture to say morally - that enable us to

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

violate equal protection under the law. Is this harmful to business? Let me tell you. Most companies -- most major companies have already acknowledged these realities in their own personnel policies. And let me share with you another anecdote as well, that occurred to me just this morning. I participate every year and march in the Pride Parade in Chicago. That parade is getting longer and longer every year. There are more and more participants. Why is that? It's because every major bank has a float, every major soft drink company has a float, every major big box retailer has a float, every major liquor distributorship has a float, every major media outlet has a float. Business has already decided, my friends. They've cast their vote on the side of capitalism and they're for this, because they see where their constituency has landed. And I think it's time for us to stand behind Senator Koehler and Representative Harris, and more importantly, all the people in our society here in Illinois in communities throughout the State who want to have their equal protection under the law. You know, my friends, there was an earlier question: Is this going to change the curriculum in our educational system if we pass this into law? And I leaned over and I whispered to Senator Koehler, you know how it'll change it? Everybody who goes to law school, their probate class is going to be a little different - but I'm sure they'll get past it. The implications of this legislation are not only enormous, they're historic. On fundamental civil rights, the transfer of property, survivor benefits, how individuals express their final wishes with their last gasps of life - those are the questions that are really before us. Those are the equal protections under the law that

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

history demands we embrace. And that's why, Mr. President and Ladies and Gentlemen of the Senate, I say it's time for us to look history in the eye and not flinch and vote Aye. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson, what purpose do you seek recognition?

SENATOR SYVERSON:

Thank you, Mr. President. A couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Syverson.

SENATOR SYVERSON:

Thank you. I want to follow along the lines of Senator Duffy. And I think the -- the religious or the -- the social implications and that debate will go on for years and years. But I'd like just to focus on the concerns over the cost of -- of what this might be to the taxpayers of Illinois. As was mentioned earlier, the -- the amount of debt that we have in our State and the fact that we are unable to pay our bills, what is going to happen with this. We mentioned earlier that this is going to have an effect on the five State pension systems, but we're not sure exactly what that cost is going to be. But this would also, in fact, involve the State's health insurance program as well. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

If -- if what you mean is that if organizations already offer health benefits, will this provide equity within their system, yes.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

And this would also include local governments. So townships, counties, cities, school districts, those that currently do not offer domestic partners health coverage or pension benefits, they would fall under this new law as well. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Again, no one is -- is compelled to offer benefits. If they offer a level of benefits, then, yes, this would -- would promote equity within it. Keep in mind though, however, many -- many companies are moving already to coverage that includes employee plus one or employee plus, you know, three for family. And -- and so this would not really alter -- alter that. And many companies already offer domestic partner benefits. So, in that case, the -- the impact is -- is zero.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

They offer that, but in -- for these local governments - we'll just stick to taxpayer-funded programs right now - these local governments who are currently covering these expenses, and in most cases, like school districts, the benefits are significantly richer than what taxpayer health coverages are, and so when the school district, for example, actuarially determines their cost, they're then -- they figure on a certain

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

number of people are going to have spousal coverage or children coverage, and with the passage of this legislation, this, in fact, is going to increase then the number of individuals that will be covered as dependents under a government health plan.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Well, yes and no. It's hard -- it's hard to determine. If you have a school system, as an example, you have many teachers that come in at the entry level that are single individuals and they may get -- get married during the -- the course of working for that employer. Then that would -- you know, if -- if the employer offered benefits, you know, across the board to -- to families, that would -- that would kick that in. And the same way with -- with a civil union, that would promote equity within that. But it's hard to determine what the impact would be. It's -- it's -- you know, it's really no different than having a single employee that -- that's hired that chooses to get married. You would have then an -- you know, an additional cost as well. Most organizations, however, you have to understand, especially with health care benefits, there is a separate premium for that extra coverage and so it -- it also requires an extra contribution on the part of the employee.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

Yes, and I -- and I agree with that. The -- the issue regarding -- yes, a certain number of people are going to be hired as single and they're going to get married and they -- and

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

they figure that cost in. This will add additional costs because there will be additional people now, not just those single people who are getting married, but then those who are adding domestic partners. So that number of people that will come on to a plan will in fact be higher than what it would be without the passage of this legislation.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

I mean, all I can say is potentially. I mean, that's speculation.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

The next question I had was -- is just the logistics. You said religious organizations aren't covered by this. If we have a domestic partner that is already covered under a health plan at another location or another job, and they go to work for -- that individual now goes to work for a religious organization, will that person's domestic partner then be covered under that religious organization's health plan?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

The answer's no.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

That would then supersede federal law that says under

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

portability that a individual can't lose their coverage when they move from one employer to another. So this law would then supersede then what the federal law is under -- under COBRA or portability legislation?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Again, the Human Rights Act of Illinois exempts religious organizations from being included in the category of employer.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

Okay, maybe you could just help me understand that then, what that would -- in that example I just gave, what would be the recourse to that individual? Based on the federal law that's already in place, what's the recourse for that individual's partner when they went to work at this -- with this -- at this institution? What would happen to that domestic partner's health coverage?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

I mean, I -- I really don't know. It depends on how the -- the federal government -- whether they would yield to State law on that or not. Again, what Illinois does is it exempts religious organizations from the definition of employer. And it would really be up to the federal government as to whether they yielded to the State definition.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Syverson.

SENATOR SYVERSON:

Thank you. And -- and just -- just a couple more questions regarding local governmental bodies and what -- and what the potential cost is of this. In -- in other states that have done this, in -- in this case, if I'm reading this right, if an individual and another individual for -- that they want as a domestic -- as a -- as a partner would go down, sign a form at the clerk's office, and at that point, that would be considered a qualifying event, just like it is under insurance if there is a -- a marriage, a divorce, a death, a job change. So, once they went down and signed that paper, that individual, at that point then, would automatically go onto that individual's health plan. They would qualify for automatic -- you know, regardless of the health conditions, come on to that health plan and be covered. Is that...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

And that would be the same situation of -- you -- you could describe in a -- in a heterosexual couple getting married. And the question that you're really raising is that is there potential for -- for fraud and abuse in this. I suppose in the same way that it would be potential within a traditional marriage. One thing that will happen though as -- I think as a -- as a byproduct of this bill, is that it will give a -- a -- a clear definition of who is entitled to domestic partner benefits if a company so offers it, because currently there's no -- you know, there's no real benchmark for that. This now becomes

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

that. A civil union agreement becomes that for an organization. So I think that, in a sense, this -- this helps organizations that already offer the -- the benefits.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

Thank you. And I'll -- and I'll wrap it up with -- with this. Again, as was mentioned, the -- the real concern is the potential cost and -- and I wish there was time to sit down and figure out how we address this potential issue. The -- the concern is that in -- we all know that governmental bodies carry much richer benefit packages than nongovernment individuals. So, obviously, public schools have a significantly richer health plan than what private employers or private schools would have. And the concern is, the way this is -- is written, that anybody that decides to sign up for the -- the reasons of -- if they wanted to, to receive the benefits, they can move on to a -- a richer governmental plan. Those that are in government now that have domestic partners will now -- they can -- they can drop their lesser benefit plans and they would be allowed to automatically go onto the richer government plans. So my concern is that because we have a -- much richer benefit plans, whether it's pensions or health care, than the private sector, that we will see a significant amount of movement into the government health plans, higher than what was actuarially planned on before, which means there's going to be higher costs to local governments, school districts, and employers that don't currently offer this kind of coverage. It's true that employers now cover -- if you add a dependent, you pay a portion of it.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

But the employers cover, in most cases, a large portion of the dependent coverage as well. So, in this case, employers will be required to take on added liability because they will not be able to discriminate, so they'll have to take on that added cost as well. So, again, my concern with this legislation is, the way it's worded, is it is going to be more cost to local governments, there'll be more cost to State governments and more cost to local employers. And unless we can address that, I don't know how in good conscience we can tell taxpayers, the providers out there that are not getting paid today, that we are enhancing our benefit programs and further delaying being able to pay our -- our benefits. So, I appreciate your indulgence and your willingness to work in the future on trying to tighten up the financial cost of how this works so we don't have problems of abuse with that. And so, I appreciate that. And, again, I appreciate the indulgence of the President's time. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SENATOR HUTCHINSON:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the...

SENATOR HUTCHINSON:

My husband is the product of an interracial marriage that occurred in 1960, which was seven years before Loving v. Virginia, which struck down the antimiscegenation laws. When his parents were married, they were of the understanding that

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

there were about four communities that they could settle down in and be safe. They knew they could go to Evanston, Park Forest, Oak Park, or Hyde Park. They chose Hyde Park and had four children. They made a calculated decision on where to begin their life together based on the safety of the family that they were creating. And this was in the face of strong opposition of people who weren't ready to consider a society that was different than the one they were comfortable with, including every argument that began with "What about the children?" I have listened to the statements of people who say that this is marriage and there's no difference. There are heterosexual couples who enter into a contractual relationship called a marriage, where the relationship is acknowledged by the State as a legally binding relationship of two people, with all the rights and responsibilities that go with that. Many of those couples do not choose to participate in the sacrament of marriage, which is conferred by a church or a religious institution. This bill does nothing - absolutely nothing - to change that. It only speaks to the legal and contractual benefits that inure to a union that is recognized by the State. It does nothing to confer any of the federal benefits of marriage and it protects the rights of religious institutions to continue to practice their faith according to their own tenets and their own laws. This bill doesn't take away anything from anybody. But because this touches people in such a profoundly personal way, I thought it best to explain why I will vote in favor. In my home, we teach our children the tenets of our faith, especially those that are grounded in kindness and charity, and that the -- and that the principles of social

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

justice require of us to keep a keen eye towards the humanity of the people that we are defending. My children hear from me - directly from me, out of my own mouth - that gay people deserve all of the love and respect and self-determination and pursuit of happiness that every other human being is worthy of. They teach in our schools. They fight in our wars. They care for our sick. They own property. They run businesses and they contribute to this economy. We don't segregate them when we hire a nurse, a doctor, or an educator. And we don't separate them when we collect their taxes. I represent an incredibly diverse district and that includes people who don't look like me or think like me. I represent deeply religious people, as well as those who have no church home at all. I represent Democrats and Republicans, gay people and straight people. And as a legislator who cares deeply about all of the constituencies that make up the 40th District, I took an oath to uphold the federal Constitution as well as our own State. And very clearly, in our own Preamble, it says that we are to ensure the legal, social and economic justice and fullest development of the individual. Every individual - not just the ones who look like me and not just the ones who think like me. Everyone. This bill is about fairness and it's about equality. And we're standing at the precipice of a decision that history will discuss. We will make a historic decision today - hopefully one for the next generation, not in fear of the next election. I'd like to commend the sponsor for his undying, unyielding, uncompromising and unconditional love for his child. And I look forward to celebrating as we take one step further towards liberty and justice for all. And I would respectfully urge an Aye vote.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

A few questions of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The sponsor indicates he will yield, Senator Haine.

SENATOR HAINE:

Senator Koehler, you've done an eloquent job, and Representative Harris - two good friends - of outlining the -- what's driving the bill, the discriminatory aspects of the difficulties that people have, many of them unnecessary obstacles. And -- and you did focus on the opposition and I respectfully disagree somewhat with some of the comments made about the real concerns about the bill are the costs. That's not what I've been getting. The real concerns about it are the -- the belief on many people of faith that this discriminates against them, that they desire to maintain marriage, not diminish it, and they tell me this diminishes marriage as the optimum institution to raise and nurture children with a father and a mother. So -- now you've taken care in your bill to state to this Chamber that that's not your intent to paint them as bigots or anything of the sort. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Yes, that's absolutely correct. I mean, we need to respect everyone's views on this and we certainly need to uphold the First Amendment.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Haine.

SENATOR HAINE:

Thank you. And just as an historic aside, some of the strongest opponents have been the Catholic Conference of Illinois. And I just, as an historic aside, note that the strongest opponent among all denominations to -- to these laws against interracial marriage in the South were the Catholic churches. As a matter of fact, in a famous case in 1924, the rector of the Roman Catholic Cathedral in Birmingham, Alabama, was shot to death in cold blood by an enraged white man because the monsignor was going to say a wedding mass for the man's daughter and a -- a groom of mixed race. And that man was acquitted in an unjust verdict by a all white jury. Just as -- as an aside. But in the means to further your effort to raise the comfort level of people of faith that have their eye not on discrimination, but upon marriage as an institution, the optimal place to raise children, you've carved out - Representative Harris - Section 15, religious freedom. It states, "Nothing in this Act shall interfere with or regulate the religious practice of any religious body." And you go on to say that "any religious body, Indian Nation or Tribe or Native Group is free to choose whether or not to solemnize or officiate a civil union." Now, I take it from your comments, the intent of this bill is to not make that one item, but two separate -- two separate intents. One is the solemnization of a civil union. That's one sphere. The second sphere is a religious practice, which includes a wide variety of things. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR KOEHLER:

Yes, that is correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

So we should not read them together as just referring to the act of the solemnization of a civil union? Right?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

If I understand your question correctly, yes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

And then therefore - and this is a part of this intent; this has been the worries of these institutions of faith of all denominations, Christian and Jewish - go to their various agencies providing social services, retreats, religious camps, homeless shelters, senior care centers, adoption agencies, hospitals, a wide gamut of things. So, that's covered under the first sentence.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Yes. The -- certainly the intent of Representative Harris and I is not to at all, you know, impede the rights that religious organizations have to carry out their -- what their duties and -- and religious activities are.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. And I appreciate that very much, your work on this bill. And the -- the -- it -- it is not their intent, once again, from what I can gather, to discriminate against anyone. It is their intent to, at all times, uphold the institution of marriage, and that's part of their core belief, as the essential element of nurturing children and providing for the future. So, I appreciate your work on this, and -- and you and Representative Harris, you've always been gracious and gentlemen. And I understand. I wish there was a way to accommodate what's driving the bill. I would support that. But at this time, I cannot. But I -- I appreciate very much what you've done so far. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Steans, for what purpose do you seek recognition?

SENATOR STEANS:

To the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill, Senator Steans.

SENATOR STEANS:

First, I really want to commend Senator Koehler, our sponsor here. I think he sort of epitomizes the famous iron hand in a velvet glove. The delicacy with which he has handled this very complicated and sensitive issue, yet with a determination and such an iron will behind it, has just been remarkable to me on a personal level. And to Representative Greg Harris, the sponsor in the -- in the House, who -- his incredible commitment for numerous years and his hard work is

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

what has gotten it to this point where we're able to be here on the Floor of the Senate today speaking about this legislation. And then to the many advocates who are sitting in our balconies and -- and behind our doors of this Chamber and to the folks across the State who have been working for fairness for our LGBT friends, family, neighbors, and colleagues for years, in the interest of basic fairness. You know, Representative Harris and -- and, today, Senator Koehler have quoted Dr. Martin Luther King, as he had said regularly during the historic civil rights movement, "The arc of the moral universe is long but it bends towards justice." I want to build on that and -- and note that more recently on the fortieth anniversary of Dr. King's assassination, President Obama added, that while the arc bends towards justice, it does not do so on its own. It bends because each of us in our own way puts our hand on that arc and we bend it in the direction of justice. You know, we are privileged here in this Chamber today. We have the honor of being able to help, putting our hands on that arc, and very symbolically, our fingers, in fact, on that green button, to help bend our moral arc in the direction of very fundamental human justice. The civil unions bill will ensure access, equal access, to all couples in Illinois to numerous rights and benefits and protection guaranteed to married couples. You know, I have one Representative from -- that we worked with in this Chamber, Larry McKeon, who was not able to be with his partner when he died in a hospital because he had forgotten, in the trauma and the moment of his partner becoming ill, to bring with him his document proving he was able to have visitation rights. He had to go back home to get that, and when he came back, he was not

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

able to be with his partner when his partner passed away. You know, this bill would make sure emergency medical decision-making power and hospital visitation rights are available to all. There's another -- partners in my district who -- they were -- a committed relationship, very long-term relationship. One was a stay-at-home partner, ultimately became ill and really relied on his partner. Well, that partner, the healthy one, unexpectedly died. They did not have a will in place. He was young. It was unexpected. Because they had no legal grounding, this partner became destitute and had no one to care for him. These stories go on and on. This is real. It's providing fundamental justice and equity on a whole range of -- of laws and issues. This provides equal access to nearly six hundred and fifty rights. And the reason we do that, these rights are -- provided as a cornerstone to heterosexual couples, because it's a cornerstone of our values, these coming together and trying to protect these kinds of family relationships. Some try to argue that this legislation's going to weaken the institution of marriage. I believe the fact the opposite is true. My good colleague, Senator Schoenberg, quoted Ted Olson, a very conservative attorney. And he also said that "same-sex unions promote the values conservatives prize". They're one of the basic building blocks of our neighborhoods and our nation, providing a stable bond between two individuals who work to create a loving household and a social and economic partnership. This is a legacy vote. It makes a statement about the justice for which we stand and will be critically viewed by our children, our grandchildren, future generations. You know, all the great civil rights advances, whether it women suffrage or

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

ending Jim Crow segregation laws, were controversial in their day. But with the hindsight of time, they all get viewed as ultimately just and inevitable. For those of you considering a No vote, I ask you to remember the famous segregationist, Senator Robert Byrd, who came to regret filibustering and voting against the Civil Rights Act and would change it if he had the opportunity. Or remember Justice Powell, who acknowledged that he made a mistake when he voted against the right to privacy in the case that upheld the criminalization of consensual sex between same-sex partners in the Bowers versus Hardwick. The Supreme Court itself acknowledged the same mistake when Justice Kennedy declared that Bowers decision overturned in a 2003 Supreme Court decision. Powell's regret came just four years after deciding vote in the case. And the U.S. Supreme Court overturned this shameful decision in less than thirteen years later. And not only is this vote for civil unions a vote for justice, it's appropriate for our time. And the majority of Illinois residents support this measure no matter their race or religion. Today we are incredibly privileged, and I find it enormously humbling, to have the opportunity to be part of bending the moral arc of justice. And I very much hope that you will join me in -- in voting Yes on this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. We would like to welcome Governor Pat Quinn to the rear of the Chambers. Thanks for coming. Senator Noland, for what purpose do you seek recognition?

SENATOR NOLAND:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

To the bill, Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Today, at long last, we vote on the final and unavoidable question of civil unions in the State of Illinois. This vote calls for us to extend, regardless of gender, the same legal obligations, responsibilities, protections, and benefits as are afforded spouses under the Marriage and Dissolution of Marriage Act in Illinois. Our nation was founded, Mr. President, upon the principle that with respect to our pursuit of happiness, each of us are created equal, one to another, and that the rights of everyone are diminished when the rights of any one of us are threatened. Today, we are engaged in the continuing struggle to defend the right of those in committed family relationships, irrespective of gender, to receive equal services in places of public accommodation, such as hospitals, our courts, and places of employment, without first having to produce proof of legal authorization under powers of attorney. I rise in support of the notion that it ought to be possible for individuals in such a committed relationship - again, irrespective of gender - to be treated as one would wish their family members to be so treated. But, unfortunately, this is not the case in Illinois. That said, I recognize that this is not a regional issue in our State, for difficulties and discrimination based on gender exists in every city, every county, every enclave of -- of Illinois, producing in many instances chronic frustration, even depression, that may drive some individuals to extreme acts of desperation. Neither should this be a partisan issue. We have come far on the issue of

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

civil rights and today good men and women of both sides of the aisle should be able to unite behind this very straightforward issue and set aside matters of party and politics. So, ultimately, this is not even a legal or legislative issue, for the law alone cannot change what is in our hearts. We are at long last confronted with a moral issue, which essentially asks the question of whether all Illinois residents are to be afforded equal rights and equal opportunities or whether we are going to treat our fellow citizens as we wish to be treated. If someone we know, because of his or her gender, cannot provide health care or extend retirement benefits; if he or she cannot pass on property to the ones they love; if, to the point, he or she cannot enjoy the full protections of our State and U.S. Constitutions, then who among us would be so willing to so restrict our own rights? Who among us would be willing in this manner to inevitably be prevented from assisting the ones we love? Again, legislation cannot solve this problem of discrimination. It must be solved in the homes and the hearts of every citizen in every community across this great State. We send young people from Illinois to fight for freedom throughout the world and we teach our children here at home that all men are created equal. But are we to say to the world, and much more importantly, to each other, if not our children, that this is a State where all are created equal except for those born with differing gender affiliation; that we have no second class citizen except the gay or the lesbian; that we have no discrimination, no gender bias except with respect to the gay or lesbian? We have previously voted to uphold the principle that such discrimination is not allowed in the conduct of housing and

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

employment law here in Illinois. Now comes the time for our State to complete this promise. I urge the General Assembly and, of course, this Senate to make a commitment that is not fully made, to the notion that discrimination based on gender has absolutely no place in life or law in Illinois. We are one nation under God, and just as God made men and women of many ethnicities, inheriting their external features as something beyond their control, so, too, I believe God made many of our fellow citizens, our friends, and many of our own family members with differing internal features as well. Indeed there are many studies to suggest that as many -- as much as ten percent of our population is gay or lesbian. Upwards of sixty-five percent of the people in the State of Illinois support -- accept this and, in turn, support this legislation. How can we say to them and to their families that they cannot have the right to -- to care for loved ones in need or to pass on property under our laws of inheritance? We owe them and we owe ourselves and our children a better State than that. That is all that the vast majority of the people of this State are asking, is a question of fairness. Nothing more and nothing less. And in answering it, I ask the support of my fellow colleagues in this Chamber and all the good people of this great State. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hendon, for what purpose do you seek recognition?

SENATOR HENDON:

Thank you, Mr. President. The President asked if somebody pressed my button by mistake. I think maybe I did. I wasn't going to say anything on this bill. The new Rickey Hendon is much quieter than I used to be. I -- I said some things during

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

the gubernatorial campaign that got me in a little trouble and got my blood pressure up. I do want to say, for the record, that I attempted to apologize to Senator Brady today, but he didn't feel like hearing it. But that's all right. This bill is dear to my heart because of what happened in my family with my uncle - my favorite uncle. We all have a favorite uncle, you know. The one you think that'll never die. Uncle Ray. Ray Garrett. Uncle Ray was straight, Donne. And this bill is not just for same-sex couples, it's for people who might not remarry for different reasons. Uncle Ray was married a couple times. The last time, he decided he wasn't going to get married again, but him and Aunt Sue stayed together over thirty years. On his deathbed, I went to Cleveland to see my favorite uncle. You know that uncle, the clean uncle, Kim. You know what -- all new suits every year, get a brand-new Cadillac every year. He had a job. And the one you think that'll never die. But Uncle Ray got old and he died. But, on his deathbed, he told me, he said, "Rickey, when you get ready to make your transition, you make sure that the person that's there with you, you make sure it's real love. Make sure that they really love you." And it was crazy at his homegoing because his children and Aunt Sue didn't get along, so she had no rights. Uncle Ray wanted Aunt Sue to handle his final arrangements, because who better than the person that has slept with you and lived with you and cooked your food and changed your dirty drawers? Who better will know what you want for your final arrangements than that person? But Aunt Sue didn't have no rights 'cause civil unions wasn't available to them. And he told me, "Rickey, you -- you see my - - you see my situation. Make sure yours is not like that." At

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

his funeral they had two obituaries. Two different obituaries. The one that his soul mate put out. The one that my dear cousin, who I love dearly, put out. It's not right. Why not allow people to have that person that they love the most, who they've been with, their soul mate, whether they're married or not, help make their final arrangements? A lot of you have tried to make this about Pat Quinn. That's why I hate politics so much - the hypocrisy. When Governor Quinn came on the Floor, some of you didn't even stand up, didn't even clap. Wouldn't have clapped, no matter what. And he's a good, decent, honest man. It's about politics. This shouldn't be about politics. Yeah, I got the call from Congressman Davis. I got the call from Commissioner Horton, saying, "Rickey vote for this bill." But I'm not going to vote for it because they asked me to or because of the politics; it's the right thing to do. I hate the hypocrisy. Aren't you sick of the hypocrisy by now? When I sit here and I hear adulterers and womanizers and folks cheating on their wives and down-low brothers saying they're going to vote against this bill, it turns my stomach - the hypocrisy dripping in this Chamber right now. We know what you do at night. And you know too. Why not just call it like it is? Why make it about pensions and you know pensions -- it's not about pensions. Just say you don't like certain folk. Toi talked about her -- the marriage, the interracial relationships, and somebody invoked the name of Barack Obama. Guess what? He came from an interracial relationship. Somebody invoked the name of Dr. Martin Luther King, who wouldn't even have given him a glass of water had he been thirsty. So let's not play the games. At least tell the truth. You know, I'm a Christian. Might not

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

believe it, but I'm a Baptist. Saved and sanctified. Dipped in the holy water when I was twelve years old. I'm going to go to heaven when I die, but I'm going to vote for this bill. It ain't going to send me to hell and it won't send you there either. I heard all -- a lot of crazy stuff about the fall of Rome and the Grecian Empire and -- and when they did this. Guess what? There are other states that have same-sex marriage and they still functioning. God ain't sent lightning down to destroy those states. He's not going to do it to destroy Illinois, I don't believe. I pray every day, every morning, every night, in the middle of it, so much mess going on. Don't -- don't be a hypocrite. Even -- I respect those who are not going to say anything more than I do those who get up and try to make it about something else. We should pass this bill. We should do it now and get it -- get it over with. It's not going to destroy America. It's not going to destroy our great State. It's just fairness, you all. That's all.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. I'm just reminded, if -- I don't know about you, but I think all of us should be very happy that Senator Hendon lost that primary for Lieutenant Governor. I hope he stays with us for a long time, Rickey. I really do. I'm glad you're here. I just want to be very brief. I want to thank Greg Harris, Representative Harris, for doing the work he did in the House to pass this bill. I don't think there's a better sponsor for this bill imaginable in this Body than Senator Koehler. I want to congratulate you on your sponsorship

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

and your commitment to this. I know, for many of you here, this is a very, very difficult vote. I just encourage all of you to recognize that your vote today is a vote for fundamental fairness, for equal rights, and as a Body, we have to pass this bill. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler, to close.

SENATOR KOEHLER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I know it's traditional when you're in Illinois to always quote Abraham Lincoln for everything, but I got to admit that when Frank Mackaman sent me these pages of quotes from Everett Dirksen, I found -- I felt inspired. And I want to put this in context because, no, Dirksen wasn't talking about civil unions. He was talking about civil rights. But you got to remember the time and the place that he was at when he was leading the charge against the grain of his own constituents and -- and his own party in some cases. And so I'm going to end with a quote from -- from Senator Everett Dirksen. He says, "I am no Johnnie-come-lately in this field. Thirty years ago, in the House of Representatives, I voted on anti-poll tax and anti-lynching measures. And {sic} since then, I have sponsored or cosponsored scores of bills dealing with civil rights." He goes on to say, "It is said on the night that he died, Victor Hugo wrote in his diary, substantially this sentiment: 'Stronger than all (the) armies is an idea whose time has come.' The time has come for equality of opportunity in sharing in government, in education, and in employment. It will not be stayed or denied. It is here." There is moral basis for our cause. I just want

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

to acknowledge that joining us in the Chamber are my daughter Maggie and her partner, Brennan. Thank you for coming. I also want to acknowledge all the work that's been done by Representative Greg Harris, because he has been really the one that has championed this cause. And it's been a pleasure for me to work with you, sir, on this bill. And I ask for your Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1716. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are -- there are 32 voting Yea, 24 voting Nay, 1 voting Present. Senate Bill 1716, having received the required constitutional majority, is declared passed. Senator Harmon, for what purpose do you seek recognition?

SENATOR HARMON:

Thank you, Mr. President. Having voted on the prevailing side, I now move to reconsider the vote on the concurrence motion filed on Senate Bill 1716.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler, for what purpose do you seek recognition?

SENATOR KOEHLER:

I move to table the motion.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler -- Senator Koehler moves to table the motion to reconsider. Senator Koehler moves that the motion to reconsider be tabled. Pursuant to Senate Rule 7-10(a), a motion

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

to table is neither debatable nor amendable. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion is tabled. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will come to the President's Anteroom immediately. The Senate stands at ease.

(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Lightford in the Chair. The members of the Committee on Assignments, will you please come to the President's Anteroom immediately? Members on the Committee on Assignments, will you please come to the President's Anteroom? Thank you.

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Madam Secretary. The Senate will come to order. Ladies and Gentlemen, the Senate will come to order. Madam Secretary, Messages.

SECRETARY ROCK:

A Message from the House by Mr. Mahoney, 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 150.

Together with the following amendments which are attached,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1 and House Amendment 2.

We have received like Messages on Senate Bill 362, with House Amendment 1, and Senate Bill 389, with House Amendments 1, 2 and 3.

They passed the House, as amended, December 1st, 2010. Mark Mahoney, Clerk of the House.

A Message from the House by Mr. Mahoney, 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 678.

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.

We have received like Messages on Senate Bill 2559, with House Amendment 1, and Senate Bill 3708, with House Amendment 1. They passed the House, as amended, December 1st, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will all of the members please, on the Committee of Assignments, come to the President's Anteroom immediately? The Senate will stand at ease.

(SENATE STANDS AT EASE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne in the Chair.

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Senate will come back to order. Madam Secretary, Senate Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Executive Committee - Motion to Concur with House Amendment 1 to Senate Bill 678, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 2485, Motion to Concur with House Amendment 1 to Senate Bill 2843, Motion to Concur with House Amendment 1 to Senate Bill 2878, Motion to Concur with House Amendment 1, House Amendment 2 and House Amendment 3 to Senate Bill 3388, Floor Amendment 1 to Senate Bill 3973, Floor Amendment 3 to Senate Bill 737, and Motion to Accept the Specific Recommendations for Change to House Bill 5863; refer to the Pensions and Investments Committee - Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 550, Motion to Concur with House Amendment 1 and House Amendment 3 to Senate Bill 3538; refer to the Revenue Committee - Motion to Concur with House Amendment 1 to Senate Bill 3776, Motion to Concur with House Amendment 1 to Senate Bill 2559, and Floor Amendment 3 to Senate Bill 3952; and Be Approved for Consideration - Floor Amendment 3 to Senate Bill 458.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Filed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please listen up for committee announcements. Please listen up for committee announcements. At 3:15, Pension and Investments Committee will meet in Room 409. Again, Pension and Investments will meet in Room 409 at 3:15. At 3:45, Exec Committee will meet in Room 212. At 3:45, Exec Committee will meet in Room 212. And at 3:45, Revenue Committee will meet in Room 400. Revenue Committee will meet in Room 400 at 3:45. We're going to proceed with action -- Senate action. Top of page 3. House Bills 3rd Reading. House Bill 306. Senator Jacobs. Senator Jacobs. House Bill 306. Senator Jacobs -- seeks leave of the Body to return House Bill 306 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 306. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, to explain the amendment.

SENATOR JACOBS:

Thank you, Mr. President. This bill corrects a drafting error. It -- it equalizes what the police and the firefighters have to pay to reclaim military service. I know of no known opposition. It came through committee with flying colors.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

House Bill 306.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, to explain the bill.

SENATOR JACOBS:

I just ask for your affirmative support. It creates a -- or, corrects a drafting error that we passed in the last legislative Session.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 306 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 55 voting Yea, none voting Nay, none voting Present. House Bill 306, having received the required constitutional majority, is declared passed. House Bill 1457. Senator Schoenberg. Senator Schoenberg. Senator Schoenberg. Out of the record. House Bill 1510. Senator Demuzio. Senator Demuzio. Senator Demuzio. Senator Demuzio. Out of the record. House Bill 1516. Senator Sandoval. Senator Sandoval. Senator Sandoval. Out of the record. House Bill 2263. Senator

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Kotowski. Senator Kotowski. Out of the record. House Bill 2376. Leave of the Body, we will return. House Bill 3217. Senator Sullivan. Out of the record. House Bill 3806. Senator Koehler. Senator Koehler. Senator Koehler. Out of the record. House Bill 4934. Senator Dillard. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 4934.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard, to explain the bill.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen. This bill stems from a Chicago Tribune investigative report over many different issues over the summer that reveals that Illinois doctors convicted of sex offenses against patients continue to practice. My bill ensures better regulation and monitoring of these cases. It is similar to a bill that Senator Sandoval has stuck over in the House of Representatives. And Senator Sandoval has signed on as a cosponsor to this legislation. But it is shocking when it is revealed that doctors accused of sexually assaulting their patients are allowed to continue to see patients, treat patients, even after they are found guilty of some crimes. You know, when you go to a physician, you think and hold physicians in the highest of our best interest. And to have sex offenders in Illinois - and the Tribune has revealed that there are some sixteen or seven of these -- seventeen of these - practicing medicine, to me, is -- is unbelievable. So,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

what this bill does, it's my intention never to allow sex offenders to practice medicine in the State of Illinois. And it sets up a system, a much better communication system, between State's attorneys and the -- the State department which regulates physicians, and this ensures the safety of patients. I mean, I guess, last but not least, Mr. President, you know, a -- a sex offender can't drive a school bus, yet they could be a pediatrician in the State of Illinois, and that is just simply wrong and we need to fix this system, have better communication between local law enforcement and the Department which regulates physicians in Illinois. And that's what Senator Sandoval and my bill does and I'd appreciate an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4934 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 57 voting Yea, none voting Nay, none voting Present. House Bill 4934, having received the required constitutional majority, is declared passed. House Bill 5057. Senator Cullerton. President Cullerton. 5057. Out of the record. House Bill 5224. Senator Wilhelmi. Senator Wilhelmi. Senator Wilhelmi. Out of the record. House Bill 5635. Senator Righter. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 5635.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Righter, to explain the bill.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chambers. House Bill 5635 is a TIF district extension for the City of Charleston in my district. The current TIF district expires on December 20th. This would be a twelve-year extension. All of the supporting paperwork from all of the applicable taxing bodies has been collected by myself and shared with both staffs. But I'm happy to answer any questions anyone might have.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5635 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 55 voting Yea, none voting Nay, none voting Present. House Bill 5635, having received the required constitutional majority, is declared passed. With leave... We will stand at ease for a moment. (At ease) Senator Lightford in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne indicates he wish to proceed on House Bill 6063. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 6063.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR CLAYBORNE:

Thank you, Madam President. 6063, as amended, eliminates language restricting participation in the Comprehensive Community {sic} (Care in) Residential Settings Demonstration program to only those programs involved in the now defunct Community-Based Residential Facilities demonstration program. It eliminates reference to a defunct advisory committee and -- and to an evaluation that has since been completed. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall House Bill 6063 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yea, 0 voting Nay, 0 voting Present. House Bill -- 6063, having received the required constitutional majority, is declared passed. House Bill 6267. Senator Clayborne, do you wish to proceed? He indicate that he does. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 6267.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam Secretary {sic}. House Bill 6267 deletes all and becomes -- the amendment deletes all and becomes the bill. This is a trailer bill. It pledges that the State of

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Illinois not to impair any contracts between utilities and clean coal synthetic natural gas facilities. No. I'm going to take this out of the record. I'll take this out of the record.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

House Bill 6267 out of the record. Madam Secretary, House Bill 5224. Senator Wilhelmi, do you wish to proceed? He indicates that he does. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5224.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam President. It's good to have you in the Chair today. Nice to see you. First - this bill does two things - first, the amendment -- the bill clarifies the current provision that requires notice of -- of a foreclosure and the confirmation of sale to be sent to the municipality in which the foreclosed home is located. This is an initiative of the Illinois Credit Union League. And second, the bill requires that the order confirming judicial sale of a foreclosed property must be sent to the last-known property insurer of the foreclosed property. This piece is an initiative of State Farm. These two components were in a bill, House Bill 5055. We are continuing in negotiations on the underlying concept of 5055. These two provisions were added to that bill. Want to make sure that those definitely pass in this Chamber and -- and get to the Governor. I'd be happy to answer any questions and I ask for

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

your support.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR LAUZEN:

A question -- a couple of questions for the sponsor.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

Senator, my -- my analysis said that, at one time, there was objection and opposition from the retailers -- or, the Realtors Association. Have their concerns been satisfied in the negotiations?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam President. Senator Lauzen, I will -- it is my understanding that, yes, they have been and I will double-check that and let you know. But, as I stand here today, I -- I know that -- of no opposition to this measure.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Lauzen.

SENATOR LAUZEN:

Okay. There was -- well, there's opposition. I -- I understand that this is -- this is -- who goes and does the foreclosures? If I'm not mistaken. 5055.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Wilhelmi.

SENATOR WILHELMI:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Yes, Senator. As I said earlier, the underlying bill -- the original bill was House Bill 5055. There were three components of that bill. I think the -- the question you asked, this last question, relates to the selling officers as -- and versus the -- the county sheriffs and who can do judicial sales. The other two pieces are in now -- in this bill, House Bill -- 5224, so we're making sure that the -- two out of the three provisions that were in House Bill 5055 survive through this piece of legislation. Who does the judicial sales is something I'm working on with many stakeholders, including as you mentioned, the Realtors.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any further discussion? Seeing none, Senator Wilhelmi, to close.

SENATOR WILHELMI:

I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall House Bill 5224 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Yea, 0 voting Nay, 0 voting Present. House Bill 5224, having received the required constitutional majority, is declared passed. Senator Clayborne in the Chair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

On page 4, on the Order of House Bills 2nd Reading, is House Bill 354. Senator Kotowski. Madam Secretary, read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

House Bill 354.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Bomke, on House Bill 1450. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1450.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. House Bill 1617. Senator Dahl. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1617.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. House Bill 1720. Senator Steans. Madam Secretary, read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

House Bill 1720.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Have there been any Floor amendments approved for -- for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. House Bill 5420. Senator Cullerton. Senator Cullerton. Senator Cullerton. Out of the record. House Bill 5424. Senator Cullerton. Senator Cullerton. Senator Cullerton. Out of the record. House Bill 5756. Senator Koehler. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 5756.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Telecommunications and Information Technology adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Have there -- have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Going to the middle of page 6. On Concurrences is Senate Bill 2800. Senator Collins. Do you wish to proceed? Madam Secretary, read the motion.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SECRETARY ROCK:

I move -- I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2800.

Filed by Senator Collins.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Collins, to explain.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The amendment extends the sunset on the Medical Practice Act of -- I'm sorry. Let me start over. The amendment extends the sunset on the Medical Practice Act of 1987 to November 30th, 2011. It's a one-year extension. It's a -- just a technical amendment.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments {sic} No. 1 to Senate -- Senate Bill 2800. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 52 voting Yea, none voting Nay, none voting Present. Senate Bill 2800, having received the required constitutional majority, is declared passed. Turning to top of page 7 -- 7 is Senate Joint Resolution 80. Senator Lightford. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Joint Resolution 80.

Filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Lightford, to explain the motion.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 80 is a resolution that acknowledges studies that have shown that children provided with recess are more focused, on-task, and able to concentrate on educational material than those who are not afforded a recess period. And, actually, this began as a concern in the Chicago public schools that many students were not allowed recess. The conversation extended statewide. Perhaps we can find out some ways to better improve providing recess, how is it working in different districts across the State. And instead of moving forward with the mandate of recess, to create a task force that can come together across the State quickly to find out the barriers that schools are facing in providing daily recess to age-appropriate students. They would provide a report to the General Assembly and the Governor. It'll come really quickly, by January 1 of 2011. And so I'm hoping that we could pass this measure, give them an opportunity to convene a number of times and come up with some suggestions. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in Senate Joint Resolution 80. 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. There are 47 voting Yea, 4 voting Nay, none voting Present. Senate Joint Resolution 80, having received the required constitutional majority, is

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

declared passed. Senator Trotter, for what purpose do you seek recognition?

SENATOR TROTTER:

Thank you very much. Point of -- announcement. I'm sorry. Yes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state -- please state your -- your announcement.

SENATOR TROTTER:

Thank you -- thank you very much. The Democrats will be meeting. We're caucusing in the President's Office immediately upon recess.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That is in order. Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

We will likewise caucus for the same time frame.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That is in order. The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports and for further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will come to order. Will the Members be at their desks? WFLD-TV and the Illinois Statehouse News seek leave to videotape the proceeding. Is there any objection? Seeing none, leave is granted. Madam Secretary, Committee

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Reports.

SECRETARY ROCK:

Senator Raoul, Chairperson of the Committee on Pensions and Investments, reports Motion to Concur with House Amendments 1 and 2 to Senate Bill 550 and Motion to Concur with House Amendments 1 and 3 to Senate Bill 3538 recommended Do Adopt.

Senator Viverito, Chairperson of the Committee on Revenue, reports Senate Amendment 3 to Senate Bill 3952, Motion to Concur with House Amendment 1 to Senate Bill 2559 and Motion to Concur with House Amendment 1 to Senate Bill 3776, all recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment 3 to Senate Bill 737, Senate Amendment 1 to Senate Bill 3973, Motion to Concur with House Amendment 1 to Senate Bill 678, Motion to Concur with House Amendment 1 to Senate Bill 2843, Motion to Concur with House Amendment 1 to Senate Bill 2878 and Motion to Accept the Specific Recommendations of the Governor as to House Bill 5863, all recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HARMON)

Would all Members within the sound of my voice please be on the Senate Floor? We are going to turn shortly to substantive final action. Would all Members within the sound of my voice please be on the Senate Floor? We are turning to substantive action. Ladies and Gentlemen of the Senate, Senate Supplemental Calendar No. 2 has been distributed to the Members' desks. On the Supplemental Calendar, we have two orders of business. The second order is Motions to Accept Specific Recommendations for Change. Senator Burzynski, are you ready to proceed on your

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

motion on House Bill 5863? Madam Secretary, please read the gentleman's motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to House Bill 5863 in manner and form as follows. Filed by Senator Burzynski.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Burzynski, to explain your motion.

SENATOR BURZYNSKI:

Thank you, Mr. President. The Governor's amendatory veto delays the effective date, which will allow us to address issues related to the implementation of this Act. So, very much in support of that.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 5863 in the manner and form set forth in the motion. 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. The specific recommendations of the Governor as to House Bill 5863, having received the required constitutional majority, are declared accepted. Turning to the Order of Secretary's Desk, Concurrences, at the top of the Supplemental Calendar. With leave of the Body, we will return to Senate Bill -- 550. Senate Bill 678. Senator Sullivan, do you wish to proceed? Madam Secretary, please read the motion.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 678.

Filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan, to explain the motion.

SENATOR SULLIVAN:

Thank you. The -- so this is a concurrence. So, what we've done, we've taken the original bill and -- and gutted it. This is a whole new piece of legislation. It amends the Clean Coal FutureGen for Illinois Act by extending the sunset date from December 31 of this year to March 1st of next year. It makes changes indicating that the focus of the FutureGen project will be shifting from building and operating a coal-fired power plant to transporting and storing the captured CO2. Makes some other changes in the language. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 678. 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 Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 678, and the bill is declared passed. Continuing on the Calendar. Senate Bill 2559. Senator Maloney. Madam Secretary, please read the motion.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2559.

Filed by Senator Maloney.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Maloney, to explain your motion.

SENATOR MALONEY:

Thank you, Mr. President. Currently, the Cook County Treasurer's Office is required to hold an annual tax sale -- tax sale ninety days after due date for the second installment of property tax bill. In Cook County, the second installment is to be paid on March -- or, I'm sorry, December 13th. The tax sale would be around March 10th. Traditionally, Cook County has over a hundred thousand parcels of eligible property to have their taxes sold at this yearly sale. What this bill would do is allow Cook County to hold its sales -- the tax sale later in the calendar year, allowing thousands of homeowners to -- who are delinquent to pay their property taxes on time and pay their back taxes. What happens is they -- while they're trying to collect this -- or, trying to do this tax sale, people are still coming in with their taxes. So, this would be logistically easier as well for the county treasurer. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2559. 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

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

that question, there are 56 voting Aye, none voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2559, and the bill is declared passed. Next on our Calendar is Senate Bill 2843. Senator Bivins. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2843.

Filed by Senator Bivins.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Bivins, on the motion.

SENATOR BIVINS:

Thank you, Mr. President. Basically, the House amendment changes the number of task force members and also extends the reporting deadline on the Senate bill. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2843. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2843, and the bill is declared passed. Next on our Calendar is Senate Bill 2878. Senator Althoff. Madam Secretary, please read the motion.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2878.

Filed by Senator Althoff.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff, on your motion.

SENATOR ALTHOFF:

Thank you, Mr. President. The motion is very simple. We change the effective date from December 31st, 2011, to being effective one year from the date that the bill takes effect.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2878. 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 49 voting Aye, 5 voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2878, and the bill is declared passed. Next on the Calendar is Senate Bill 3538. There has been a change in sponsorship. Senator Link has been made the chief sponsor of this measure. Senator Link, are you ready to explain the motion? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 3538.

Filed by Senator Link.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Link. We'll stand -- at ease for just a moment as the sponsor prepares to present his motion. (At ease) Senator Link, you ready to proceed? Madam Secretary, please read the motion. You already read the motion? I apologize. Senator Link, to present the motion.

SENATOR LINK:

Thank you, Mr. President. Senate Bill 3538 makes comprehensive changes to the pension benefits of public safety employees, including funds and reforms of fire and police pensions across the State. The benefit reforms includes an increase in the age of retirement from fifty to fifty-five. The COLA would be reduced from three percent compounded to one-half of CPI increase up to three percent. Final average salary would be calculated on a eight-year average rather than last day of pay for downstate fire and police. And a four-year average used by Chicago funds. The bill also includes funding reforms, putting all fire and police funds on a schedule to reach ninety percent... Mr. President, could I take this out of the record right now?

PRESIDING OFFICER: (SENATOR HARMON)

Out of the record. Senate Bill 3776. Senator Wilhelmi. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3776.

Filed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Wilhelmi.

SENATOR WILHELMI:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3376 {sic}, as amended, provides an additional layer of accountability and transparency when an issuer of conduit debt without jurisdiction over a project seeks to issue conduit debt in Illinois. This bill requires any State, regional, county or city issuer holding a host TEFRA process on behalf of an issuer not subject to Illinois policies and law to give the Governor the opportunity to review the project and ensure that the project is in the best interests of the State of Illinois. We're simply asking other entities to meet the same standards of accountability and transparency that we ask of our own conduit issuers, such as the Illinois Finance Authority. This came out of committee unanimously, Mr. President. I'd be happy to answer any questions and I ask for your support.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon, are you seeking recognition on this bill? Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 3776. 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, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 3776, and the bill is declared passed. Ladies and Gentlemen of the Senate, with leave of the Body, we will return to the two bills on the Supplemental Calendar that we have not yet called. But we will stand at ease for a few minutes to allow the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Committee on Assignments to meet. Will the members of the Committee on Assignments please come to the President's Anteroom immediately? Will the Members of the Committee on Assignments please report to the President's Anteroom? The Senate stands at ease.

(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon in the Chair.

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary. The Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 4 to Senate Bill 737 and House Bill 5873.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, we are returning to our regular Calendar for the day. On page 2 of your printed Calendar, on the Order of Senate Bills 3rd Reading, is Senate Bill 737. President Cullerton. President Cullerton seeks leave

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

of the Body to return Senate Bill 737 to the Order of 2nd Reading for purposes of an amendment. Is there any objection? Seeing none, leave is granted. Now on the Order of 2nd Reading is Senate Bill 737. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link, you are the sponsor of the amendments. Do you wish to present the amendment? But the paperwork is in process to change the sponsorship of the bill itself, I understand. So, we'll let you move ahead with the amendments and get our paperwork in order.

SENATOR LINK:

Thank you, Mr. President. We're doing -- Amendment 1 basically deletes the bill and becomes the bill. What it does is it sets up four new casinos in -- one would be in Danville, one would be in Rockford, one would be in Park City, and one would be in the south suburbs of Cook County. And then there would -- be one in the City of Chicago. We would allow the existing casinos to increase to sixteen hundred positions immediately and... I'll explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link moves to adopt Floor Amendment No. 1 to Senate Bill 737. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Floor Amendment 3, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link, on Floor Amendment No. 3.

SENATOR LINK:

Thank you, Mr. President. Again, I will explain on final reading.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link moves for the adoption of Floor Amendment No. 3 to Senate Bill 737. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 4, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link. Senator Link moves for the adoption of Floor Amendment No. 4. Senator Righter, are you seeking leave -- are you seeking recognition on the amendment? Senator Link has -- Senator Link, do you need to introduce the -- the amendment?

SENATOR LINK:

Again, I will present it on final reading.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield with regards to Amendment 4, please?

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield. Senator Righter, on Amendment No. 4.

SENATOR RIGHTER:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Thank you, Mr. President. Senator Link, we just received a copy of this. And in reviewing it, it's clear that the approval of the Gaming Board is required with regards to the move within a three-mile radius. What's much, much less clear the way it's drafted is that the Illinois Gaming Board would still be required to approve the move to a location -- some other location if consented to by the nearest racino. And so I guess what I would ask is -- is that for you and perhaps your staff get together and -- and point out to me within the language of Amendment 4, assuming that you intend to have the Gaming Board's approval required, how that is required in this language, 'cause we don't see that.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Thank you. Senator, we -- we feel it is clear, but I will be more than happy to say for legislative intent that it -- what our purpose was, because we do feel that the -- the Gaming Board will have authority, and if need be, we will definitely amend it in the House if need be. But the intent was exactly as you stated. But we feel that it is clear in the bill, but we will make legislative intent for that purpose.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Senator, as we've talked about before, legislative intent is not the magic wand that sometimes we hope it is. So, I'm going to ask again if you would ask someone on your staff to point out directly to me where the language is that requires the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Gaming Board to sign off on a move that's consented to by the nearest racino. That language doesn't appear to be in this amendment. Again, maybe that's not your intent.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

The first and the last sentence indicates that the Gaming Board is referenced there, but if you feel that's not clear enough, we will be more than happy to amend it in the House for you, Senator Righter. I -- I meant -- the intent that we had was to make sure that the Gaming Board had that authority. If we made that mistake, which we're all human - and in a bill of three hundred and some pages, we do make mistakes - but our intent was to have the Gaming Board have that authority. So, if that mistake was in the amendment, we will be more than happy to amend it in the House.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, do you have an additional question?

SENATOR RIGHTER:

I do, Mr. President, and thank you for your indulgence. Senator Link, I am looking at the first page of the amendment, line 14. You've referenced where the Illinois Gaming Board is referenced elsewhere. In the Section -- line 14, the first sentence starts with "Notwithstanding anything to the contrary in this Act", which would lead the reader to believe that despite other language that requires the Gaming Board's approval that sentence vitiates that requirement. And I think it's at least a reasonable interpretation that you'll have a move made that is not -- not required to be approved by the Gaming Board.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

As a non-lawyer and my two lawyers assisting me right here, they explained to me it would have to be contrary and it's not contrary. So, it would be the Gaming Board's authority from line 1.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

You know, Mr. President, we could go on about this, I suppose, if we want. I -- that answer really doesn't make any sense to me whatsoever. The language requires Gaming Board approval. If someone insists to the -- to me, it clearly doesn't require that. We can either have that fixed or we can go ahead and have a roll call on the amendment - on which case, I'd probably be the only one who'd be voting No. I think the Gaming Board needs to approve a move and I think the language needs to be clear on that front. I'll leave it up to the sponsor and you, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

As I indicated, we will be more than happy to amend it, if he feels that it's not clear. I will amend it in the House. And -- but I -- we need to add this amendment now. I will be more than happy to amend it in the House if it's not clear enough.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Is there any other discussion? Senator Righter, are you still seeking recognition? I apologize.

SENATOR RIGHTER:

I -- I would and -- and -- and I hate to be dilatory here, but if that's the process we want to go by, I mean, I don't know what -- if -- what any "light of day" that this bill might be seeing in the House - my constituents don't care about my voting record in the House. I would ask for a roll call on the adoption of the amendment. I'm sure that Senator Link has sufficient votes in order to get it adopted, but in my view, I'm voting on something that doesn't require Gaming Board approval and that's not the message I want to send. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Any further discussion? Seeing none, Senator Link has moved for the adoption of Floor Amendment No. 4 to Senate Bill 737 and Senator Righter has requested a roll call. 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 29 voting Aye, 19 voting No. And the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Senator Link, do you wish to proceed on the Order of 3rd Reading? Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 737.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. As adopted {sic}, this bill would - as I stated earlier - would have four new casinos. One would be in Park City. One would be in -- Rock -- Rockford. One would be in Danville. One would be in the south suburbs of Cook County. And the other would be in the City of Chicago. Then there would be the racinos, which would mean there would be slots at each of the existing tracks in the State of Illinois. We would also allow all of the existing riverboats to go to sixteen hundred positions immediately and two thousand in January 1 of 2013. This does not apply to the Chicago casino, which would be granted four thousand gaming position. This would also create a grant of eight million dollars for county fairs to help create the State and County Fair Assistance Fund, a one-million-dollar fund, would be administered by the Department of Agriculture to assist county fairs in seeking development and expansion of support of county fairs. It also would strengthen the Gaming Board of the State of Illinois. Also, this would allow the applicants -- to require applicants of riverboat casinos disclosures and many other things of their background. And it also would have them creating jobs concerning the utilization of hiring minorities and female-owned businesses. It finally would end property tax breaks for race tracks and impact fees for riverboats tracks currently receive. And I would be more than happy to answer any questions.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 737 pass. All those in -- Senator Sullivan, are you seeking... Senator Sullivan.

SENATOR SULLIVAN:

Yeah, to the bill: Just -- and Senator Link, first of all, I want to thank you for your work on this issue, something that -- it's been very controversial. And I want to say that I think if -- everybody in this -- any Member of the Senate or the General Assembly took it upon themselves to draft this bill, I think we probably all would have drafted it a little bit different or had our own thoughts and opinions on it. But trying to get a consensus on an issue as controversial as this is very difficult. So, my hat's and -- off to -- my hat's -- hat off to Senator Link for that. You mentioned the assistance to the county fairs - something that I know many of us have worked very hard. But in addition to that, the entire horseracing, the -- the agricultural industry with reference to horses and -- and the agricultural aspect of horses, this is going to be a tremendous shot in the arm for -- for that industry, an industry that is literally dying on the vine. This is the boost that we need and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall Senate Bill 737 pass. All those in favor will say Aye. Opposed -- Senator Dillard, are you seeking recognition? Senator Dillard. This is our final speaker. No one is putting their lights on before I'm beginning the question. Because of the nature of the -- the bill, I'm trying to be deferential to the Members who's seeking recognition.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

But, Senator Dillard, this is -- you're the final speaker. I will complete the question the next time.

SENATOR DILLARD:

Thank you, Mr. President and Members. This is a gigantic bill and a huge package. And I serve on the Gaming Committee. I thought about this, and even though it eventually went through the Executive Committee, I have spoken to the sponsor and all of the numerous parties that have an interest here. I wasn't going to say anything until Senator Sullivan got up and talked about his concern for agribusiness, and nobody's a better proponent of agribusiness in this State than John Sullivan. But my concern is the harness horsemen. They happen to be headquartered in my district, which is not a rural district, but these are agribusiness jobs. And there's thousands of them. And I don't think a lot of people understand that when these jobs are lost, they are next to impossible to replace in rural Illinois. And if these were manufacturing jobs or high-tech jobs, we, rightfully so, would be clamoring all over ourselves to save them. As Senator Sullivan will tell you, these are family jobs, family businesses. I have spoken in the last couple of weeks to some family farmers who are distraught that they have to move their operation to Indiana. This -- this bill is far too big. It is top-heavy, as the Governor said. And I oppose major pieces of it. But you know, a couple of years ago, we had a similar proposal and Senator Watson was our leader at that time. And he said, you know, we got to keep moving the process along. I have promised these harness horsemen for years that we would address their concerns. I'm not sure that many of these families can wait until next year. And I think we need to

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

continue to negotiate and negotiate now. And this is not the final product. This thing is going to be back here. And if Senator Radogno, who has, rightfully so, major concerns about this bill, doesn't have her input when it comes back over from the House, I will be a loud No on this bill. But it's not in its final form. It's too big. But I need to live up to the commitments I made to these agribusiness families and to the harness horsemen of this State. And, you know, I didn't want to speak, but Senator Sullivan, you hit the nail on the head when you said it's about agriculture jobs. And, you know, we need to keep this thing moving. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you. For our final speaker, Senator Link, to close.

SENATOR LINK:

Thank you, Mr. President. Thank you, for the two previous speakers. You know, I -- I heard a lot of speeches today on various bills. And a lot of 'em were emotional and a lot of 'em were speaking on various different topics. But one of the themes that was coming up when they were speaking in opposition of -- of some of these bills was they were, as Hendon said, were knocking the Governor because he wasn't speaking about the concerns of the State of Illinois and he wasn't talking about the necessity of jobs and the necessity of the deficit of the State of Illinois. Well, you have an opportunity now to vote for something that can help both of those things right now. You can help create a lot of jobs in the State of Illinois. You can help create lowering the deficit in the State of Illinois. And we could do it immediately by casting one vote with a green button, by putting people back to work. You know, the last

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

speaker made a very eloquent point about manufacturing jobs. Do you realize what we would be doing if we had an industry that would be creating tens of thousands of jobs and giving the State a billion dollars a year? We'd be bending over backwards and giving them every type of tax break we could think of. We would be doing everything possible to keep them and -- having them come in the State of Illinois. But we look at an industry like this and we look at them like they're evil, they're terrible, but yet they give a billion dollars a year in taxes to us to help create our -- help our school system, help people to have jobs, they help our economy in this State, but yet we look at 'em in an evil and a bad way. They're helping a lot of people in the State of Illinois. Let's look at this as a positive way. The glass is more than half full in this bill. Is it a huge expansion? Yes. I'm not going to deny it. But we got a huge deficit in the State of Illinois. We got huge problems in the State of Illinois. So, you don't look at little things to fix it. You look at big things to fix it. This is a way of doing it. I haven't seen any other creative ideas come around here. This is an idea that we always said "we'll take care of it tomorrow." We're running out of tomorrows. Today is the day. Tonight is the night. I ask for a bunch of green lights. Let's vote Yes. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall Senate Bill 737 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, 20 voting Nay, and 2 voting Present. Senate Bill

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

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

SENATOR BURZYNSKI:

Thank you, Mr. President. I know the hour is late, but this is a major bill. Would like to have a verification of the roll call, please.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Burzynski has requested a verification. Will all Members please be in their seats? Senator Hendon, are you seeking recognition?

SENATOR HENDON:

I -- yes, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

For what purpose do you rise, Senator Hendon?

SENATOR HENDON:

Parliamentary inquiry.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your inquiry.

SENATOR HENDON:

Oh! I just wanted to see how you were feeling at this late hour. I know it's been a while, but apparently I don't have to stall. Since I don't lie, I'll just tell you what was up and sit down.

PRESIDING OFFICER: (SENATOR HARMON)

I appreciate your concerns for my well-being, Senator. Thank you. Madam Secretary, will you please read the -- the affirmative votes?

SECRETARY ROCK:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

The following Members voted in the affirmative: Bomke, Crotty, Delgado, Demuzio, Dillard, Forby, Frerichs, Haine, Harmon, Hendon, Hunter, Hutchinson, Jacobs, Emil Jones, Koehler, Lightford, Link, Maloney, Martinez, Mulroe, Muñoz, Raoul, Risinger, Sandoval, Silverstein, Steins, Sullivan, Syverson, Trotter, Viverito and Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Burzynski, do you question the presence of any Members? Having received the required constitutional majority, Senate Bill 737 is declared passed. Ladies and Gentlemen of the Senate, on page 8 of your printed Calendar, on the Order of Motions in Writing, Motions to Override the Specific Recommendations of the Governor on House Bills, is House Bill 5154. Senator Lightford, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move that House Bill 5154 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5154 is an initiative that I find to be really important to the -- the integrity of our performance evaluation system here in the State of Illinois for all public employees. I do understand the Governor's attempt to veto this legislation, but I hope that we would override the Governor's veto for a number of reasons. I believe in open government and

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

I support public awareness of salaries, of office travel and expenditures. However, I find the performance evaluation system to be an area that I think should remain private. I believe in the value that it brings between management and staff. And I'd be happy to answer any questions that Members may have.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR MALONEY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the lady's motion, Senator.

SENATOR MALONEY:

I rise in support of the lady's motion to support the override of this -- of the Governor's veto, and it's -- it's due to my experience as a high school teacher and administrator. I just feel that this -- this issue -- if personnel records and evaluations were made available of teachers, I think that we would have to put ourselves in the position of any parent. As a parent -- if these -- these records were made available, and as a parent, you see that your teacher receives a satisfactory rating and another teacher in that same subject or same grade has an excellent rating, I think you would be up at that -- that principal's office, you know, demanding that your teacher have the excellent teacher, and -- and -- that your student have the excellent teacher. So I really feel that this extends to deans, to counselors, to -- to everybody, that -- that it would create havoc administratively for schools, and I -- I -- if that were the case, I think in many cases it would render the evaluations

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

meaningless, because everyone would -- there would be administrators that would be fearful about giving somebody a lower rating maybe when they deserve it. So, I -- I -- I just think logistically and I think philosophically that there can be more progress toward teacher improvement if these evaluations remain between the administration and the teacher that is being evaluated. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any further discussion? Seeing none, the question is, shall House Bill 5154 pass, notwithstanding the specific recommendations of the Governor. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Aye, none -- 3 voting Nay, none voting Present. And House Bill 5154, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Continuing on the Order of Motions in Writing is House Bill 5206. Senator Dillard. Last item on our Calendar for this order of business is House Bill 6065. Senator Steans, are you -- wish to proceed? Senator Steans, are -- you wish to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move that House Bill 6065 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Steans.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, to explain your motion.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

SENATOR STEANS:

Yes. You know, I wish to override the Governor's amendatory veto. It was found that it was non-compliant since it delays the effective date of the bill. And it was voted to override 107 to 4 in the House.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 6065 pass, notwithstanding the specific recommendations of the Governor. 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 49 voting Aye, 2 voting No, none voting Present. And House Bill 6065, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. On that order of business -- I'm sorry. We skipped over, at the top of the Order, House Bill 4836. Senator Murphy. Ladies and Gentlemen of the Senate, we are going to return to our Supplemental Calendar No. 2. We skipped two motions on the Secretary's Desk, Concurrences. First on the list is Senate Bill 550. Senator -- Senator Cullerton. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 550.

Filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Mr. President, Members of the Senate, Senate Bill 750 {sic} is the trailer bill to the Senate Bill 1946, which was the pension modernization bill that we passed in the spring. Bill contains a number of technical changes that the retirement systems need in order to administer the new benefits. The systems have been meeting throughout the summer and they are strong proponents of the trailer bill. It passed the House unanimously and I know of no opposition. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion of Senate Bill 550? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 550. 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. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 550, and the bill is declared passed. Senator Lightford in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon, on House Bill 1457. Senator Harmon indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1457.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I assumed sponsorship of this bill from Senator Schoenberg a few minutes ago, given his absence here tonight. The bill amends the Procurement Code with respect to the requirements relating to the Capitol Building HVAC system project. We had initially, in 2005, exempted that project from certain requirements of the Procurement Code, primarily to allow a single prime contractor to perform the work. This would merely extend that exemption from five years to eleven years. So, six years going forward from today. I have been assured it is not a controversial bill and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall House Bill 1457 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yea, 0 voting Nay, 0 voting Present. House Bill 1457, having received the required constitutional majority, is declared passed. Madam Secretary, Messages.

SECRETARY ROCK:

A Message from the House by Mr. Mahoney, 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 1721.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

136th Legislative Day

12/1/2010

We have received like Messages on House Bills 1915 and 6881.

They passed the House, December 1st, 2010. Mark Mahoney, Clerk of the House.

A Message from the House by Mr. Mahoney, 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 127.

Offered by Senator Steans, and adopted by the House, November 30th, 2010. Mark Mahoney, Clerk of the House.

It is substantive, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Ladies and Gentlemen of the Senate, there being no further business to come before the Senate, the Senate stands adjourned till the hour of 9 a.m., the 2nd day of December, 2011 {sic}. The Senate stands adjourned.