

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

HB0801	Second Reading	190
HB0922	Second Reading	186
HB0946	Second Reading	187
HB0983	Second Reading	191
HB1189	Second Reading	187
HB1443	Second Reading	191
HB1544	Second Reading	187
HB2269	Third Reading	10
HB2310	Third Reading	11
HB2317	Second Reading	188
HB2339	Third Reading	11
HB2361	Third Reading	12
HB2363	Recalled	13
HB2363	Third Reading	14
HB2382	Third Reading	15
HB2408	Third Reading	17
HB2420	Third Reading	18
HB2432	Third Reading	22
HB2454	Third Reading	23
HB2470	Third Reading	24
HB2471	Recalled	27
HB2471	Third Reading	28
HB2473	Third Reading	29
HB2477	Third Reading	29
HB2482	Third Reading	30
HB2488	Third Reading	32
HB2499	Third Reading	32
HB2506	Third Reading	90
HB2508	Third Reading	33
HB2520	Out Of Record	36
HB2520	Third Reading	35
HB2563	Third Reading	36
HB2584	Third Reading	37
HB2585	Third Reading	37
HB2586	Third Reading	39
HB2590	Third Reading	39
HB2616	Third Reading	41
HB2618	Recalled	42
HB2618	Third Reading	43
HB2620	Third Reading	43
HB2640	Third Reading	44

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

HB2641	Third Reading	48
HB2647	Third Reading	49
HB2649	Third Reading	92
HB2654	Third Reading	49
HB2656	Third Reading	50
HB2661	Third Reading	51
HB2675	Third Reading	52
HB2695	Third Reading	87
HB2695	Vote Intention	89
HB2716	Second Reading	189
HB2720	Third Reading	88
HB2721	Third Reading	89
HB2747	Second Reading	190
HB2754	Third Reading	97
HB2760	Third Reading	98
HB2764	Second Reading	190
HB2778	Third Reading	99
HB2780	Out Of Record	101
HB2780	Recalled	100
HB2780	Recalled	184
HB2780	Third Reading	185
HB2787	Third Reading	101
HB2807	Third Reading	102
HB2809	Third Reading	103
HB2832	Recalled	104
HB2832	Third Reading	105
HB2856	Third Reading	106
HB2879	Third Reading	107
HB2918	Third Reading	108
HB2934	Third Reading	109
HB2947	Third Reading	110
HB2969	Third Reading	111
HB2969	Vote Intention	113
HB2992	Third Reading	112
HB2994	Third Reading	113
HB3021	Second Reading	192
HB3035	Second Reading	192
HB3047	Third Reading	114
HB3054	Third Reading	115
HB3057	Third Reading	116
HB3061	Third Reading	117
HB3063	Third Reading	125

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

HB3070	Third Reading	133
HB3104	Third Reading	134
HB3111	Third Reading	134
HB3125	Third Reading	136
HB3271	Second Reading	192
SB0115	Recalled	181
SB0115	Third Reading	182
SB1341	Third Reading	142
SB1448	Recalled	148
SB1448	Third Reading	149
SB1454	Recalled	154
SB1454	Third Reading	154
SB1816	Third Reading	183
SB2345	Recalled	168
SB2345	Third Reading	170
SR0322	Resolution Offered	1
SR0323	Resolution Offered	2
SR0324	Resolution Offered	2
SR0325	Resolution Offered	2
SR0326	Resolution Offered	2
SR0327	Resolution Offered	2
SR0328	Resolution Offered	139
Senate to Order-Senator Sullivan		1
Prayer-Rabbi Barry Marks		1
Pledge of Allegiance		1
Journal-Postponed		1
Committee Reports		2
Messages from the House		139
Senate Stands at Ease/Reconvenes		140
Senate Stands at Ease/Reconvenes		141
Committee Reports		141
Adjournment		193

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the 98th General Assembly will come to order. Will all the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Rabbi Barry Marks, Temple Israel, Springfield, Illinois. Rabbi Marks.

RABBI BARRY MARKS:

(Prayer by Rabbi Barry Marks)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Please remain standing for the Pledge of Allegiance. Senator Jacobs, to lead us in the Pledge.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Tuesday, May 21st, 2013.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Senate Resolution 322, offered by Senator McCann and all

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Members.

Senate Resolution 323, offered by Senator McCann and all Members.

Senate Resolution 324, offered by Senator Hunter and all Members.

Senate Resolution 325, offered by Senator Radogno and all Members.

Senate Resolution 327, offered by Senator Link and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar.

SECRETARY ANDERSON:

Senate Resolution 326, offered by Senator Hastings.

It is substantive.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Jones, Chairperson of the Committee on Local Government, reports House Bill 983 Do Pass, as Amended.

Senator Haine, Chairperson of the Committee on Insurance, reports Senate Bill 1626 Do Pass; and Senate Amendment 3 to House Bill 2618 Recommend Do Adopt.

Senator Harmon, Chairperson of the Committee on Executive, reports House Bill 3271 Do Pass, as Amended; and Senate Amendment 1 to House Bill 2317 Recommend Do Adopt.

Senator Noland, Chairperson of the Committee on Criminal Law, reports Senate Amendment 3 to Senate Bill 115 Recommend Do Adopt; House Bill 801 and 3021 Do Pass; House Bills 1063 and 1443 Do Pass,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

as Amended; and Senate Amendment 1 to House Bill 821 Recommend Do Adopt.

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, reports House Bills 3035 and 3349 Do Pass, as Amended; House Joint Resolution 8 Be Adopted; Senate Amendment 2 to House Bill 1544 and Senate Amendment 4 to House Bill 2780 Recommend Do Adopt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if I could have your attention. Will all Members within the sound of my voice please come to the Senate Floor immediately? We're going to go to the Order of House Bills 3rd Reading. All Members within the sound of my voice please come to the Senate Floor immediately. We'll be starting at the top of the Calendar. Ladies and Gentlemen, as I announced a few minutes ago, we're going to be starting on 3rd Readings, House Bills 3rd Reading. We will actually be starting on page 6 of the Calendar, which is where we left off yesterday. Our first bill that we will be calling will be 2269. Once again, all Members within the sound of my voice please come to the Senate Floor immediately. We're going to be going to the Order of House Bills 3rd Reading momentarily. Ladies -- Senator Brady, for what purpose do you rise?

SENATOR BRADY:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Brady.

SENATOR BRADY:

I'd like to introduce a guest of mine today, Nick Kaiser, who is an intern with my office this summer. Nick has a distinguished

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

background. He's a senior at SIU Carbondale. He's from Normal, Illinois. He's a Sigma Chi brother of mine and he's a member of the U.S. Navy, a petty officer. If you'd please help me welcome him and thank him for his service to our country.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Kaiser, welcome to the Illinois State Senate. Great to have you here today. Thanks for joining us. Thanks for your service. Senator Oberweis, for what purpose do you rise?

SENATOR OBERWEIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Oberweis.

SENATOR OBERWEIS:

The University of Illinois Extension 4-H Legislative Connection event is being held here, yesterday and today. Fifteen of our 4-H members from the Illinois 4-H Youth Leadership Team and the Speaking for Illinois 4-H program will be visiting Members of the House and Senate and are here in the gallery today. These youth are from fourteen different countries {sic} throughout the State, but are representing almost two hundred thousand 4-H participants from all one hundred and two countries {sic}. Working with teens this week are Bill Million and Deb Stocker, Extension Specialists with the State 4-H Office, and we'd like to welcome them to the Floor of the Senate today.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will our guests please rise? Let's recognize the 4-H young folks that are here visiting us today from all over the State. Thanks for having you here. Senator Righter, for what purpose do you rise?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Righter.

SENATOR RIGHTER:

Thank -- thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I'd like to introduce to you Miss Sammy White. Sammy is a sixth grader at Trinity Lutheran here in Springfield. She's the niece of one of our staffers here on the Senate Republican side, Angie Sidles. She is a ballet dancer, has been for ten years - she's only twelve - and is a budding artist. So I wonder if the Senate could give her a warm welcome, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, let's welcome Senator Righter's guest. Great to have you here today. Thanks for joining us. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Thank you, Mr. President. I, too, have an honorary Page for the Day here behind me. Kaelan Smith is a junior at Clinton High School. He's a straight-A student. He enjoys football and involved in numerous clubs and is also very active in his local church. And so if we could welcome him to Springfield, I'd appreciate that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Let's welcome our guest. Great to have you here today. Thanks for joining us. Senator Connelly, for what purpose do you rise?

SENATOR CONNELLY:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Connelly.

SENATOR CONNELLY:

Thank you, Mr. President. I would like to introduce to the Members of the Senate, Seamus Flannery. Seamus Flannery is from Naperville, Illinois; attends - it is a good Irish name - attends Avery Coonley School, where he's in the sixth grade. He is joined today by his mother, Meghan, and grandfather, Tick Flannery, who are here today. Seamus's hobbies include building LEGOs, computer programming, reading, sports, and having fun. So he's in the right place today. His future plans include being a marine biologist, professional soccer player or professional basketball player. So, if you'd give him a warm welcome, to Seamus Flannery.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, so let's welcome Seamus and his family to the Illinois Senate. Great to have you here today. Senator LaHood, for what purpose do you rise?

SENATOR LaHOOD:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator LaHood.

SENATOR LaHOOD:

Thank you, Mr. President. I am joined by two special guests here today that are my honorary Pages of the Day. And behind me is Giuliana and Joseph Piccione, and they are from Metamora, Illinois, and their parents are Joseph and Nancy Piccione. They are both home-schooled and have named their school St. Thomas Aquinas Academy. Giuliana is a sixth grader and Joseph is a fourth

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

grader. Giuliana enjoys art, sewing, knitting, and reading. And her future plans include becoming a possible writer, artist and/or a scientist. Joseph enjoys tae kwon do, range shooting, reading, running, and carving. And his future plans include possibly becoming a lawyer or an outdoorsman. I would also like to welcome Nancy Piccione, who's in the gallery up here today, their mother. Ask everyone to give them a warm Springfield welcome. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Giuliana, Joseph and Nancy, welcome to the Illinois State Senate. Thanks for joining us today. Senator McGuire, for what purpose do you rise?

SENATOR MCGUIRE:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator McGuire.

SENATOR MCGUIRE:

Thank you. I'd like to introduce to my colleagues my honorary Page for the Day, to my left, Evan Pozdol. Evan is eighteen years old. He's a student at Lockport Township High School in Lockport, Illinois. He's a fourth-year student, and as he continues his education at Lockport, he will participate in the Building Trades program and help build a house for Habitat for Humanity. Evan then would like to become a journeyman in the metal trades. And I wish to note that Evan is a frequent participant in Special Olympics and he's gone downstate in basketball, volleyball, soccer, track and field. Evan and I met last summer at a minor league baseball game. He threw out the first pitch. I was so impressed with this young man's character, I had him sign this

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

baseball, which I keep on a shelf at home with balls signed by Jimmy Piersall and Harold Baines. Please give a warm welcome to Evan Pozdol.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Let's welcome Senator McGuire's guest here to the Senate. Great to have you here. Thanks for joining us. Senator Koehler, for what purpose do you rise?

SENATOR KOEHLER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Koehler.

SENATOR KOEHLER:

I have several guests today. First of all, let me introduce Autumn Hyatt, who is a honorary Page today; eighth grader from -- and honor -- honor student, cheerleader and track manager at Edison Junior High School in Pekin. She has a passion for serving community -- her community by collecting donations for food pantries, raising money for -- cancer, gathering donors for blood drives, and raking leaves for neighbors, and mentoring children. Autumn has dedicated many volunteer hours towards helping serve seniors at Pekin Township and delivering holiday meals to people who are not able to get out of their homes. Also with her is her friend and fellow classmate, Mikayla Howard. She is very active with basketball, softball, and does karate. More importantly, let me mention that Autumn has a connection to my office. Her mother, Tammy Hyatt, is in the gallery and she is my staff person in my Pekin office and has been with me through my duration, and actually started with Senator George Shadid. So, just like to ask the Senate to welcome them all to Springfield.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Autumn, Mikayla and Tammy, welcome to the Illinois Senate. Thanks for joining us today. Great to have you here. Senator Brady, for the second time, what -- for what purpose do you rise?

SENATOR BRADY:

Thank you, Mr. President. I have another special guest today - I'd like your attention - to introduce. With me today is the - is the immediate past president, by that I mean last Wednesday, of Illinois State University. But before I introduce him, I'd like to introduce his wife, Linda Bowman, who's accompanying him, who's had a long distinguished career in the speech department at Illinois State University. Al Bowman first started in the speech -- as a speech pathologist at Illinois -- well, actually, at veterans -- at the veterans' hospital in Danville, on later to the department at Illinois State University. Later, became interim provost. And about ten years ago, he became the seventeenth president, on March 1st, 2004. He has worked diligently, previously to his presidency and during his presidency, I think, to turn Illinois State University into one of the finest universities in this nation and certainly one of the most progressive universities in this nation. He's worked with you on capital projects and he's also worked to raise private funds to support the students there, creating the Redefining "normal" campaign, which raised over ninety-six million dollars. He is an outdoorsman and he's hiked many mountains in this world, and I know he's looking forward to that. And he's also looking forward to giving back to Illinois State University, as his wife is, in the future. So I'd ask you to join Senator Barickman and myself in recognizing Linda and Al Bowman for their distinguished career

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

and their commitment to the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Bowman and Linda Bowman, welcome to the Illinois State Senate. Thank you for your service to higher education. Great to have you here today. Okay, Ladies and Gentlemen, on the Order of House Bills 3rd Reading, on page 6 of the Calendar. We're going to start where we left off yesterday, with House Bill 2269. Senator Harris. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2269.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harris.

SENATOR HARRIS:

House Bill 2269 amends the Notary Public Act to extend the repeal date for the provisions concerning the notarization of documents for transactions involving residential real estate located in Cook County.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2269 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 0 voting Nay, 1 voting Present. House Bill 2269, having received the required constitutional majority, is declared passed. Senator Rezin, for what purpose do you rise? Ladies and Gentlemen, continuing on the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Calendar, House Bill 2310. Senator Sandoval. Out of the -- Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2310.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. House Bill 2310 expands the model years for Special Hauling Vehicles by ten years. It is a -- the proponent are the Mid-West Truckers Association, the Illinois Trucking Association. Passed unanimously. And I ask an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Ladies and Gentlemen, the question is, shall House Bill 2310 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 53 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2310, having received the required constitutional majority, is declared passed. Next up on the Calendar is House Bill 2339. Leader Clayborne. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2339.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Leader Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. House Bill 2339 amends the Illinois Anatomical Gift Act, establishing consistency between the Act and the Revised Uniform Anatomical Gift Act of 2006 drafted by the National Conference of Commissioners on Uniform State Laws. It adds a new term and amends definitions of existing terms; clarifies who may execute an anatomical -- anatomical gift; and establishes the preclusive effect on {sic} (of) an anatomical gift, amendment, or revocation; establishes standards for donor and donee eligibility; clarifies family rights and options after circulatory death; explains the rights and duties at death and the rights and duties of organ tissue procurement organizations. This bill also repeals, relocates, and rewrites certain provisions of the Act concerning persons who may become donees, the purposes for which anatomical gift may be made, and a Section concerning corneal transplants. There's no opposition. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2339 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2339, having received the required constitutional majority, is declared passed. Next up on the Calendar is House Bill 2361. Senator Sandoval. Senator Sandoval. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SECRETARY ANDERSON:

House Bill 2361.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. House Bill 2361 increases the weight limits for Special Hauling Vehicles that are 3-axle rear discharge concrete mixing and transporting trucks or 3-axle combination sewer cleaning jetting vacuum trucks. The language pertaining to sewer cleaning trucks is a response to a constituent issue in Senate President Cullerton's district. Proponents are the Illinois Ready Mixed (Concrete) Association, Mid-West Truckers, Illinois Trucking, Great Lakes Cement, Illinois Association of Aggregate Producers. I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2361 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2361, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have House Bill 2363. Senator Bivins. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2363.

(Secretary reads title of bill)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Senator Bivins seeks leave of the Body to return House Bill 2363 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 2363. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Bivins.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bivins, on Floor Amendment 1.

SENATOR BIVINS:

Thank you, Mr. President. Floor Amendment 1 simply adds employees and family members of employees that work at the Department of Juvenile Justice and the Office of State's Attorneys Appellate Prosecutor to those whose addresses can -- will not be published.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 2363. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2363.

(Secretary reads title of bill)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bivins.

SENATOR BIVINS:

Thank you, Mr. President. HB 2363 is an initiative of the Comptroller's Office. It amends the State Comptroller Act; enacts the following changes to the Act: extend the deadline for which replacement check can be issued from twelve months to no more than ten years; remove the requirement that State employees' addresses must be listed in the State employee list maintained by the Comptroller; repeals a provision that prohibits an employee of the Comptroller's Office from being employed by the State, except as a part-time teacher for a State college or university. This bill is identical to Senate Bill 1723, which passed the Senate already.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Ladies and Gentlemen, the question is, shall House Bill 2363 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2363, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, let's turn the Calendar -- turn the page to the top of page 7 of the printed Calendar, still on the Order of House Bills 3rd Reading. We have House Bill 2382. Senator Bertino-Tarrant. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

House Bill 2382.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

Thank you, Mr. President, Members of the Senate. House Bill 2382 states that during the period of time a road construction project is taking place, IDOT shall work with affected stakeholders, including residents, businesses, and other community members, before and during construction by considering various methods to mitigate and reduce project impacts to those directly affected by the improvement. I'd like to thank Senator McConnaughay for her help with this bill and I urge a Yes vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2382 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2382, having received the required constitutional majority, is declared passed. Senator Connelly, for what purpose do you rise?

SENATOR CONNELLY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Connelly.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR CONNELLY:

Thank you, Mr. President. A quick introduction. There's a young man with me today. He matriculated over here from St. Louis. My understanding, he's an honor student. He's very respectful like his mother. He's good looking like his mother. Say hello to my son, Matthew Connelly.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Hey, Matthew, welcome to the Illinois Senate. Great to have you here today, and you did definitely get your mother's looks. Good to have you here. Ladies and Gentlemen, 2408. House Bill 2408. Senator Hastings. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2408.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hastings.

SENATOR HASTINGS:

Thank you, Mr. President. House Bill 2408, as amended by Floor Amendment 3, allows veteran-owned small businesses or service-disabled veterans-owned small businesses to be additionally certified as either a minority-owned small business or a woman-owned small business. It also provides a mechanism for CMS to transfer payments out of the Workmen's {sic} (Workers') Compensation Revolving Fund to a third party vendor that is now administering the workmen's compensation program. And there are no opponents to this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

none, the question is, shall House Bill 2408 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2408, having received the required constitutional majority, is declared passed. Next up is House Bill 2418. Leader Harmon. Senator Harmon. Out of the record. House Bill 2420. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2420.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 2420 amends the School Code to allow, before June 30th, 2013, a person who holds a school service personnel certificate to renew their certificate if they are a marriage and family therapist. It also includes marriage and family therapist as a school support personnel endorsement area under the Educator Licensing {sic} (Licensure) Article. This bill is optional. A school can actually hire someone, and it's optional, but just want to make sure that the -- that the -- the Body knows that every person who is a marriage and family therapist will be held to the same level of additional school-specific training required of the other three State-licensed mental health professions. And I ask for your approval on this bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion?
Seeing -- Senator Hastings, for what purpose do you rise?

SENATOR HASTINGS:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield for a question. Senator Hastings.

SENATOR HASTINGS:

Senator, I just have a few questions for you. What would the
Marriage and Family Therapist Act {sic} have to do prior to being
eligible to work in a school?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Senator. A marriage and family therapist would
not be eligible to work in a school until he or she had completed
school-specific coursework.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hastings.

SENATOR HASTINGS:

And by school-specific coursework, do you mean that --
graduate-level classes that directly apply to children in schools
and the effects that family life -- on children's learning?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Yes, Senator Hastings.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hastings.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR HASTINGS:

Thank you, Senator. What would fulfill these requirements?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Graduate-level college and university coursework.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hastings.

SENATOR HASTINGS:

I only have three more questions. The first one is: Certified school social workers and the school counselors have to undergo hundreds of hours of clinical experience, in a school setting, prior to being certified to work in schools. Will marriage and family therapists who are certified to work in schools have to compete -- or, complete comparable school clinical experiences before they're allowed to work in these schools?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

ISBE will have -- will need to write standards for the MFTs, including school clinical experience. They will mirror requirements for school social workers, school counselors and school psychologists.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hastings.

SENATOR HASTINGS:

Two more. So, school social workers, school psychologists and school counselors all have to pass the Test of Basic Skills and a content area exam. Would marriage and family therapists

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

also be required to pass these tests?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Yes. When ISBE writes the standards for MFTs, I understand they will also require these individuals to take the Test of Basic Skills and related exams.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hastings.

SENATOR HASTINGS:

And, Senator, would marriage and family therapists do the same work as school social workers, school psychologists and school counselors?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

No. They would provide mental health services which are unique to their licensure statutes and different than is currently being provided by school social workers, school psychologists and school counselors.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hastings.

SENATOR HASTINGS:

Senator, thank you so much for your work. As a former school board member for four years in one of the largest high school districts, I commend you on this bill and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any further discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2420 pass.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 52 voting Aye, 0 voting Nay, 1 voting Present. House Bill 2420, having received the required constitutional majority, is declared passed. Leader Harmon, for what purpose do you rise?

SENATOR HARMON:

For purposes of an introduction, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please make your introduction, Senator Harmon.

SENATOR HARMON:

Thank you. I have a special guest with me here today. Olivia Doll is my Page for the Day. She just graduated this Monday from Blessed Sacrament Grade School and starts at Sacred Heart-Griffin shortly. She -- her parents are Larry and Kerri Doll, who have been floating around this building for many years. I -- I'm sure many of you know her. So -- know them both. So please join me in welcoming Olivia to the State Senate.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Olivia, welcome to the Illinois State Senate. Great to have you here today. Thanks for joining us. Ladies and Gentlemen, we're still on page 7 of the printed Calendar, on the Order of House Bills 3rd Reading. Next up is House Bill 2423. Leader Hunter. Senator Hunter. Out of the record. Next up is House Bill 2427. Senator -- Leader Harmon. Senator Harmon. Out of the record. House Bill 2432. Senator Mulroe. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

House Bill 2432.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. Under current law, State law requires disclosures of surcharges or fees on an ATM machine, both by a visible sign and electronically on the screen of the ATM. Recently, federal law eliminated the visible sign requirement. So, House Bill 2432 places State law in compliance with federal law, which is required under the Electronic (Fund) Transfer Act, and clarifies that operators do not have to have visible signs or stickers disclosing the surcharge or fees outside of the machine. I know of no -- no opposition.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2432 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2432, having received the required constitutional majority, is declared passed. Next up, we have House Bill 2454. Leader Althoff. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2454.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. House Bill 2454 amends the Township Code. It now increases, from ten to fifteen days, the notification required for meetings, agenda, sales hearings and tax referenda meetings. It also requires that all advisory questions before a township board be directly related to the business of the township. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2454 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2454, having received the required constitutional majority, is declared passed. House Bill 2470. Leader Lightford. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2470.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 247 {sic} makes changes to the expungement and sealing process to ensure that the process was consistent with the Code of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Civil Procedure and that petitioners remain informed throughout the process. Specifically, the bill requires that the State Police send notice of compliance with the expungement or sealing order to the petitioner within sixty days of service of the order. The bill also provides that a motion to vacate, modify, or reconsider may be entered no later than two years after entry of the order to expunge or seal, making this process consistent with the Civil Code -- Code of Civil Procedure. This is an initiative of the Attorney General's office. The Juvenile Justice Initiative, Cabrini Green (Legal) Aid, Sargent Shriver Center - the National Center on Poverty Law, and the Chicago Coalition for the Homeless are all in support of this legislation. There are no opponents. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DILLARD:

Thank you, Mr. President. Just as a word of warning to the Body: While the sponsor correctly states there are no official opponents to this bill, I've been around here a long time and I can smell and feel when a State agency's really against something but they are reluctant to really say where they want to be. We had extensive testimony from the Illinois State Police in committee. And this is an initiative of the Illinois Attorney General, who touts this bill as purely procedural. But based upon what the State Police says, this legislation will have profound and dangerous implications beyond what is contained in the bill. The bill could allow multiple persons who currently have void expungement or sealing orders - those are illegal orders that the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

State Police are trying to challenge by court appeal - to have their records expunged or sealed even if the offenses do not qualify under law. And there are dangerous retroactive provisions, according to the State Police, that are in this bill which allow persons with offenses such as hate crimes, domestic battery and kidnapping - all offenses which are not supposed to be expunged - to actually be expunged under this. So, I just get the feeling that the State Police are very reluctant, sadly, to say what they really feel. And this bill has profound implications that are out there. You could have people that have committed crimes fall through the cracks. And I worry that while the sponsor may be well intended here that, at some point in time, you're going to come back and really be embarrassed by voting for this bill. There were no Republicans in the committee that supported it. And, you know, I just -- based upon what the State Police has -- has indicated, I'm really reluctant to support this bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Is there any further discussion? Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd love to respond, briefly, to the speaker's remarks on the bill, because he voted Present in committee and so did Senator Righter. So there were not all No votes from Republicans in the committee. I want to clarify to the Body that this -- this bill does not change any measures that can already currently be expunged. I'm not adding any new offenses to what can be expunged. The testimony that the State Police provided was not long and extensive, so I'm not sure if we're talking about the same bill here. There was a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

young lady who answered some questions and -- from the department, and what I understood was that there was a disconnect between the State Police, the local police departments, records departments, and court records and local records. So it's really a clarifying of all of the -- that states that all new requirements made by this bill shall apply to all petitions pending and to all orders made on or after an effective date of the Act. So it's really not adding any new offenses. And I -- there may be a disconnect on what bill this actually is. I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall House Bill 2470 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 39 voting Aye, 18 voting Nay, 1 voting Present. House Bill 2470, having received the required constitutional majority, is declared passed. Next up on the Calendar is House Bill 2471. Senator Collins. Mr. Secretary, please read the bill. Mr. Secretary, Senator Collins seeks leave of the Body to return House Bill 2471 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 2471. Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins, on Floor Amendment 2.

SENATOR COLLINS:

Thank -- thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 2 is identical to Floor Amendment

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

No. 1, but was filed because the original bill passed out of committee before Floor Amendment No. 1 was filed. So, basically, it's the same as the bill initially drafted.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 2471. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2471.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. This is an initiative of the Cook County State's Attorney. And basically, it adds to the information required in a charging document to include the identifying information by name, initials, or description of a victim of an alleged illegal sexual act. I know of no opposition. I would welcome an affirmative vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

shall House Bill 2471 pass. All those in favor will -- will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2471, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have House Bill 2473. Senator Connelly. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill -- House Bill 2473.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Connelly.

SENATOR CONNELLY:

Thank you, Mr. President, Members of the Senate. House Bill 2473 amends the Code of Civil Procedure and it exempts child support judgments from the restrictions on using a body attachment to answer for a charge of indirect civil contempt in a collection case. There's no know opposition and I'll answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2473 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2473, having received the required constitutional majority, is declared passed. House Bill 2477.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

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

SECRETARY ANDERSON:

House Bill -- House Bill 2477.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Connelly.

SENATOR CONNELLY:

Thank you, Mr. President, Members of the Senate. House Bill 2477 is an initiative of the Secretary of State's office. It amends the Illinois Vehicle Code to clarify that the felony penalty enhancement to a misdemeanor driving with a suspended or revoked license only applies when the basis of the prior revocation or suspension was of the same qualifying offense. This is identical to Senate Bill 1764, which passed unanimously in the Senate in April. I'll answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2477 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2477, having -- having received the required constitutional majority, is declared passed. Next up, we have House Bill 2482. Senator Stadelman. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2482.

(Secretary reads title of bill)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Stadelman.

SENATOR STADELMAN:

Thank you, Mr. President, Members of the Senate. House Bill 2482 amends the Counties Code. It requires the annual budget to contain a detailed statement showing any bonuses or increase in any salary, wage, stipend, or other form of compensation for every agency, department, or any other entity receiving an appropriation from the county. This simply is an effort to have more transparency when it comes to county salaries and pay increases. Now, Floor Amendment 1 deletes the provision that exempts employees in a collective bargaining unit. The amendment requires collectively -- collectively bargained employees that have had any increase or bonus above what is collectively bargained to be included in that detailed summary. I'd like to thank Senator Rezin for her input and insight into this matter. I think it does a -- a better job of tightening the language and the bill does a better job of ensuring transparency in the budget process. I can answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2482 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2482, having received the required constitutional majority, is declared passed. Next up on the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Calendar is House Bill 2488. Senator Link. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2488.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill allows the public notice under the Local Governmental {sic} (Government) Professional Services Selection Act to be -- to be e-mailed to all firms who have current statements of qualifications and performance data on file. It also has the option to place it in a political subdivision website. Know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall -- shall House Bill 2488 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2488, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, if you'll turn the page, to the top of page 8 of the printed Calendar. We're still on the Order of House Bills 3rd Reading. We have House Bill 2494. Senator Jacobs. Out of the record. House Bill 2499. Leader Harmon. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SECRETARY ANDERSON:

House Bill 2499.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2499 clarifies some confusion in the way that jet fuel is taxed on international and domestic flights. It's an initiative of the Department of Revenue. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2499 pass. All those in -- in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2499, having received the required constitutional majority, is declared passed. Next up is House Bill 2506. Senator Delgado. Senator Delgado. Out of the record. House Bill 2508. Senator Syverson. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2508.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This legislation amends the Motor Vehicle Franchise Act and represents an agreement that was reached between the franchisers and the nonexclusive franchise dealers. And be happy to answer any questions; otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, is there any discussion? Is there any discussion? Senator Oberweis, for what purpose do you rise?

SENATOR OBERWEIS:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Oberweis.

SENATOR OBERWEIS:

Ladies and Gentlemen -- Mr. President, Ladies and Gentlemen of the Senate, this is a bill -- and I hate to oppose a bill proposed by one of my Republican colleagues; however, this is a very bad bill with a very bad precedent. This is essentially a bill -- it is agreed upon, but it's a bill to resolve a conflict between a franchisee and franchisor. This Body has no business getting involved in special legislation to benefit one particular company, one particular franchisee, even if they agree to it, because it sets a bad precedent. It means that anybody else who has a conflict is liable to bring that to the Floor of the Senate and the Floor of the House. If there's a conflict that they can't resolve themselves, they need to resolve it in court or with a mediator, not on the Floor of the Senate. And with that, I strongly urge you to vote against this, rather than set a very bad

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

precedent. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR SYVERSON:

Thank you. And just in response to my good friend from Aurora: The -- the reason we have the Franchise Act is because when there are issues that franchisors and franchisees agree to that they want to have settled and make it uniform throughout the industry, they come and -- and ask to do this and I think this is what this -- this legislation does. And because we're dealing with nonexclusive franchisees -- nonexclusive means dealers that deal with multiple companies. It's not like a -- a McDonald's. It's -- these are motorcycle dealerships that deal with many different carriers. And so I -- this is the -- the agreement that all the parties have reached and so I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall House Bill 2508 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 52 voting Aye, 5 voting Nay, 0 voting Present. House Bill 2508, having received the required constitutional majority, is declared passed. Next up is House Bill 2518. Senator Martinez. Out of the record. House Bill 2520. Leader Muñoz. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2520.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, please remove that, 2520, from the record. Take it out of the record, please. Next up on the Calendar is House Bill 2535. Senator Steans. Out of the record. House Bill 2563. Leader Muñoz. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2563.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The bill states that the Secretary of State shall waive the skills test for a commercial driver's license applicant who has military commercial motor vehicle experience. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2563 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2563, having received the required constitutional majority, is declared passed. Next up on the Calendar is House Bill 2583. Leader Muñoz. Mr. Secretary, out of the record. House

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Bill 2584. Leader Muñoz. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2584.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Bill amends the Renter's Financial Responsibility and Protection Act. It provides that beginning January 1, 2014, the amount that a rental company may charge for a collision damage waiver shall increase to thirteen fifty per day. Currently, the charge for such a waiver is fixed at twelve fifty per day. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2584 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 52 voting Aye, 3 voting Nay, 1 voting Present. House Bill 2584, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have House Bill 2585. Senator Sandoval. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2585.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. House Bill 2585 creates four new aggravated offenses for violations of current law that result in great bodily harm or death to one -- to another. Proponents are the Illinois State Police, IDOT, the Laborers' Midwest Region. And I ask a favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2585 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 53 voting Aye, 1 voting Nay, 0 voting Present. House Bill 2585, having received the required constitutional majority, is declared passed. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Purpose of announcement, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please make your announcement, Senator Althoff.

SENATOR ALTHOFF:

Ladies and Gentlemen, every once in a while, we have the great privilege -- privilege of having a returning Member come visit us. I'd like you to note that Senator Carole Pankau is on the Floor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Pankau, welcome back to the Senate. Great to see you. Hello there. Good to have you here. Thanks for joining us.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Ladies and Gentlemen, on the Calendar, page 8, we have House Bill 2586. Leader Lightford. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2586.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2586 extends the statutory sunset for ten years rather than five years for the Energy Assistance Program and for the PIP Program, the percentage of income payment. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2586 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2586, having received the required constitutional majority, is declared passed. Next up on the Calendar is House Bill 2590. Senator LaHood. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 2590.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Senator LaHood.

SENATOR LaHOOD:

Thank you, Mr. President. This particular piece of legislation creates the Illinois Workplace (Violence) Prevention Act. This allows an employer or a company to seek an order of protection to prohibit further violence or threats of violence by a person if an employee has suffered unlawful violence or a credible threat of violence from the person, and the unlawful violence has been carried out at the employer's {sic} (employee's) place of work. I would also mention that homicide is the second leading cause of fatal occupational injury among women and the fourth leading cause of death among men in the United States. I will be happy to answer any questions regarding this proposed legislation.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2590 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2590, having received the required constitutional majority, is declared passed. House Bill 2614. Senator Martinez. Out of the record. Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Leader Hunter.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR HUNTER:

In the President's Gallery behind you are a group of young - fine young people who are visiting Springfield from my high school in my district, which is Dunbar High School, and I'd like for them to stand and be welcomed.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will our guests please rise? Let's welcome the Dunbar High School young folks here to the Senate today. Thanks for joining us. Ladies and Gentlemen, turn to the top of page 9 of the printed Calendar. On the Order of House Bills 3rd Reading, we have House Bill 2616. Leader Luechtefeld. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2616.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the -- of the Senate. House Bill 2616 allows an owner who is not licensed under the Funeral Directors and Embalming {sic} (Embalmers) Licensing Code to interact with clients while a licensed funeral director is present. I don't think there's any opposition to this bill and would be happy to answer any questions, if you have some.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2616 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2616, having received the required constitutional majority, is declared passed. House Bill 2618. Senator Haine. Mr. Secretary -- Senator Haine seeks leave of the Body to return House Bill 2618 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 2618. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine, to present Floor Amendment 3.

SENATOR HAINE:

Thank you, Mr. President. This involves the Mine Subsidence (Insurance) Fund and it clarifies when an insured may be required to continue paying premiums after an initial event in order to maintain coverage. This Floor amendment is a technical amendment that further clarifies the agreement and removes all opposition.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Bill 2618. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2618.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen. This is a bill which, as I stated previously, clarifies when an insurer must notify the policyholder that a continuation of the policy may not be necessary and is optional, but they can continue paying for a future event, if they wish.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2618 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2618, having received the required constitutional majority, is declared passed. Next up we have House Bill 2620. Senator Biss. Mr. Secretary, please read the gentleman's bill.

SECRETARY ANDERSON:

House Bill 2620.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Biss.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR BISS:

...you -- thank you, Mr. President, Members of the Senate. House Bill 2620 is a very narrowly crafted change to the Procurement Section of Article 1 of the Pension Code to enable for the large pension funds in the State of Illinois to engage in follow-on investment in certain contexts without issuing additional RFPs. It's an initiative of the Chicago Teachers' Pension Fund. It's supported by several other pension funds. I know of no opposition. I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2620 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 50 voting Aye, 8 voting Nay, 0 voting Present. House Bill 2620, having received the required constitutional majority, is declared passed. Next up, we have House Bill 2640. Senator Delgado. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2640.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. House Bill 2640 amends the Crime Victims Compensation Act to include in the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

definition of "pecuniary loss", costs associated with trafficking tattoo removal by a person authorized to perform a procedure. Trafficking tattoo is defined as a tattoo which is applied to a victim in connection with the commission of human trafficking. And I would ask for your Aye vote and open to any questions. It's an initiative of the Attorney General and Project IRENE. I don't have any opponents that I know of at this time.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for questions. Senator Righter.

SENATOR RIGHTER:

Thank you. Like I suspect, Senator Delgado, at least for a few Members in the Chamber, when they look up and they see what's on the board, they're like, "What are we doing here?" So I want -- I want to be clear, this would allow for compensation for an individual to have a tattoo or tattoos removed, the tattoos from which were placed on them by someone as part of their, if you will, victimization in a crime. Is that correct? Can you -- I mean, can you walk through that just very clearly for everyone, Senator?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Yes. Thank you for the question, Senator Righter. It would be to remove and to apply to a victim in connection with the commission on human trafficking. Those tattoos are used as their

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

-- their brand, if you will, on human trafficking.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question. Senator McCarter.

SENATOR McCARTER:

Senator, I think -- I think we understand and -- and it's -- it's an awful thing, but practically -- I mean, you know, they're not taking people to a -- to a place of business and asking 'em to do this and paying for a bill. So how are they going to -- I mean, practically, how is this going to be -- how's there going to be any reimbursement for this? I mean, you know, there -- there are people that give tattoos in -- in prisons with common household instruments. I mean, I'm -- I mean, I think it's awful that anybody would brand a person. Right? It's disgusting. But, practically, how's there going to be any return for this?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Senator McCarter, I'm -- I'm not quite clear on what -- what you're asking other than that the tattoo would have to be removed by an authorized person to perform the procedure. And this is a person that possibly already came through as to apply under the Crime Victims Compensation Act. These are folks who have been -- who have been victimized through human trafficking. At this point, what it would do is, they would apply to the Attorney General for

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

reimbursement for expenses resulting from the victim of -- of a crime of violence. Currently, the victims can -- can recover expenses related to medical treatment, mental health counseling, relocation expenses, replacement costs, loss of tuition, and loss of earnings currently. So, this here is for that particular population of people who have been victims of human trafficking.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

I -- I think I understand now. There are funds available to have this done and we're just being very clear that they can submit those to be reimbursed for those things. Thank you, Senator, for your bill and I -- I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator -- the question is, shall House Bill 2640 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2640, having received the required constitutional majority, is declared passed. Senator McCann, for what purpose do you rise?

SENATOR McCANN:

For -- for the purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please make your announcement, Senator McCann.

SENATOR McCANN:

I would like the Chamber to take pause right now, if we could, to thank one of those gentlemen who work so hard to keep us safe.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Today is Mr. Larry Tumulty's birthday. He is, I think, up here in the President's Gallery. If we can all say happy birthday to Larry, we would appreciate that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Larry, happy birthday. Thanks for your service to the Senate. House Bill 2641. Senator Rezin. Mr. Secretary, please read the lady's bill.

SECRETARY ANDERSON:

House Bill 2641.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

Thank you, Mr. President. House Bill 2641 provides that at -- at the beginning of the year 2014 registration year, that municipality-owned, fire district- or MABAS-owned vehicles operated by the fire department, basically are issued permanent registration plates for a fee of eight dollars. This is currently done by the police and sheriff departments. And there is no opposition.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2641 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2641, having received the required constitutional majority, is

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

declared passed. House Bill 2647. Senator Mulroe. Mr. Secretary, please read the gentleman's bill.

SECRETARY ANDERSON:

House Bill 2647.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. House Bill 2647 clarifies that possession of each individual film, videotape, photograph, or other similar visual reproduction or depiction by computer of child pornography constitutes a single and separate violation. It also provides that possession of child pornography is subject to mandatory consecutive sentencing if the child depicted in one of those mediums is under the age of thirteen.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Ladies and Gentlemen, the question is, shall House Bill 2647 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2647, having received the required constitutional majority, is declared passed. 2649. Senator Cunningham. Out of the record. House Bill 2654. Senator Jones. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2654.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2654 allows the State Treasurer to transfer any unobligated and unexpended moneys from the Hospital Basic Services Preservation Fund to the General Revenue Fund if the funds are no longer necessary for loans for capital projects or essential community hospital providers. I know of any {sic} opposition at this time.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2654 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2654, having received the required constitutional majority, is declared passed. House Bill 2656. Senator Brady. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2656.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Thank you, Mr. President. This is -- cleans up some language that allows the pension fund they're transferring into to charge the retiree for the difference in the actuarial cost as to what was transferred.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2656 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2656, having received the required constitutional majority, is declared passed. House Bill 2661. Senator Steans. Mr. Secretary, please read the lady's bill.

SECRETARY ANDERSON:

House Bill 2661.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes, thank you, Mr. President, Members of the Senate. House Bill 2661 is the result of negotiations between the American Heart Association and Department of Public Health. It amends the Newborn Metabolic Screening Act to ensure that newborn infants are screened for critical congenital heart disease by health care facilities in accordance with Department standards. I would urge an Aye vote for this. This is one of the leading causes of birth {sic} to infants and it's a relatively very straightforward and noninvasive

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

procedure that can be used to test for CCHD, or critical congenital heart disease. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2661 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 1 voting Nay, 0 voting Present. House Bill 2661, having received the required constitutional majority, is declared passed. Next up, we have House Bill 2675. Senator Steans. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2675.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes, thank you, Mr. President, Members of the Senate. This bill is the comprehensive sex education bill. This Chamber has passed it once already, but it didn't also pass the House at that point in time. The House has now passed it, so it's back in this Chamber again for us to support. This bill makes sure that if a public school is teaching sexual health education, then the classes must be age appropriate, medically accurate and complete. The -- what this bill does not do - and I really do want to stress that - it does not require a school to teach sex health education. It only applies to grades six through twelve. Parents can choose to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

opt their children out, and local control is maintained. Schools can decide whether or not to teach sexual health education and they choose the curriculum. Now, this bill is critical. Right now in Illinois, ten percent of births are to teens and many of the STDs, over a third of gonorrhea and chlamydia cases, are to teens in this State. We need to give our teens the utmost ability to make wise decisions, and all the evidence shows that comprehensive sex education helps teens make better choices to reduce the occurrence of actually having and engaging in sex, and if you do, to use -- make good decisions about preventing unwanted pregnancies and preventing sexually transmitted diseases. I would very much urge an Aye vote for this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Leader Radogno, for what purpose do you rise?

SENATOR RADOGNO:

Thank you. First of all, question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Leader Radogno.

SENATOR RADOGNO:

Senator, am I clear that this bill would allow a school that might be teaching a curriculum that isn't covered under this bill but that might provide medically accurate information, but maybe not exactly the curriculum or -- or points specified in the bill, would allow them to opt out of sex ed altogether?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

There's no mandate in this bill for any district to provide

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

sex education. This is not changing that. There's just no change around that under this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Radogno.

SENATOR RADOGNO:

But just to clarify, if a district were teaching a curriculum that wasn't covered by this bill and -- the only choice they would have is to either adopt the curriculum or opt out.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yeah, that -- but the -- I -- the schools have control over selecting a curriculum that meets their needs and their desires. So the -- the local control is absolutely maintained. There's many options out there and they can pick and choose and tailor them to meet their own needs. Curriculums can be modified. They just have to be medically accurate and age appropriate and complete.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Radogno.

SENATOR RADOGNO:

Well, to the bill: I do note that there's not a lot -- a lot of opposition from the schools and I can understand why, because, quite frankly, I -- I think most of our schools are offering sex education. I would submit that part of the problems with the unintended pregnancies and STDs is execution, as opposed to lack of information, in many cases. But having said that, I think that providing information is not a problem, but there's a real downside with this bill, in that we're putting districts in a -- in a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

position where if they really object to a piece of what's out there, even if they're offering now medically accurate information, their only choice is to stop having sex ed, as opposed to maybe not living up to a curriculum that locally they do not agree with. So if there wasn't a negative to this bill, I would be all for it. But I think that we're really offering a -- a consequence that's exactly in opposition to what we're trying to do here and that is get as much information to our kids as possible. So I would urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. Questions of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield for a question. Senator Mulroe.

SENATOR MULROE:

Senator Steans, isn't it true that House Bill 2675 has a long list of supporters, including, but are not limited to, the Illinois Chapter-American Academy of Pediatrics, the Illinois Academy of Family Physicians, Illinois Public Health Association, Illinois Association of Public Health Administrators, Lurie's Children Hospital, Illinois Association of School Social Workers, Illinois Parent Teacher Association, and the Illinois Maternal and Child Health Coalition?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Yes. This is very broadly supported, as you note, Senator Mulroe. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President. A couple more questions. Was there any opposition from schools or administrators when the bill was heard in committee?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Mulroe.

SENATOR MULROE:

Does the bill analysis show any opposition from School Management?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President. To the bill, if I may? Okay. You know, I -- we've -- we've heard this before, and abstinence is, beyond a doubt, the best form to prevent unwanted pregnancies or sexually transmitted diseases. The fact is, that's not happening and we can't live life blindfolded at this time. So we have to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

recognize it, and I think this bill addresses the issue. I have a personal story. When I was a -- an Assistant State's Attorney in Juvenile Court on the abuse and neglect side, my first week in that courtroom a case came before me of a thirteen-year-old who was accused of neglecting her child. And to boot, she was pregnant. So, a thirteen-year-old, accused of neglecting her child and pregnant. Something like this, it's obvious that she did not -- she lacked the education or someone telling her how to avoid unwanted pregnancies. So I think this is a really good step forward and I think it's necessary and it -- and we're addressing the practicalities of life. While in committee, someone brought an analogy between drugs and sex, as if they were -- they had some connection. I just want to point out for the record: I don't ever, ever want my kids to do any illegal drugs; on the other hand, I do, when they meet the right person and at the right time, have a happy, healthy sexual relationship with that person. So I'd urge an Aye vote in this matter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR ROSE:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Rose.

SENATOR ROSE:

Mr. President and colleagues, we've -- we've seen an example that's been passed around of what is age appropriate for ten years old -- ten-year-olds. And quite frankly, it would not be appropriate to show on this Floor, let alone have published in a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

newspaper. I talked to my wife about this and -- at length, and really what this comes down to is taking away the ability of parents to decide the when - the when it's appropriate. And I will tell you that at age ten, I was -- I would -- as a parent, would be completely uncomfortable with what was in this age ten age-appropriate book. At the end of the day, this is -- it's a very dangerous slippery slope when government gets in the position of being a parent and taking on the tough conversations that need to be between a parent and a child and the when and the where and the how of those conversations. Without getting into the details of what was in the age-appropriate curricula that we looked at, it frankly went beyond education. It became almost an agenda. And my root problem with all of this is we are inserting ourselves into that conversation, which, frankly, is far more appropriate between the parent and their child. And with that, I would urge opposition to the lady's bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Steans, you wish to respond?

SENATOR STEANS:

I -- I do, because I've seen that handout that was passed out and that's complete misinformation. That was a book. That is not a curriculum that was getting passed out. It's never been used. It's not a curriculum. Never been used in any school, to my knowledge. That is a book for parents to use with their kids, if they choose to. It has nothing to do with the school curriculum. He's also referring to ten-year-old information. This bill itself is for sixth through twelfth grade. You know, I -- you know, ten -- ten-year-olds tend to be fourth/fifth graders. It's not even talking about the same age group in that. There's a lot of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

misinformation about here. The fact of the matter, will our kids be able to -- need to make healthy decisions for themselves. The curriculum is supposed to stress abstinence as the only method of guaranteeing not getting pregnant and avoiding sexually transmitted diseases. And I would just like to put the record straight that that's just -- that handout really was not a curriculum and was really getting misrepresented. Thanks.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR JONES:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Jones.

SENATOR JONES:

I would like to commend the sponsor for bringing this piece of legislation forward. It's been a long time coming. Being a Senator in a urban area of Chicago, in Roseland, where sexually transmitted diseases are high and kids are having sex at a younger age, if we don't start teaching our kids now, we're going to depend on the Internet, the TV, and the videos to teach our kids about sex. So I commend the sponsor and I urge your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR CONNELLY:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, can we hold the visiting down a little

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

bit, please? Ladies and Gentlemen, shh, please. Indicates she will yield for a question. Senator Connelly.

SENATOR CONNELLY:

Thank you. Senator, I -- I have a handout. It's not the handout that was just talked about. It's actually the Naperville School District 203 Health and Wellness Program, which includes human sexuality. And I guess my question is, under what authority does the Naperville School District have today to have such a program?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Currently, the school districts do have the authority to teach sex ed. This is just clarifying that any sex education curriculum, if you're teaching it, has to be complete, medically accurate, and age appropriate.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Connelly.

SENATOR CONNELLY:

So, what we have here, and I -- I apologize for the length, but it is a sixth grade through eighth grade program, and -- and by the way, what a uncomfortable day for my son to be here, Ladies and Gentlemen. He said, "Dad, when is lunch going to get here?" But in Naperville -- and my wife and I have three children. They're -- they've gone through what we considered a comprehensive health and wellness program, which included human sexuality. It's -- twelve- or thirteen-year-olds is what the school district and the parents in Naperville determined to be age appropriate. If this bill passes, Senator, will that change?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

School districts will continue to have the complete discretion over whether, one, to teach comprehensive sex ed or not and, two, what curriculum to use. There's certainly definitions I can go through, if you want, on what age appropriate means, what medically accurate means. But school districts will continue to have the ability to select their own curriculum or to -- or choose not to provide comprehensive sex education. The other thing I want to point out, and just remind everybody, is any parent -- if the school district is going forward and thinks it's appropriate for the district to offer curriculum, a parent can opt out for his or her daughter or son if they do not think it's appropriate for them to participate. So there's many ways still that we're providing for local district control and individual parental control.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Connelly.

SENATOR CONNELLY:

So it's your position -- and by the way, I -- just for purposes of the record, Naperville does have a -- they -- they stress abstinence as part of its health and wellness program, and as a consequence, you're telling me that, should this bill pass, nothing will change in the Naperville school program?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Listen, I don't know their curriculum, so I can't speak to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

that. But if it's medically -- if it's complete, medically accurate, age appropriate, they can continue to do the same curriculum. I will also -- just one -- and I'm going to read from the bill here, because, again, I think there's a lot of misinformation out there. That "all public school classes that teach sex education and" sexual -- "and discuss sexual intercourse in grades six through twelve shall emphasize that abstinence from sexual intercourse is a responsible and positive decision and is the only protection that is a hundred percent effective against unwanted teenage pregnancy, sexually transmitted diseases, (and) acquired immune deficiency syndrome when transmitted sexually". So abstinence is still supposed to be stressed as well.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Connelly.

SENATOR CONNELLY:

If I were in court, I'd ask the judge to strike the answer -- the answer. And I'll repeat the question. Nothing will change in Naperville? That's yes or...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I started my response by saying I don't know their curriculum, so I can't tell you if it meets the -- you know, age appropriate, medically accurate, complete. If it does, they can use the same curriculum. They have control over that. I -- I haven't looked at that curriculum, so I can't give you an answer on their particular curriculum.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Connelly.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR CONNELLY:

Senator - and -- and I respect it was very loud earlier - it's twelve or thirteen years old. So I guess my follow-up question is, if nothing's going to change, why do we need this bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Because there are districts where they're not teaching complete, medically accurate, age-appropriate sex education curriculums. You know, in your district that may well be the case in what's getting taught; in others, that's not. Abstinence only, for example, is shown to be not as effective at giving kids the ability to, one, reduce the likelihood that they're going to have -- engage in sexual intercourse or, two, know how to prevent unwanted pregnancies or sexually transmitted diseases. So that's what this bill is aiming to do.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Connelly.

SENATOR CONNELLY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Connelly.

SENATOR CONNELLY:

First of all, to the sponsor, I have great respect for you. Other than my colleague over here, who's filed far too many bills, you're probably the hardest worker in this Chamber. And you smile all the time, which is amazing, because I frown twenty-four/seven. Folks, I -- my wife and I -- our kids went through the Naperville

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

schools, and when they get to middle school, you have that talk - well, we had that talk earlier - but we have the talk with your administrators, and they'd say, we're going to be talking about health and wellness, which includes sex education and whatnot. So we all go to the middle school, we meet with the administrators, we meet with the teachers, and they lay it out for you. They say this is what's coming. This is what we teach in sixth grade. And by the way, it is important, 'cause - I know some folks have spoken - we're talking about peer pressure. We're talking about stress, body image, good character, self-esteem. There's so many things. There's so many pressures on our kids today. But they go through the comprehensive program and they go through it on a local level. And I got a cellphone in my pocket. If the Naperville School Board members are going to be educating our kids in a way that I think is inappropriate, I call them, or I have them removed in the next election. That's called local control. We have a comprehensive program. It may not be the same that may be in some parts of the State. It may not be what the folks in the City of Chicago want. But it's what we, in our school district, in our local town want. What I'm fearful of with this bill, it -- and by the way, like many of the bills that pass here, they fly out of here and it -- you think that the impact disappears with the wind, but it doesn't. What will happen is, in two years, there will be a middle school meeting in Elmhurst and they'll say, "What are you talking about?" Who -- who says we have to teach it at this age?" Who...? "Springfield did. They're telling us we have to do it." They're -- "we have no choice." And then they're going to look, folks, whether you're in Elmhurst, Bloomingdale or Plainfield, "How did our Reps and Senators vote on this?" "Who -- who's Springfield to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

tell us what we determine to be age appropriate?" Like I said, I'm no prude. I understand we're in the twenty-first century. I'm -- my wife and I are particularly proud of our three children. I think they're pretty well adjusted, like their mother. But, folks, this is all about local control. I strongly urge a No vote and I thank you for your time.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HUNTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Hunter.

SENATOR HUNTER:

I'd like to commend the sponsor for putting this bill out here. We all know that our young people are having sex earlier and earlier, younger and younger in age. I -- when I was a teenager -- actually when I was much younger, when we had health education, sex education was a part of that curriculum. And it -- actually that information we received in school dispelled all the rumors that we had heard about sex in the community. Because you know what happens when you get together with your friends. The girls get together, the boys get together, and everyone professed to be experts, although we're all children. And so I would rather receive accurate education and information in the schools from a professional rather than to hear it somewhere out in the streets. I -- I happen to -- to have heard of a young -- a young girl - she was like ten years old - having sex and she wound up pregnant. So maybe had we had that bill -- this bill a long time ago, we would

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

have prevented that from occurring. Abstinence is very important. I support abstinence first; however, it just doesn't happen like that in the streets. The real life is, young people are having sex. It's something that -- that's going on, and -- and they don't have the same kind of values that we've had when we were young people. So I support this bill. I ask for an Aye vote and I'd like to see as many green lights up there as we possibly can. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR REZIN:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield for questions. Senator Rezin.

SENATOR REZIN:

Yeah, could -- Senator Steans, could you tell me who determines what is age appropriate and/or medically accurate?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Age appropriate means suitable to particular ages or groups of ages of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or the age group. These curriculum get normed according to that. Medically accurate means verified or supported by the weight of research conducted in compliance with accepted scientific methods and published in peer-reviewed journals, if applicable, or comprising information recognized as accurate, objective, and complete.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

Thank you, but, again, who makes those decisions what is medically accurate?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Districts can go and choose them. The -- the State Board of Education will provide ones that have been deemed this on the -- on their website, but -- but school districts can go in and opt and choose whichever one they think works for them, tailor them according to their own needs.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

I also have seen the copy of the book that's gone around, and it actually was used in Bloomingdale. And at the bottom of it, it says from ten years and up. And within the book, it includes illustration of, you know, a multitude of things. But more importantly, I think more troubling for me is, at the end, it talks about if you become pregnant the option -- or the only option is abortion, for several different reasons. And I thought, well, maybe I missed a page or something. But, again, I -- I'm a little concerned -- or very concerned that for somebody who may get pregnant and have an unwanted pregnancy that the only option that's being portrayed to these young junior high kids is abortion. I'd also like to conclude that, you know, this really isn't a question of whether or not you personally think it's appropriate for ten-

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

year-olds, but whether it's a question for the role of the parents or if it's appropriate for their ten-year-old or should the State be deciding if it's appropriate. I ask for a No vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR OBERWEIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Oberweis.

SENATOR OBERWEIS:

Senator Steans, I -- I -- I think Senator Rezin was asking, but I didn't hear the answer, as to who determines what is age appropriate?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I -- what I can tell you is that the Illinois State Board of Education will provide options of these on their website, and, you know, as I will continue to repeat, every school district maintains control over determining what curriculum that matches their needs that they believe is going to be suitable and age appropriate for their district. And so, one, the local district maintains its control over -- over determining if they want to provide sex ed and which curriculum they deem to be appropriate for their district and, two, any parent can determine - and they have to make it available as well - any parent can determine to opt out his or her child if he or she chooses to. So, the district maintains control over the curriculum that they're deciding to use and parents can

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

determine if they want to pull their child out.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

Senator, I'm still not quite sure I understand. Would you agree that what is age appropriate for a sixth grader in Chicago might be different from what is age appropriate for a sixth grader in Sugar Grove, which might be different for what is age appropriate for a sixth grader in Metropolis?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

And that is precisely why the districts in this maintain control over selecting which curriculum they use.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

Senator, am I correct in understanding that they have to select this criteria -- this, excuse me, curriculum that is approved here and they cannot select a curriculum that they believe is more appropriate for their students in their school district?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

The -- the -- it has to be medically accurate and complete. So things like abstinence only cannot be chosen. But within medically accurate and complete and age appropriate, there's a wide variety of curriculums that the school districts will maintain control over what it is that they would like to use.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

Senator, it seems like we're -- we're running around in a circle chasing our tail, because then we're back to what is age appropriate and what is medically accurate and who makes that determination. It seems to me that allowing our school districts to make the determination as to what is age appropriate for their school district would be appropriate and not having this as the program, take it or leave it. Seems to me that we're -- we're taking away that local control. Am I -- am I missing something?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I'm going to go to the bill and read to you again, because that's a very important question, Senator Oberweis. The State Board of Education shall make available resource materials, with the cooperation and input of the agency that administers grant programs consistent with these criteria - age appropriate, medically accurate, complete - for educating children and may take into consideration the curriculum on the subject developed by other states, as well as other curriculum materials suggested by education experts and other groups that work on sex education issues. What I want to continue to point out is that school district may choose and adapt the developmentally and age-appropriate, medically accurate, evidence-based, complete sex education curriculum that meets the specific needs of its community. Precisely that reason so that the districts can maintain that input of deciding what is the most appropriate for

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

their communities.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

Well, I -- I'm still feeling like I'm not really getting the answer and it's almost like a -- an attorney's response. Are -- one -- just one last question here, and it's the same question I've asked: Do you believe that what is age appropriate for a sixth grader in Chicago is also age appropriate for a sixth grader in Sugar Grove? With a yes or no.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

The local districts get to determine what's age appropriate in their minds, that -- around these curriculum. They'll get those. And that's what's -- that's your whole point, is your district can determine what is age appropriate and meets the criteria for their community, Senator Oberweis. I'm not sure the challenge in that. The local districts get to maintain the control over determining those decisions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis, to the bill.

SENATOR OBERWEIS:

Senator, this is still to the sponsor. It's the last question. I will be quiet, but I'm going to ask it for the fourth time, with a yes or a no answer, please. Is what is age appropriate for a sixth grader in Chicago necessarily age appropriate for a sixth grader in Sugar Grove? Please, just a simple yes or no.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Senator Steans.

SENATOR STEANS:

The reason I'm not saying a simple yes or no, it's not my decision to make. It's the decision for the local districts to make. That's the point. They get to make the determination on what's age appropriate for their district.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HUTCHINSON:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield for a question. Senator Hutchinson.

SENATOR HUTCHINSON:

Senator Haine {sic}, thank you so much for bringing this measure forth. I want to ask a couple of questions, especially in light of the types of questionings that are -- that are coming from opposition. When your bill talks about medically accurate information, do you mean that - just as with other subjects, like science or history - you want to make sure that sexual health curriculum is factually correct so that the teachers have the correct information to counter myths and misinformation?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes, that would be correct.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

So, for example, would the information provided in class about anatomy be factually correct and consistent with what a student's family doctor would say about anatomy?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

I also see that it makes changes to the wording around the word "abstinence". Would you agree that House Bill 2675 clarifies and emphasizes abstinence even more than what we currently have in law?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes. That's very much the intent here and I believe it does.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

So it absolutely does not remove abstinence from sexual education law, but strengthens the teaching of it. And I know you read earlier on the thing about how it's the only one hundred percent way to avoid a pregnancy.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

That -- that's absolutely correct.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill.

SENATOR HUTCHINSON:

This is -- you know, I'm listening to the -- the conversation that's happening on the Floor, especially when we started with the -- the -- the misinformation that was floating around the Capitol that there was some sort of curriculum that was going to defrock our children and then convince them to have sex earlier than -- than parents want them to have sex. This is an important measure for the simple fact that information, factually accurate information, in these decisions that our children have to make is power; it is not permission. We need to give them the tools they need to have to be able to make the best choices they can - hopefully, in accordance with what we, as -- we, as parents, instill in them as they're coming up. But they need to get factually accurate information so that when they're making these choices, they're not making it based on what some kid around the corner told 'em. The fact that parents today are not just competing with other kids; we're competing with seven, eight hundred different channels and social media and the -- the Internet, and all these other different things that come into -- people who could affect the way our kids think about things that we want to hold, as parents, the responsibility to be able to teach them about. When we send them to school, I want them to go to school and get factual, accurate, medically sound information that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

helps them do the best they can with the values we've instilled in them to protect themselves and the people around 'em. This is an excellent piece of legislation. I commend the sponsor for her work on this. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

I -- I know better to waste my time asking questions that I know I won't get an answer for, so let me just mention what's actually in the bill. Yes, it -- abstinence is referred to, but this is what's taken out, the word -- the -- "abstinence is the expected norm". That's taken out. It's replaced with abstinence is responsible and a positive decision. I agree. What else is taken out? "Pupils should abstain from sexual intercourse until they are ready for marriage". That's taken out. Adolescent sexual intercourse "outside of marriage" is taken out. The words "until marriage" are taken out. You know, government should protect its citizens and promote prosperity. But, as in this case, government is doing its best to change our culture by law. That's exactly what's happening. I encourage a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR BUSH:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield for questions. Senator Bush.

SENATOR BUSH:

Thank you. Since we seem to be talking a lot about local control, I just want to follow up and make sure that I'm clear on a few of these items. So, if a school doesn't want to teach sexual education in the younger grades, under this bill, schools still have local control; schools do not have to teach sex education in the sixth grade if they don't want to. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes, and I meant to respond. There was an earlier speaker who spoke about that. But, well, it talks about if you're teaching at sixth through twelfth grade, you -- how you have to do it, but any school can decide at what grades they think it's appropriate for them. So, yes, that's correct. It preserves local control. No school is required to teach sexual health education at any particular grade. It just requires that they teach sex -- if they -- teaching it that it meet the criteria - be medically accurate and complete, age appropriate.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bush.

SENATOR BUSH:

So, also, if a school decides to teach sexual -- sexual education, excuse me, they have the local control to choose what is taught. They choose the curriculum. Is that correct?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes. That is essential in this bill to preserve local control. Local schools decide if they want to teach sexual health education and they choose the curriculum. You know, that's why there's no school districts or the management associations or anybody who's against this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bush.

SENATOR BUSH:

It's also true then that it preserves local control. So if a school district believes that a particular curriculum or classroom activity is inappropriate, they are not required to use it. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bush.

SENATOR BUSH:

So, just to clarify, it does not require any particular curriculum, lesson, or classroom activity. Correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Correct.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Senator Bush.

SENATOR BUSH:

Thank you for answering those questions. And -- and I, too, would urge an Aye vote and I thank the sponsor for her work on this very important bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HOLMES:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Holmes.

SENATOR HOLMES:

Wow! This is sort of like déjà vu all over again. We -- we did this a couple years ago and we listened to some of the same excuses. I think it's sort of interesting this time that they're couched a little differently. Because everybody's trying to come up and say that this is too far-reaching or this is something parents should be teaching their kids, this shouldn't be taught in school, when we know what's really being said here. You might as well just have come out and said, "We really think the only way we want sex ed taught to our kids is to preach abstinence only". That's really what they're saying. And I want to submit that that is just not going to make sense in this day and age. We think it's okay to teach math and science. We want our children educated. We want our children to have the tools to become respected attorneys in Mattoon, successful business owners owning a chain of ice cream stores in the western suburbs. This is what we want for them, but are we taking into consideration that if we

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

do not teach our children age-appropriate, medically accurate sex ed, they may contract AIDS and not even have that future. They may have an unintended pregnancy by the time they're sixteen. That's not real conducive for that college career that they need in order to get those skills to have a successful career later in life. It is not too far-reaching to teach our kids this information. We don't think it's too far-reaching for the school to teach our kids that they should not be drinking and driving. We don't want them texting and driving. We do expect the schools to take a part in that education, which is not just math and science. It's some things that they're going to be confronted with in those teen years and we want to make sure that they know how to respond in order to save their lives or to make the best decisions. In fantasy land, we teach our kids abstinence and they listen. In that same fantasy land, we teach our kids they can't drink before they're twenty-one, but we know they don't necessarily follow that advice. They are going to be confronted with the issue of sex before they're twenty-one years old or twenty-five or whenever they decide to get married. So, we say education's a priority, but we don't want to teach sex ed. Nothing in this bill -- as a matter of fact, this bill emphasizes that if you want a guaranteed, one hundred percent foolproof method of avoiding a sexually transmitted disease or an unintended pregnancy, abstinence is the answer. We know that; we certainly will teach that to our kids. Unfortunately, as much as we may preach that, we can't guarantee that that's what kids are going to listen to. I certainly know, as a teenager, my parents preached, talked, suggested, certainly preached, abstinence as the ideal method. However, while they did that - I just have to ask - did I listen?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

And my question is -- I am sure most of you in this Chamber had parents who said abstinence, no sex. Great idea. My question to you is, did you listen? I urge an Aye vote. Let's do this for our kids. Let's make sure they have the tools and the responses and the answers to make the best decision so that they can attain a successful adult life. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Righter.

SENATOR RIGHTER:

Thank you. Mr. President, Ladies and Gentlemen of the Chamber, obviously we've had a long and somewhat contentious, and I would submit somewhat humorous, debate on this issue so far, and one of the centers of the debate has been whether or not school districts will retain flexibility when it comes to the comprehensive sex education classes that they are teaching now or would like to teach in the future for grades six through twelve. The sponsor's right when she says that the school districts will retain a measure of flexibility. They are. If you noticed in her comments, she continues to talk about what exactly will be in the criteria. Having said that, here's the issue, because -- but if that's all the bill did, we wouldn't need a bill. If the proposal before you just said school districts can continue to do whatever they want and what -- in their curricula, then there would be no reason to have House Bill 2675, would there? That's not all the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

bill does, though, and I'm going to read from the bill that says that in grades six through twelve, any comprehensive sex education class "shall" - and for those of you who have not been around very long, "shall" is kind of the red flag word when State government decides to tell someone that they're going to have to do something - "shall include instruction on both abstinence and contraception". That's the issue here, is whether or not a school district - if this becomes law - whether or not a school district will be allowed to teach any kind of sex ed class that does not talk about contraception. And the answer to that is clearly no, because that's what's in the bill. It shall include abstinence and contraception. So, for those sixth graders or seventh graders that some of the Members here during this debate have referred to, who the school districts and their locally elected board members have decided, you know what, we're going to talk about wellness, maybe kind of ease our way into talking about sex education a little bit, now, rather than having that kind of program that they've narrowly tailored locally, now, in order to comply with State law, they are going to have to talk about condoms, IUDs, the pill, something like that. They're going to have to talk about contraception in order to abide by law. Now that's just a fact. And what we're doing here is, we're tying an option that school districts have to a mandate. And the danger in doing that, always, is if the school district doesn't want to comply with the mandate, then they won't take up the option. Now, one of the other themes during this debate has been the notion that contraception therefore will make our problems better. Our problems being defined by unwanted pregnancies and sexually transmitted diseases. And I would submit to you that the evidence doesn't support to that and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

I would further submit to you that the reason it doesn't support that is because telling a teenager, a fifteen- or sixteen-year-old, or a thirteen-year-old, "Hey, you'll be fine. You can do it. Just get the condom on, man", gives a false sense of security that is absolutely not real. In fact, I -- I give credit to the proponents on the other side who have gotten up and said quite correctly that the only way to guarantee avoiding an unwanted pregnancy or avoiding a sexually transmitted disease is abstinence. They're absolutely right. But, at the same time, they're embracing the notion that every one of the State's school districts should have to talk about condoms and IUDs and the pill if they're going to talk about comprehensive sex education at all. Now, there's been some talk about misinformation. The simple fact is that the information that Senator Rose referred to did come from the Bloomington Middle School District. That's not - Bloomingdale, excuse me - that is not misinformation. The CDC, the Centers for Disease Control, not exactly known as a bastion of right-wing zealots designed to simply keep kids from learning anything other than abstinence, did a study two years ago and discovered, one, that condom use -- because these comprehensive sex ed classes that include comprehensive -- including contraception, excuse me, have grown since the 1970s, as has federal funding for them, condom use has gone up significantly since 1991, and during that time, sexually transmitted disease rates have grown to four times among teenagers than they are for the rest of the population. So the question is, do you think that telling school districts that they have to talk to kids about condoms and IUDs and the pill in sixth grade and seventh grade is the right policy? I would suggest to you, whether it's a school

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

district or Springfield, it's not the right policy, because the evidence doesn't bear that out from the CDC and anecdotally. Ironically, enormously ironically, Senator Steans' own witness in Executive Committee from the City of Chicago, where they have -- where they teach contraception as part of their comprehensive sex ed class, called the City of Chicago the epicenter of STDs. Now I'm sure there are other reasons why that's true, but the simple fact is, the notion that this is going to solve our problems is the fantasy land of fantasy lands. In the end, this is also about who should be making this decision. And that point's been made here on this side of the Floor. Who should be making this decision? Is Springfield really -- are all of us, the hundred and seventy-seven Members of the General Assembly, really the ones who have dug in in a local school district and looked at the studies from the Centers for Disease Control and talked to parents in that community and said "This is what we ought to be doing"? No, we're not doing that. None of you are doing that. We're making policy in this room, and we -- maybe we've talked to a parent here or a kid there or a professor there, but we've not done the homework in each of these districts that those locally elected school board members are doing. Let's treat them with respect. This may or may not be the right policy, but it isn't the right policy from this building. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. You know, on a lot of issues, we do a lot of talking, and I often wonder

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

whether it makes any difference. You know, is there anything that anybody has said on this Floor today that would change -- change a person's vote from what they came in with? And -- and I -- and I -- I guess I kind of doubt that. But in -- in listening to the discussion, first of all, we're talking about local control and schools can do whatever they want. You know what? If they could, we don't need this bill. This bill is trying to direct schools what to teach. And if it were the case, we wouldn't -- and if -- if what you say is true, we don't need this bill at all. I also have heard people say, you know, the kids are going to do it anyway, so let's teach them how to do it safer and better. I -- I can't imagine me going to -- when my kids grew up, saying to them, by the way, you -- you -- sex is wrong, especially, you know, at twelve, thirteen, fourteen. It's wrong. It's not just something they shouldn't do. I think all of you will agree, it's wrong. And to say to them, once you get that out of your mouth, "but if you're going to do it, here's the way to do it that it's safer", once we do that -- you know, an earlier Senator said, you know, we don't have the same standards we had a number of years ago. Have we given up on that? It sounds like we've simply given up on those standards that we all agree, I think, should happen. And since we have, here's an easier, safer, better way to do it. And I -- and I just don't want to give up on those standards. There are a lot of things that happen in America that we don't agree with that used to not happen, but we sort of give up on it, and in -- in the meantime, our standards go lower and lower and our culture is -- has more problems. So, again, I haven't changed anybody's mind, but at least I thought I ought to say that. Thank you.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

There being no further discussion, Senator Steans, to close.

SENATOR STEANS:

Well, thank you, Mr. President, Members of the Senate, for the highly engaged conversation on this. It is an important issue. I -- you know, I just want to touch on a -- the -- the -- the reason we're doing this, precisely because abstinence only is not effective. In a journal -- the Journal of Adolescent Health does the research on comparing the curriculum. Adolescents who received comprehensive sex education were significantly less likely to report teen pregnancy than those who received no formal sex education. Whereas, there was no significant effect of abstinence-only education. Abstinence-only education does not have the same impact about reducing things, like teen pregnancy. That is exactly why we're here. I also want to note there's one other aspect that we really haven't touched on yet. We may remember Elizabeth Smart, who had been abducted from her Salt Lake City home and held captive and raped repeatedly for nine months. One of the things that she has come now to talk about very publicly is that -- how abstinence-only education was so hurtful to her personally. This is a quote from Elizabeth Smart: "I remember in school one time, I had a teacher who was talking about abstinence. And she said, 'Imagine you're a stick of gum. When you engage in sex, that's like getting chewed. And if you do that lots of times, you're going to become an old piece of gum, and who is going to want you after that?'" Her -- "No one should ever say that. But for me," - her - "I thought, 'I'm that chewed-up piece of gym.' Nobody re-chews a piece of gum." My life is no longer valuable - that's how she had felt because of that kind of teaching. So that is precisely why

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

we're doing this, is that abstinence education only is not effective and it can have some dangerous ramifications. And we can all here bury our heads and pretend this is -- stuff is not going on; the facts that the CDC reports is that nearly half of all of our high school students have had sexual intercourse. Twelve percent of those sexually active high school students did not use birth control the last time they had sex. I don't think that's a situation we want happening. Teen births represent ten percent of our child births here in Illinois. We need to provide the tools to our kids to make smarter choices than that. I would urge an Aye vote and appreciate the -- the conversation that we've had here today on this very important topic.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, shall House Bill 2675 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 37 voting Aye, 21 voting Nay, 0 voting Present. House Bill 2675, having received the required constitutional majority, is declared passed. Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Raoul.

SENATOR RAOUL:

Mr. President, Members of the Senate, great -- it gives me great pleasure, as Chairman of the Judiciary Committee, to recognize the presence of Chief Justice Thomas Kilbride and his

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

two daughters, Clare and Colleen.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Justice Kilbride, welcome to the Illinois Senate. Great to have you here today. Thanks for joining us, and your family. Ladies and Gentlemen, continuing on the Calendar, next up is House Bill 2695. Senator Kotowski. Senator Kotowski. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2695.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, on House Bill 2695.

SENATOR KOTOWSKI:

Thank you very much, Mr. President. House Bill 2695, as amended, provides that after January 1st, 2016, twenty-five percent of all vehicles purchased with State funds, other than State Police patrol vehicles and Department of Corrections vehicles, shall be fueled by electricity, compressed natural gas, liquid petroleum gas, or liquid natural gas. It also requires that Toll -- Highway Authority construct and maintain at least one electric vehicle charging station at each oasis. It basically is permissive as it relates to IDOT doing it because the -- the rest areas for IDOT were federally -- federally funded operations, so that essentially preempts in that area. So it's permissive. And currently, right now, about twenty percent of the fleet that we have in the State are - through Executive Order - are run through alternative fuels. So, this would essentially move it up another five percent. More than happy to answer any questions.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2695 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2695, having received the required constitutional majority, is declared passed. Next up is House Bill 2720. Senator Mulroe. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. House Bill 2720 is an agreed bill. It allows certain employees of IDOT and county engineers to perform valuation waivers without being licensed appraisers. The -- the land involved cannot exceed ten thousand in value. The bill also specifies that those -- those valuations are not considered appraisals. I know of no opponents.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Senator -- seeing none, Ladies and Gentlemen, the question is, shall House Bill 2720 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2720, having received the required constitutional majority, is declared passed. Senator Noland, for what purpose do you rise?

SENATOR NOLAND:

Thank you, Mr. President. I ask that the record reflect that I wished to vote Aye -- I wished to have voted Aye on Senator Kotowski's Senate Bill 2695 -- House Bill 2695.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intent. Thank you, Senator Noland. Next up, we have House Bill 2721. Senator Haine. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2721.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an appropriate matter to take up since we have the Chief Justice of our Supreme Court here in the Senate Chamber. Thankfully not for an impeachment trial. This extends the sunset and does other regulatory cleanups under the Shorthand Reporters Act. And that's all it does. There's no opposition and this venerable profession would like to have an extension on its ability to govern itself.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2721 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2721, having received the required constitutional majority, is declared passed. Next up is House Bill 2752. Senator Bush. Out of the record. Mr. Secretary, with leave of the Body, let's return to House Bill 2506. It's on page 8 of the Calendar. Senator Delgado. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2506.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. Let's lighten the load just a little bit here. On House Bill 2506, it amends the Horse Racing Act of 1975 to require each organization licensee to make at least two automatic {sic} (automated) external defibrillators available and accessible when backstretch workers are present at their racing facilities. At least one defibrillator must be placed in the paddock and one at the backstretch for each racing facility. And I don't see any opponents at this time and I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Senator Raoul, for what

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

purpose do you rise?

SENATOR RAOUL:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question. Senator Raoul.

SENATOR RAOUL:

I -- I just want to know, have you consulted with Senator Sandoval to see how he feels about this bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

That's why we need the defibrillators back there. I'm not sure for who might need it the most, the horse or Senator Sandoval. No, with all due respect to Senator Sandoval, who had an extremely big fall off a horse, and I'm one of those guys that just love to ride horses, as we know, in the backstretches of many of these, like Arlington Park and all of our racetracks, we have many workers back there, many workers who sometimes are, like, as they say, in the backstretch, in the shadows, and that having defibrillators and making sure that access to health care is right away there for 'em, I would ask for that -- that this is a very simple, commonsense piece of legislation. And would ask for your Aye vote. Thank you, Mr. President. Thank you for the question, Senator.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, Ladies and Gentlemen, the question is, shall House Bill 2506 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2506, having received the required constitutional majority, is declared passed. Mr. Secretary, with leave of the Body, let's go to House Bill 2649. That's also on page 9. House Bill 2649. We'll let it come up on the board. Senator Cunningham. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2649.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cunningham.

SENATOR CUNNINGHAM:

Thank you, Mr. President. House Bill 2649, as amended, makes changes to the Employee Classification Act pertaining to construction projects. It will allow the Department of Labor to adjudicate possible violations of the Act before an administrative law judge and enable the Department to hold individuals liable for penalties if they are proven to have knowingly violated the Act. A lot of work has been done the last few weeks to address the concerns of the opponents, some legitimate concerns they had with the originally House bill, and that has resulted in most but not all the opposition being removed. I want to thank the Department of Labor, the Road Builders, the Construction Industry Committee and the State Chamber for their work on the amendment. And I ask for your support and would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR ALTHOFF:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for questions. Senator Althoff.

SENATOR ALTHOFF:

Senator, I was not in the committee; however, there were amendments that changed this legislation. Can you enumerate that for me, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cunningham.

SENATOR CUNNINGHAM:

Yes. After several weeks of negotiation, there were a number of changes made to the original House bill. They were all included in -- in one amendment. One of the changes mandated that the Department of Labor would have to give written notice within a certain time frame of a complaint. Also, it extended the amount of time that an accused employer has to respond to a complaint. And there was another aspect that enabled violators to essentially undo default judgments that have been entered against them by judges. And there was also an effort to reduce a number of the fines that would otherwise be imposed.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Senator, wasn't there also a section that was added with regard to including individual liabilities that also exempted a specific class of businesses?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cunningham.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR CUNNINGHAM:

Yes, that's correct, Senator. It would exempt companies that were found to be responsible bidders.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Althoff.

SENATOR ALTHOFF:

Members of this Chamber, this is exactly the conversation we had yesterday, where we are now holding a separate class of businesses to a higher standard than another. You know, this is one of those situations, if it's good for the goose, it's good for the gander. But we know -- in this Chamber, we know that these pieces of legislation would never pass unless we exempted that responsible bidder requirement. Responsible bidders are held to that standard in the Procurement Code. It has nothing to do with any other part of this legislation. It's unfair. And at a time - let me remind you again - at a time when Illinois is continually being criticized for being business unfriendly and we have businesses who are moving out of this State and we pass legislation like this, yet we go home and we talk about how committed we are to providing jobs and creating jobs, this does not do it. And I would urge you all take serious consideration and vote No. Thank you very much.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR DELGADO:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Delgado.

SENATOR DELGADO:

I rise in support of the gentleman's motion. The key here is to comply with the Prevailing Wage Act. As a contractor, a contractor/subcontractor must keep records and submit to the Illinois Department of Labor the classification of all workers employed on a public project. Therefore, they are already meeting reporting needs necessary for an investigation. And the concept of individual liability in Labor Act is not anew. There are individual liability provisions in the Illinois Prevailing Act -- Wage Act, the Wage Payment and Collection Act, which I was the chief sponsor of, and has brought in over a million dollars on fines on those fly-by-nights that have made all of our great organizations like the manufacturers and others that do not want to curtail or -- or participate with those fly-by-nights that rip-off their employees. But they were there to help support that Payment and Collection Act as we came together and the Unemployment Insurance Act. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR CUNNINGHAM:

Would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- Senator Cunningham, one second. I missed a light here that was on. I didn't catch it. Senator McCarter, for what

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

purpose did you rise -- do you rise?

SENATOR McCARTER:

I'd like to speak to the bill and I appreciate you allowing me to talk.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

Ladies and Gentlemen, I know way too much about this. Three -- four years in the Senate, audited three times by IDES. Over what? Independent contractors. You can't meet the test. This is an awful ploy. Again, you're going right at the little guys. You're protecting responsible bidders. You know, they're -- they're exempt from the liability. This liability pierces the corporate veil, goes to the owner of the business, like me, and you're not going to do it to me. I'm not going to allow you to do it to me. I'm just not going to invest in this State anymore. I'm sick and tired of this, one little thing after another. You know, this is a death by a thousand regulations and cuts - what you're doing to businesses in this State. This is ridiculous. Watch what you're doing here. You won't know that they've left after they've gone. But they are leaving. They're not going to tolerate this. This is not fair. You can't pierce the corporate veil of a responsible bidder. Why not? Why are they protected? Are we guaranteed that they do everything right? No. You're setting aside business for the unions, and that's all it is. Vote No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator Cunningham, do you wish to close? Senator... Ladies and Gentlemen, the question is, shall

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

House Bill 2649 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 34 voting Aye, 20 voting Nay, 1 voting Present. House Bill 2649, having received the required constitutional majority, is declared passed. Now we're going to go back to where we left off on the Calendar, which is at the top of page 10, House Bill 2753. Senator Biss. Senator Biss, on 2753. Out of the record. House Bill 2754. Senator McCann. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2754.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

...you -- thank you, Mr. President. This bill provides for the issuance of the National Wild Turkey Federation license plates and also for an additional license plate, one that I'm very proud to be working with Senator Manar on. It's the (Curing) Childhood Cancer Fund. It creates that fund and issues a plate for moneys to be deposited in that fund. And I would request an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MANAR:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

To the bill, Senator Manar.

SENATOR MANAR:

I just rise to thank Senator McCann for his willingness to allow me to introduce an amendment in committee and him accepting that amendment and recommending it for the -- for the full Senate.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, Ladies and Gentlemen, the question is, shall House Bill 2754 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2754, having received the required constitutional majority, is declared passed. Next up, we have House Bill 2760. Senator LaHood. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2760.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator LaHood.

SENATOR LaHOOD:

Thank you, Mr. President. House Bill 2760 authorizes an out-of-state physician to oversee or direct the delivery of skilled home care services provided by home health and home nursing agencies licensed in Illinois following care or treatment that has been out of state. This should not exceed ninety days. I'd be happy to answer any questions from the Body. I know of no opposition. Thank you.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 2760 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2760, having received the required constitutional majority, is declared passed. Next up, we have House Bill 2767. Senator Tom Cullerton. Out of the record. House Bill 2773. With leave of the Body, we'll come back to 2773. Let's go to House Bill... With leave of the Body, we'll come back to that one also. House Bill 2778. Senator Rose. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2778.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rose.

SENATOR ROSE:

Thank you, Mr. President. This is now an agreed bill that would allow paramedics and EMT-Is, which are intermediate emergency medical service personnel, to practice up to the level of their license and scope as opposed to currently having to practice down to the rating on an ambulance. And this would be for fire districts of -- or, EMS districts of less than seventy-five hundred people. It is an agreed bill and I look forward to favorable adoption. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

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

SENATOR LIGHTFORD:

Will the sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question. Leader Lightford.

SENATOR LIGHTFORD:

Senator Rose, just a really quick question. You indicated that it's an agreed-upon bill. The analysis is showing that the Department of Public Health is a opponent. Can you please verify that for the record?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rose.

SENATOR ROSE:

Certainly, and thank you for your question, Leader Lightford. As amended, the Department's removed all opposition. In fact, they wrote the amendment.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Ladies and Gentlemen, the question is, shall House Bill 2778 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2778, having received the required constitutional majority, is declared passed. Next up, we have House Bill 2780. Leader Clayborne. Mr. Secretary, Leader Clayborne seeks leave of the Body to return House Bill 2780 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 2780.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

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

ACTING SECRETARY KAISER:

Yes. Floor Amendment 4, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon, on Floor Amendment No. 4. Mr. Secretary, one second. We have to check on some paperwork here. Mr. Secretary, with leave of the Body, let's take House Bill 2780 out of the record. We'll come back to it in just a minute. Allow some paperwork to catch up. So continuing on the Calendar, next we have House Bill 2787. Senator Dillard. Mr. Secretary, please read the gentleman's bill.

ACTING SECRETARY KAISER:

House Bill 2787.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Members. This is an initiative of the Cook County Public Guardian's Office, and among other things and most importantly, it requires the Department of Children and Family Services to establish criteria for labeling a report in a State central register as false. It is to go after and set up a registry as well as commenting with respect to false reports that are filed with the Department. I know of no opposition and would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

none, Ladies and Gentlemen, the question is, shall House Bill 2807 {sic} pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2807 {sic}, having received the required constitutional majority, is declared passed. Next up is House Bill 2807. Senator Link. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2807.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This amends the Illinois Highway Code to permit tax levy certification to occur at any time after the referendum or election. This is the House companion to a bill we passed out 51 to nothing.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question. Senator McCarter.

SENATOR McCARTER:

Senator Link, why do we -- why do we need this bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Senator Link.

SENATOR LINK:

Under current law, it does not specify a date by which the levy must be certified. So that's what we're clearing up right now.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

So, apparently, the taxing body forgot to certify the levy. I mean, are we going to have to do this for everyone that makes this mistake in the State hereafter?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

That is not the reason we're doing this bill. Basically what happens, this goes through the county clerk and the clerk, who runs the election, certifies the ballots after seven days, but has no -- nothing in the law that states when we have to certify these levies.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- seeing no further discussion, Ladies and Gentlemen, the question is, shall House Bill 2807 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 2 voting Nay, 0 voting Present. House Bill 2807, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have House Bill 2809. Senator Raoul. Mr. Secretary, please read the gentleman's bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

ACTING SECRETARY KAISER:

House Bill 2809.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. House Bill -- 2809 amends the Adoption Act to bring it in line with the Interstate Compact on the Placement of Children and the federal Intercounty {sic} (Intercountry) Adoption Act of 2000. The bill requires DCFS to adopt rules establishing preadoption requirements and designating Intercounty {sic} Adoption Coordinators charged with making determinations on the suitability of prospective adoptive parents in intercountry -- intercountry adoptions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Ladies and Gentlemen, the question is, shall House Bill 2809 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2809, having received the required constitutional majority, is declared passed. Next up, we have House Bill 2812. Senator Steans. Out of the record. House Bill 2832. Senator Silverstein. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2832.

(Secretary reads title of bill)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

2nd {sic} Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Senator Silverstein seeks leave of the Body to return House Bill 2832 to the Order of 2nd Reading. Seeing no objection, leave -- leave is granted. Now on the Order of 2nd Reading, we have House Bill 2832. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein, on Floor Amendment 2.

SENATOR SILVERSTEIN:

I'll discuss this on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 2832. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2832.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR SILVERSTEIN:

Thank you, Mr. President. This would amend -- House Bill 2832 amends the County {sic} (Counties) Code to allow a county recorder to establish a fraud referral and review process that a recorder may use to have an administrative law judge review deeds. The amendment adds a requirement that when they give notice, the notice must be given to the recorder of the document that are suspected of such fraudulent activity.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2832 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 54 voting Aye, 3 voting Nay, 0 voting Present. House Bill 2832, having received the required constitutional majority, is declared passed. House Bill 2856. Senator Bertino-Tarrant. Mr. Secretary, please read the lady's bill.

ACTING SECRETARY KAISER:

House Bill 2856.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator J. -- Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

Thank you. You almost did it. Thank you, Mr. President and Members of the Senate. House Bill 2856 requires the Illinois Commerce Commission to prepare a directory of all authorized 9-1-1 systems in Illinois. It also requires each 9-1-1 system to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

provide their ten-digit emergency number to the ICC and their standard operating procedure regarding the transferring, forwarding, and relaying of 9-1-1 calls to other authorized systems. House Bill 2856 is to be repealed on December 2015. I'm happy to have the House sponsor, Representative Natalie Manley, with me today. I know of no opposition and I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2856 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2856, having received the required constitutional majority, is declared passed. At the bottom of page 10, Ladies and Gentlemen, we have House Bill 2869. Senator Steans. Out of the record. Let's turn to the top of page 11 of the printed Calendar on the Order of House Bills 3rd Reading. We have House Bill 2879. Leader Hunter. Mr. Secretary, please read the lady's bill.

ACTING SECRETARY KAISER:

House Bill 2879.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. House Bill 2879 creates the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Violence Prevention Task Force Act. And the duties of the Task Force are to increase awareness of resources, jobs, opportunities to prevent violence; assist groups in providing safe havens; create social and educational initiatives for at-risk youth; and organize community mental health providers. This is an initiative from the African American Family Commission and the Latino Family Commission. And basically what we're trying to do is coordinate a strategy to prevent violence. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2879 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 51 voting Aye, 4 voting Nay, 0 voting Present. House Bill 2879, having received the required constitutional majority, is declared passed. House Bill 2905. Senator Harmon. Leader Harmon. Out of the record. House Bill 2918. Senator Manar. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2918.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar.

SENATOR MANAR:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2918 clarifies the legislative intent regarding the taxability of roof bolts as mining machinery and equipment. This

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

is an initiative of the Illinois Coal Association. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2918 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2918, having received the required constitutional majority, is declared passed. Next up is 2925. Senator Biss. Out of the record. House Bill 2934. Senator Bertino-Tarrant. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2934.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

Thank you very much, Mr. President. Members of the Senate, House Bill 2934 changes the short title and scope of the Internet Dating Safety Act to include Internet child care, Internet senior care, and Internet home care service providers. The Act requires these Internet-based businesses to provide a safety awareness notification and a clear notice as to whether or not that service conducts criminal background checks. I know of no opposition and I ask for a Yes vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Ladies and Gentlemen, is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2934 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2934, having received the required constitutional majority, is declared passed. Next up, we have House Bill 2947. Senator Morrison. Out of the record. House Bill... Mr. Secretary, just one second. Mr. Secretary, leadership -- or, excuse me, sponsorship on House Bill 2947 has been changed to Senator Bush. Senator Bush, do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2947.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bush.

SENATOR BUSH:

Thank you, Mr. President. Excuse me. HB 2947 - this is a page and line amendment that replaces unpaid income tax refunds with estimate of individual and corporate income tax overpayments that will not be refunded before the close of the fiscal year. This amendment clarifies that unpaid tax refunds are not General Revenue Fund liabilities. GOMB suggests the amendment because unpaid tax refunds are paid from the Income Tax Refund Fund. GOMB remains neutral on the bill as amended. And I would urge an Aye vote.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2947 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2947, having received the required constitutional majority, is declared passed. With leave of the Body, let's go to House Bill 2969. Senator Stadelman. Mr. Secretary, please read the gentleman's bill.

ACTING SECRETARY KAISER:

House Bill 2969.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Stadelman.

SENATOR STADELMAN:

Thank you, Mr. President, Members of the Senate. This is an initiative of the Secretary of State. It amends language in the Securities Law. It basically changes the time frame which -- within which an investor may file a private civil action that will enable those investors to seek remedies for violations in long-term investments. Right now, under current law, a person who feels they've been victimized must file no later than five years from the date of purchasing that investment. Many investments have a longer time period than that. They don't even mature within five years of that date. So what this bill does: It changes the language so that a victim would have to file a lawsuit within three

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

years of when they discover or should have discovered that they were defrauded. I'm not aware of any opposition.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 2969 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 51 voting Aye, 7 voting Nay, 0 voting Present. House Bill 2969, having received the required constitutional majority, is declared passed. Next up, we have House Bill 2977. Leader Harmon. Out of the record. House Bill 2992. Leader Silverstein. Mr. Secretary, please read the gentleman's bill.

ACTING SECRETARY KAISER:

House Bill 2992.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This amends the Marriage and Dissolution of Marriage Act to allow a court to award one or more parties the right of first refusal to provide child care for the minor child during the other party's normal parenting time. I know of no opposition.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2992 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2992, having received the required constitutional majority, is declared passed. Senator Jones, for what purpose do you rise?

SENATOR JONES:

Thank you, Mr. President. I'd like the record to reflect, on House Bill 2969, I intended to vote Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intent. Ladies and Gentlemen, 2993 is next up on the Calendar. Senator Biss. Out of the record. House Bill 2994. Senator Bill Haine. Mr. Secretary, please read the gentleman's bill.

ACTING SECRETARY KAISER:

House Bill 2994.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the General Revisory Act - that we do every year - by the Legislative Reference Bureau to correct any scrivener's errors, multiple references, mistakes. It does not contain any substantive changes, except for the increase in per diem and mileage on page 3 - just kidding. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Leader Haine. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

is, shall House Bill 2994 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2994, having received the required constitutional majority, is declared passed. James R. Carder with Blueroomstream.com requests permission to videotape. Seeing no objection, leave is granted. House Bill 3006. Senator Hunter. Leader Hunter, on 3006. Out of the record. House Bill 3010. Senator Holmes. Out of the record. Ladies and Gentlemen, let's turn to the top of page 12 of your printed Calendar, still on the Order of House Bills 3rd Reading. We have House Bill 3043. Senator Manar. Out of the record. House Bill 3047. Leader Muñoz. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3047.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The bill creates the Governor's Office of New Americans to focus on immigrants in the State of Illinois. It also requires the office to maintain and continue to develop New Americans Immigrant Policy and identify strategic partnerships with the Governor's agencies while developing a New American Plan with each agency. I know of no opposition. The only thing we're just trying to do is just put it -- making sure they do what the Executive Order was

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

designed for.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 3047 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 3047, having received the required constitutional majority, is declared passed. House Bill 3054. Senator Martinez. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3054.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. 3054 prohibits anyone, except those given exceptions in the Vehicle Code, from possessing a -- or being in actual physical control of oscillating, rotating, or flashing lights or other indicia of emergency vehicle's authority while -- within any portion of the vehicle. It makes the penalty for violating these Class A -- provision a Class A misdemeanor. It authorizes the use by the Department of Corrections or Department of Juvenile Justice.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR McCANN:

I just want to say thank you to the sponsor. This has been a huge issue in -- in this area, in my district, and I'm sure all around the State. But I commend the sponsor for taking up this piece of legislation. I'm proud to join her. And thank you very much.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any further discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 3054 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 3054, having received the required constitutional majority, is declared passed. Next up, we have House Bill 3057. Leader Muñoz. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3057.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The bill creates the Illinois State Police Memorial Park special license plate. An applicant for the special plate will be charged twenty-five dollars for the original issuance in addition to the appropriate registration fee. Of this, ten dollars shall be deposited into the State Police Memorial Fund and fifteen shall -

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

- deposited into the Secretary of State Special License (Plate) Fund. Each registration renewal period, a twenty-five dollar fee will be charged. Of that fee, twenty-three shall be deposited into the State Police Memorial Park (Fund) and two shall be deposited into the Secretary of State License Plate Fund. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 3057 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 2 voting Nay, 0 voting Present. House Bill 3057, having received the required constitutional majority, is declared passed. Senator Bush, for what purpose do you rise?

SENATOR BUSH:

I apologize. That was an inadvertent speak.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Oh. Next up on the Calendar, we have House Bill 3061. Senator Raoul. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3061.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

House Bill 3061 amends the Criminal Identification Act to expand the sealing law in -- in Illinois to allow individuals with certain Class 3 and Class 4 felonies to petition the court for sealing of their records. It would expand it to the offenses of theft, retail theft, deceptive practices, forgery, and possession of burglary tools, and possession with intent to deliver. Certain aspects of this bill that I want to bring to your attention: that sealing is not automatic, it is not immediate, and it's not guaranteed. A person has to prove that they're law-abiding and that they have to -- wait at least four years from the end of their last sentence. The conviction has to be eligible and then the person must file a petition with the court. The public interests will be protected through the safeguards built in the process. Not only are the eligible convictions limited, the law enforcement is part of the process to represent the public interests. They're allowed to object and prosecutors are always present at the hearings. The judge considers the factors when making the decisions on whether -- whether to seal. Employers and agencies that need to know about convictions still have access. Sealing does not prevent law enforcement from doing its job; they have access to all sealed records. No law enforcement agency is in opposition to the bill. Agencies -- this legislation -- this Legislature has deemed appropriate to conduct background checks, such as financial institutions and schools, also have access to sealed felony convictions. This is an opportunity to restore people who have paid their debt and to make them employable and give them an opportunity to contribute to society and -- and, for that matter, it promotes public safety by giving such people who have sought redemption an -- a -- a second chance.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR ROSE:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Rose.

SENATOR ROSE:

When the original sealing bill came forward eight years ago or so, maybe nine years ago, it was, I believe, Representative Connie Howard in the House, and I -- I'm -- perhaps you, Senator Raoul, over here. And, at the time, what passed was what people were comfortable with and there was a long discussion, a very thoughtful discussion, about leaving this class -- these -- these certain offenses out because it goes to the very core of honesty. And the thought was, if you're a retailer, if you're a banker, you don't want to put someone who had been previously convicted of a Class 3, Class 4 theft in charge of the cash register drawer. And more to the point, you certainly don't want to tell retailers, bankers, what have you, that they have no right to that information to know that they are, in some instances, handing someone keys to literally thousands of dollars. And there was a big discussion, and for those -- those in the room who think, you know, all prosecutors are against this, I supported the first bill. In fact, to be brutally honest, one day after committee, myself, John Millner, and Jim Sacia wrote the first bill, with House Democrat staff. And that was a prosecutor, a chief of police, and a FBI agent. I believe Senator Delgado was on that committee at the time, and was a great chairman, I believe, at the time. In any

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

event - and I apologize for my cold - the point is, folks, this is -- these -- this -- these categories of crimes were specifically left out because it goes to the very core of trust and whether you can trust someone with that cash register drawer. And with absolutely no disrespect to the sponsor of this bill at all, I cannot go forward on this because we went forward as far as I think we should go eight years ago. And, again, for those of you who are going to have to go home and, over the summer months -- it won't be tomorrow, it won't be next month, but at some point in time that small businessman's going to come to you and say "Hey, Senator so-and-so, why'd you vote for that bill? I got robbed blind by that person who had their conviction sealed." And for what it's worth, I think we went as far as we should go, but that is absolutely no disrespect to the sponsor. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Raoul, I want to follow-up a little bit on Senator Rose's comments about the expansion into -- into offenses which do -- they involve honesty and your thought process on why this expansion into these specific new crimes is appropriate.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Senator Raoul.

SENATOR RAOUL:

I -- you know, I think that with any measure we take that approaches the question as to whether or not we embrace giving folks a second chance, when we initially embark upon it, we -- we attempt to limit it. Right? And, certainly, we have done so. And we've had a period of time, since 2005, where we've been able to experience a limited opportunity for certain offenses to -- to be eligible, just eligible, for -- for sealing. Certainly, you know, I think to some extent, any criminal offense has some element of dishonesty to it. I appreciate the sentiment with regards to employers that want to be certain of a -- a potential employee's honesty. And we try to, within this bill, with regards to financial institutions, for example, that will still have an -- an opportunity to -- to -- to -- to look at background, to -- to create a provision to -- to balance those two -- two interests. So, this was an expansion, but it's not a vast expansion; it's just five offenses.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Now, Senator -- thank you, Mr. President. Senator Raoul, I mean - let's walk through this a little bit - the point in sealing is to prohibit, other -- other than certain -- with certain exceptions, like law enforcement, prohibit anyone from being able to do a background check on this individual and discover that, yes, in fact, five years ago they had been convicted of forgery, or deceptive practice, or retail theft, or possession of burglary tools, and the -- the rhetoric, if you will, or the theme that --

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

that most proponents use in pushing this proposal is the notion that we're trying to help these individuals assimilate back into the mainstream and reduce recidivism. Obviously, two very noble, very important goals. But in the end, the -- in order to do that, what that means as -- is that when that individual who is convicted of those felonies sits - or that felony - sits down and does their job interview with the employer, or fills out the job application, then it's an opportunity for them to say something that's not true and get away with it, because the employer's not going to be able to run a background check and determine the person's background. I mean, is that -- I mean, that's where -- is that where this kind of settles out in the end?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

And -- and -- and I remember this discussion in committee and -- and, you know, I -- I guess, Senator Righter, you know, whether it's presidential pardons or -- or pardons from a -- a governor or -- that dilemma is put forth, and -- and -- and we have an imperfect situation there. But, again, there's a balancing of interests as to whether or not if we embrace a policy, and we've already begun to do so with certain offenses, that -- that -- that exists right now, with regards to the offenses that are currently eligible. So we've crossed that -- that -- that bridge. So it goes back to the same balancing that I referred to. And the response to your first question is, is there a point - and we may disagree and I appreciate that we may disagree - is there a point where an individual who has committed one of these offenses has demonstrated they have an appreciation for the wrong that they committed, has -- has gone

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

through a sufficient waiting period, and has demonstrated that they're somebody who should be eligible to -- to be a contributing member of society without the limitations of that past mistake?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

To the bill, if I might, Mr. President. Thank you very much. Ladies and Gentlemen of the Senate - and thank you, Senator Raoul for your answer - I -- I think that the analogy to the -- the pardon is a little askew, because, in the pardon situation, it's a public official who is standing up publicly and saying, "I'm issuing a pardon for this person." I mean, there's accountability there because the public official has to do that, if you will, publicly. In this situation, there's a little bit kind of under the cover of darkness here or there's a little -- it's -- it's harder to see because what we're going to do is -- is -- is put the General Assembly's and, if he signs it, the Governor's stamp of approval on allowing the job applicant to, at the very least, mislead, or lie, to the person from whom they're asking a job. And the question is whether or not we want to be in that business or that situation at all, remembering that the employer is the individual who has put his or her capital at risk. They're the ones who decided to continue to run the company or start up the company. They're -- it's -- they -- they're on the line - we're not. And to sanction the notion of telling - or not telling them - okay, we're not going to tell you that this person, five years ago, was convicted of forgery or deceptive practice and so when you put them in charge of your finances in whatever small business you may have - and it's other than a financial

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

institution's situation - you're not going to know that. You're not going to know what they had done. Now, I -- I appreciate that my view still leaves open this vexing problem of assimilation; I just don't think that the right way to solve that is by not telling the employers or prohibiting the employers from discovering the backgrounds of the people that they're putting in the business that they've got their capital invested in. I just think this goes down the -- a wrong road of disrespecting the employers who have put their capital on the line to -- to create jobs and can provide for themselves and their families. I think that we need an open process that, while it'd be lengthier, while it'd be more difficult, finds other ways to help people who truly have gotten on the right path to assimilate back into society. I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RAOUL:

You know, I appreciate the sentiment expressed. With regards to that dilemma, with regards to employers, we're there now. We've -- we've -- we've passed public policy. We've passed legislation that has made this the case for certain eligible offenses right now. I was pleased that, in the House of Representatives, this received significant bipartisan support, because I think, on both sides of the aisle, there's an acceptance that we have to do something - as modest as this may be, we have to do something to allow for a second chance. I used to have these discussions with our former colleague Thomas Johnson, Senator Tom Johnson, all the time, who would talk about redemption, who would talk about second

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

chance. And this is a narrow expansion. And -- and to make it clear to all of you all, in this circumstance, this is not absolute. This is not absolute. A -- a judge will have -- with the -- with the State's Attorney, with the prosecutor present, and -- and -- and -- and the State's Attorney Association stated that this bill in no way prevents law enforcement from doing their job. And -- and -- and they were neutral on this bill. This -- this in no way handicaps law enforcement from objecting to such a petition. And I -- I would tell you that if a prosecution were objecting in one of these cases, the likelihood is a judge would not grant the sealing. So this is a -- a modest expansion to allow us to do something to -- to have people have an opportunity to seek employment so they can support their families and so they can be contributors to society, taxpayers, in -- in lieu of retreating back to negative activity. So I really urge you all to search your souls and vote Aye on this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall House Bill 3061 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 42 voting Aye, 13 voting Nay, 0 voting Present. House Bill 3061, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have House Bill 3063. Senator Bertino-Tarrant. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3063.

(Secretary reads title of bill)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator J. Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

Thank you, Mr. President and Members of the Senate. House Bill 3063 requires school districts to establish a new two-year evaluation plan when a principal chooses to evaluate a teacher within his or her first year as principal. It aligns evaluations for teachers rated at the top -- in the top two levels. I'll be happy to answer any of your questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR REZIN:

Thank you, Mr. Sponsor. Question for the -- question for the sponsor. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator indicates she will yield for a question. Senator Rezin.

SENATOR REZIN:

Senator, could you tell me why we need to pass legislation in order to do this?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

What we are hoping to accomplish here is just to provide some clarity to school districts. It is in School Code that a principal does have the -- it is in school contract that they can get evaluated every two years right now. All this is doing is

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

providing consistency and clarity to school districts.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

Thank you. But I think the discussion in committee was that this is part of PERA, which is the Performance Evaluation Reform Act, which was passed in 2010. And as a result, PERA, which was used for Senate Bill 7, which was a highly negotiated education reform bill by our friends across the aisle -- and the discussion and the concern in committee was that this is a change to a large education reform bill, and it was made very clear in Education -- in our Education Committee that we will not have changes to this -- to Senate Bill 7 or to PERA.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

Thank you. Yeah. And I'm well aware of the concern that it does -- that it is believed to be a violation of Senate Bill 7. But Senate Bill 7 is different than the evaluation systems. You know, Senate Bill 7 covered survey of learning conditions, board member training, actions for certificates, new and vacant positions, tenure. It does not deal directly with the evaluation of teachers. In School Code - and I -- sorry, I don't have the number right here in front of me - it does say that a teacher can be -- well, a teacher is to be evaluated every other school year. And all this is doing, once again, because of the situation where a new principal is able to come in and, for lack of a better word, upset that cycle, it simply allows the teacher to get put back into a two-year cycle. So, for example, I am -- I'm evaluated

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

year one, year two a new principal comes in and I'm evaluated again, and I had the two highest marks - I have the excellent and proficient. All this does is allows me, as a teacher, to be put back in a cycle. Once again, it just allows for consistency, clarity, and pretty much some -- some fairness.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

Thank you. If I could read from the actual Illinois State Board of Education's own website. The PERA, as we call it, the Performance Evaluation Reform Act, was passed by the General Assembly in 2010. And it really sets up the performance-based evaluation that we talk about in Senate Bill 11 {sic}. Also on the website, it -- it goes on to talk about education stakeholders negotiated an education reform bill that stemmed in part from PERA. That bill was Senate Bill 7. So, PERA, in fact, is a very integral component of Senate Bill 7. And again, it was made very clear to us in our Education Committee, not so much in regards to the specifics of the bill, but that any bill that in fact does change PERA or Senate Bill 7 was not to be accepted.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

And I'm -- I'm trying to be -- clarify. There's either a question or a statement there. But I'm not familiar with that -- that -- did we talk about that in committee? I'm not -- wasn't clear of that in committee. So..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR REZIN:

My recollection is that we did talk about it in committee and that's why we had a split vote in committee, along with the, actually, author of the Education Reform Bill as well, who had concerns, and I don't mean to speak for anybody out of turn. And the reason that I bring this up, and my question is -- and as you know, approximately a month before this bill came up that I had a superintendent from my district come and testify regarding a couple waivers. He is -- it's a small school district that has the same person act as the superintendent -- same person is the superintendent and principal, and he was asking for some flexibilities in his waivers. And after he testified, the -- the same groups that are supporting this bill actively worked to get the waivers denied based on the fact that they do not want changes to Senate Bill 7 because it was a highly negotiated piece of legislation. Is that your recollection?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

I do recall his testimony and I know that waivers were denied. I do know that. But, from what I recall, it was for his evaluation as a superintendent and principal, not how he evaluates teachers. So it was -- it was the evaluation of him. And the other thing I recall was regarding the training, that because now that their -- the school board has training, they wanted to have some -- the -- the annual conference. So I don't -- I don't think this is the same thing.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR REZIN:

And -- and thank you for that. Actually, my recollection is - again, it's not whether it's the same specific issue - the whole argument was based on that -- what we were asking in our waivers and what's happening in this piece of legislation is changing what was negotiated in Senate Bill 7. And he was asking for flexibility in -- in his position and when he testified in regards to his waivers, so he was asking for flexibility in the evaluation. When I look at this piece of legislation, I look at it as well for principals, are providing flexibilities to school districts as well in regards to evaluation. So, I'm not arguing the specifics of your bill, but I am questioning whether we are going to allow changes to Senate Bill 7 for certain people and -- or groups and -- as opposed to other, you know, people or groups.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there a question there, Senator Rezin? Senator Rezin.

SENATOR REZIN:

Yes. I'm asking: Are we going to allow the same flexibility for certain groups regarding Senate Bill 7 and changes to Senate Bill 7 as we do for other groups?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bertino-Tarrant.

SENATOR BERTINO-TARRANT:

My -- my best answer to this is I -- I still think that those are two separate components. This is not a teacher being exempt from an evaluation. It's simply allowing a teacher, who is excellent or proficient, who has been evaluated already two years in a row, to just get back into a cycle. I, in all honesty, cannot think of - and I know there's opposition - I can't think of a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

reason why there would be any opposition to this -- to this bill, simply because it does allow a principal to focus on other things, including teachers who may need help, student discipline, student management, things along that line, that's more concerning than a teacher who is a good teacher and because it -- it simply allows them to get back into the -- a system. It -- it does not remove their evaluation whatsoever.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rezin.

SENATOR REZIN:

Thank you. Thank you. To the bill: As I mentioned, approximately a month ago, I did have a superintendent come and testify before Education Committee, and he was asking for flexibility within Senate Bill 7 to be given to his school district. He was denied and the groups that actually testified before him in committee had cited that Senate Bill 7 was a highly negotiated education reform bill and that they did not want to see any changes to Senate Bill 7. Actually, the same groups who testified against my superintendent went on to send and communicate back home to their local association and said that we gave testimony today in the Senate and also in the House, as -- after hearing the convoluted arguments from the superintendent, I now how -- see how it's easy to get confused and convinced he might be right, but most of the Senators and Representatives saw through it. So, you know, again, I look at this bill and I'm not arguing the merits of the bill or the details of the bill, but I am asking do we have two sets of rules for who gets to -- who gets the flexibility within Senate Bill 7 and who does not. I ask for a No vote. Thank you.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR VAN PELT:

To the -- a question to the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield for a question. Senator Van Pelt.

SENATOR VAN PELT:

Can you tell me the percentage of teachers that are proficient? Do you know? Okay. That's it. No, that's it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no -- seeing no further discussion, Senator Van -- or, excuse me, Senator Bertino-Tarrant, to close.

SENATOR BERTINO-TARRANT:

Thank you very much, Mr. President. I understand the -- the concern with seven Bill -- Senate Bill 7 and PERA because I understand -- I also recognize that there was a lot of dedication put be -- and a lot of work done with that bill. I just want to stress that this is not taking away any teacher evaluation. School Code says that a "service is evaluated at least once in the course of every two school years". We are not trying to remove that. We are just simply allowing school districts to be clear and consistent in how they do that policy. I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, shall House Bill 3063 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 43 voting Aye, 12 voting Nay, 0 voting

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Present. House Bill 3063, having received the required constitutional majority, is declared passed. Next up on the Calendar, we have House Bill 3070. Senator Delgado. Mr. Secretary, please read the gentleman's bill.

SECRETARY ANDERSON:

House Bill 3070.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. House Bill 3070 requires school personnel to {sic} (who) work with pupils in grades seven to twelve to be trained to identify the warning signs of mental illness and suicide behavior. Current law requires such personnel to be trained only to identify signs of suicide behavior. And, currently, school districts' guidance counselors, teachers, school social workers, and other school personnel who work with pupils seven to twelve -- through seven -- through twelve are required to be trained to identify the warning signs of suicide behavior in adolescents and teens and shall be taught appropriate intervention and referral techniques. The training takes place in form of an in-service provided by the school district. And I would ask for your indulgence in an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3070 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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 0 voting Nay, 0 voting Present. House Bill 3070, having received the required constitutional majority, is declared passed. Next up's House Bill 3081. Senator Haine. Out of the record. House Bill 3088. Senator Martinez. Out of the record. House Bill 3104. Senator Jacobs. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3104.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This is a agreed bill. It came out of Energy Committee and it passed the House with 117 to 0. It updates the annual rate that Nicor pays for its depreciation through the filing with the Illinois Commerce Commission. I know no opposition.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3104 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 3104, having received the required constitutional majority, is declared passed. Next up, we have House Bill 3111. Senator Mulroe. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SECRETARY ANDERSON:

House Bill 3111.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. This is an initiative of the Illinois Supreme Court. It creates the Access to Justice Act to ensure that all litigants have meaningful access to legal information and legal representation, regardless of their income or circumstances. The Act encourages the Supreme Court to develop two legal assistant {sic} programs. The first would create a statewide military personnel and veterans' legal assistance hotline. The second would be to create a program to -- to provide court-based legal assistance at a circuit court within each of the five appellate court districts. It also creates the Access to Justice Fund to administer the pilot programs that will be funded by a ten-dollar filing fee in all civil cases. It also creates the Statutory Court Fee Task Force to evaluate the various statutory fees imposed in criminal and -- court -- civil court. It also allows county law libraries to include self-help legal centers and other legal assistant {sic} programs for the public. And finally, it provides for a waiver of court fees and court costs when a party is represented by a court-sponsored pro bono program. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR DILLARD:

Thank you, Mr. President. I rise in support of the bill. As the sponsor said, this is an initiative of the Supreme Court. We had the Chief Justice over here a little while ago. It's also supported by the Chicago Bar Association and the Illinois Library Association. For those who get a little goosey, I do, as the sponsor pointed out, want to warn you there is a ten-dollar filing fee here. But justice is not free. The court system is not free. It's a good bill. It's something that -- that we certainly should support. But I did want to point out, there is a small filing fee increase in here. But, for me, that far outweighs the benefits to society of this law, and I join with Senator Mulroe as a co-sponsor on this bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. And just for the record, Justice Kilbride is still with us on the Floor. Great to have you here. Seeing no further discussion, Senator Mulroe, do you wish to close? Ladies and Gentlemen, the question is, shall House Bill 3111 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 49 voting Aye, 6 voting Nay, 0 voting Present. House Bill 3111, having received the required constitutional majority, is declared passed. Very good. With leave of the Body, we'll come back to 3120. Ladies and Gentlemen, at the bottom of page 12, we have Senate -- or, excuse me, House Bill 3125. Senator Forby. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3125.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Forby.

SENATOR FORBY:

Thank you. House Bill 25 {sic} (3125) amends the Unemployment Act Insurance {sic}. The bill allows IDES to get reimbursement for record {sic} (recording) fees for liens from a debtor, update to disabled veterans outreach program, create a penalty for fraud filing an unemployment insurance tax return, requires a State contractor or State-funded college and university to post job openings on the IDES job website. And it makes other administration {sic}. This is a agreed bill between IDES, labor and business community regarding unemployment insurance. This is a agreed bill. I'll -- I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

To the bill, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

Ladies and Gentlemen, this is -- this is not a bad bill. It's not a great bill, but it's not a bad bill. And -- and if you had let me, I would have shown you a good bill, or even a great bill. But two years ago, when we passed the legislation to issue the bonds to pay back the federal government unemployment insurance, there was an agreement that no more reforms to unemployment

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

insurance would come out for five years. Now why we would not take advantage of reforms for five years, I don't know. But for the last two years, I've filed five bills each year with changes that states around us have already made, saved us money, cost employers less, enabled -- and enabled businesses to lower their cost of doing business, make more money, and -- and create more tax revenue for this State. That's a bad policy. This is a reform and breaks that agreement. I hope that in the next Session, we'll use common sense and go back and really reform unemployment insurance for the sake of the employers in this State. It's gone from four and a half percent to over nine percent - a five percent increase in your payroll cost on every business in this State. And that may not mean anything to you, but that's less money that you take home to your family. That's -- it's ridiculous. You keep putting pressure on -- on -- on businesses like this, they're going to leave. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RAOUL:

Thank you, Mr. President. And I appreciate the -- the passion of the -- our previous speaker. I was at the table when we did our unemployment reforms a couple of years ago and I -- I think this is a -- a -- a good bill. And -- and I -- and I must say, I do appreciate the passion of the previous speaker and I am so happy he's still in our State.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator Forby, do you wish to close? Ladies and Gentlemen, question is, shall House Bill 3125

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 3125, having received the required constitutional majority, is declared passed. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 328, offered by Senator Muñoz.

It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

Message from the House by Mr. Mapes, Clerk.

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

Senate Bill 626.

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 No. 1 to Senate Bill 626.

We have received like Messages on Senate Bill 1764, with House Amendment 3; Senate Bill 2350, with House Amendments 1 and 2; Senate Bill 1908, with House Amendments 1 and 2 {sic}; and Senate Bill 2380, with House Amendment 1. Passed the House, as amended, May 22nd, 2013. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, will all members of the Committee on Assignments please come to the President's Anteroom? All members

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

of the Committee on Assignments please come to the President's Anteroom. Senator Lightford, for what purpose do you rise? Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, please join me in welcoming the Living Word Christian Academy. They are here to take part in what we do to pass legislation here in the General Assembly. They are located in my district, in the Village of Bellwood. It's the eighth grade class. It's their great teachers, parents. My son is a student in the seventh grade, but they're a awesome group of kids. Many of you helped me raise money for their technology center. Please welcome them to the Illinois Senate.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will our guests in the galleries please rise? Welcome to the Illinois State Senate. We're pleased to have you here today. Thanks for joining us. Once again, all the members of the Committee on Assignments to the President's Anteroom. The Senate stands at ease. (at ease) Senator Mulroe, for what purpose do you rise?

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. A point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Mulroe.

SENATOR MULROE:

I would just like everyone to know that our colleague, my friend and yours, is celebrating a big day today. Pat McGuire and his wife, Lori, are celebrating their thirty-sixth wedding

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

anniversary today. And we -- I'd like everyone to give 'em a big round of applause.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McGuire, congratulations. Happy anniversary. Thirty-six years - that's outstanding. (at ease) Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer -- refer -- re-refer from Education Committee to Assignments Committee - House Bill 3112.

Signed, Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Floor Amendment 1 to Senate Bill 340, Floor Amendment 2 to House Bill 183; refer to Licensed Activities and Pensions Committee - House Bill 530; refer to State Government and Veterans Affairs Committee - Committee Amendment 1 to Senate Resolution 243; refer to Transportation Committee - Floor Amendment 3 to House Bill 2773; Be Approved for Consideration - House Bill 3112, Floor Amendment 5 to House Bill 3349, and Senate Resolution 328.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Raoul.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR RAOUL:

I have the extreme pleasure of recognizing my two Pages of the Day, the sons of my Legislative Assistant, Nino and Leo. I think I've got one zookeeper here -- future zookeeper and one future scientist. And they've -- they've told me that they both will do so remaining in the State of Illinois and that's why I'm glad to have these two Pages with me today. And I'd like the Senate to give them a warm welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Illinois State Senate, young men. We're glad to have you here today. Thanks for joining us. Senator Martinez, for what purpose do you rise?

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. This is just a reminder. Today from six to nine, we usually have our end-of-Session -- almost-end-of-Session barbeque. And on behalf of the Latino Caucus, I want to invite everyone to come to the barbeque. It's always great because it's the Black and Latino Caucuses that throw this party together, and we wish to invite everyone to come out, everyone from the Senate and the staff and everyone else too.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, we're going to go to the Order of Senate Bills 3rd Reading. If you will turn to page 3 of the printed Calendar, we're going to be jumping around just a little bit, but on the Order of Senate Bills 3rd Reading, in the middle of the page, we have Senate Bill 1341. Senator Lightford. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Senate Bill 1341.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 1341 amends the Open Space Land {sic} (Lands) Acquisition and Development Act. It provides for a local government a definition of a distressed -- distressed community. The criteria will be set by administrative rule. Communities will be eligible for assistance up to ninety percent for the acquisition of the open space land and for capital development and improvement proposals. What we're finding is that most of these distressed communities are unable to benefit from the OSLAD grant because they just don't have that fifty-fifty match. This criteria will just allow more communities to be competitive and be able to apply for the OSLAD grant. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR ALTHOFF:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield for a question. Senator Althoff.

SENATOR ALTHOFF:

Thank you very much. Senator Lightford, you know I have the greatest respect for you and much of the work that you've done here in the General Assembly, but, you know, OSLAD has been

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

somewhat one of -- of my very near and dear to my heart programs. Can you explain to me where the money to fund the OSLAD grant comes from?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff. Excuse me. Senator Lightford.

SENATOR LIGHTFORD:

Thank you. Senator, it comes from the real estate transfer tax fund to fund this great program. Nothing's going to change. The only difference here, and I, too -- I'm a fan of the program. The only change here is that the Department -- this is the Department's initiative and what they're finding is that the same park districts and groups are constantly eligible and able to receive the OSLAD grants and they want to open it up to a larger pool of community groups across the State -- municipalities, that is, and park districts. So this doesn't change the funding. This only identifies distressed communities and allow them an opportunity to receive the fifty-fifty match and be more eligible, if you will, for the fifty-fifty match.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

So, I'm understanding that because there is some reasoning keeping these communities from being able to apply - and I'm going to guess, Senator, that part of it is that they don't have the fifty percent match - but my information, when speaking to the Department, is somewhat contrary. The Department of Natural Resources, in response to my inquiry, indicated that the result of this legislation would actually end up being that fewer parks would either be purchased land for those open spaces or developed. I

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

guess my -- my comment is, is the reason that these depressed communities can't apply or don't meet the criteria for grant submittal is that they don't have the fifty percent match?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lightford.

SENATOR LIGHTFORD:

So, the Department -- again, this is an initiative of the Department, so I'm not sure the response that your staff may have received from them. But -- okay, I'll give an example, like the natural disaster we just had downstate. So a lot of those small communities don't have the ability to rebuild their communities. This would allow them the help to apply. So, it's actually, the distressed local governments will then be eligible for assistance up to ninety percent for the acquisition of open space lands. So then they would be eligible for -- no more than ten percent of the money that's appropriated under the Open Space Land {sic} Acquisition and Development Act, in any fiscal year, will be granted to distressed local governments. So I'm understanding that it will be not up to ninety percent of that fifty percent, and then after the project is done, they'd be -- reimburse that number back.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Ninety percent of the fifty percent or ninety percent of the one hundred percent that the cost of the project would be?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lightford.

SENATOR LIGHTFORD:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Forgive me, Senator, it is ninety percent. Currently, it's the fifty-fifty. It would become ninety-ten.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

And -- and that is my concern. And even though this might be an initiative of the Department, I'm pointing out again that when the original program was developed, it was developed with an understanding to people who were purchasing real estate property in the State of Illinois that the moneys for OSLAD would be used at a fifty-fifty match, requiring communities to actually show the viability of those projects - that they in fact had a plan in place. And that's why we had that fifty-fifty percent. What this does is allow those communities to apply and get a substantially larger amount of money from that pot and I think that that's, again, a disadvantage to those individuals who are actually following the rules that were established from the beginning. And -- and I'm going to let the sponsor respond to that. So, thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator -- seeing no further discussion, Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank you -- thank you, Mr. President. And, Senator Althoff, I just want to bring to your attention and the Body's that only ten percent of the total budget would be marked for distressed communities to receive up to ninety percent of that portion. So, it would only be ten percent of that total budget. It would be for distressed communities. It would be -- distressed will be

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

defined by rules. And this is in an effort, again, to help those local small communities downstate who experience disasters, up in areas where they just have just low support and their park districts can never generate enough revenue to redo their parks. This would allow them an opportunity to fit in a ten percent pool of the total amount of resources that we have and allow them an opportunity to redo the open land space that -- that they, too, have. I'd be happy to -- encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, shall Senate Bill 1341 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 36 voting Aye, 19 voting Nay, 1 voting Present. Senate Bill 1341, having received the required constitutional majority, is declared passed. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Request a verification of the most recent roll call, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Althoff, Bertino-Tarrant, Biss, Bush, Clayborne, Collins, Cunningham, Delgado, Forby, Frerichs, Haine, Harmon, Harris, Hunter, Hutchinson, Jacobs, Jones, Koehler, Landek, Lightford, Link, Manar, Martinez, McGuire, Mulroe, Muñoz, Noland, Raoul,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Sandoval, Silverstein, Stadelman, Steans, Sullivan, Trotter, Van Pelt, President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

You know, Mr. President, I'm feeling a little like the Pied Piper of the Senate Democrat Caucus. I speak into the microphone on one of these issues and suddenly all your Members appear. No, I don't think I will. Thank you, though, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

On a verified roll call, there are 36 voting Aye, 19 voting Nay, 1 voting Present. Senate Bill 1341, having received the required -- required constitutional majority, is declared passed. Ladies and Gentlemen, with leave -- leave of the Body, we'll turn to page 3 of the printed Calendar, still on the Order of Senate Bills 3rd Reading. We have Senate Bill 1448. Senator Muñoz. Senator Muñoz seeks leave of the Body to return Senate Bill 1448 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1448. Mr. Secretary, are there -- are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 5, offered by Senator Delgado.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Just one second. I think we have a correction on that. Just one second.

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Muñoz.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz, on Floor Amendment 2.

SENATOR MUÑOZ:

Mr. President, if we can adopt Amendment 2, it becomes like the bill, and I'll go ahead and explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senator Link in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

Now on the Order of 3rd Reading is Senate Bill 1448. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1448.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Leader Muñoz, on your bill.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The bill creates the Endow Illinois Tax Credit, which would allow an income tax credit worth fifty percent of the endowment gifts to community foundations. The total amount of credits issued by the Department of Revenue may not exceed five million in 2013, 12.5

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

million in 2014, and twenty-five million in 2015 and beyond. Ten percent of the tax credits given must be reserved for donations under thirty thousand. Credits may be carried forward for five years.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR McCARTER:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR McCARTER:

Senator, how much, over the next three years, will we be taking out of the general fund for this program?

PRESIDING OFFICER: (SENATOR LINK)

Leader Muñoz.

SENATOR MUÑOZ:

We wouldn't be taking any money out of the fund. It just would hold off, and what it is, it -- what it would if it not had happened.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

So let me -- let -- let me rephrase that - taking money out of. How much less are we able to pay our bills with because of this program?

PRESIDING OFFICER: (SENATOR LINK)

Leader Muñoz.

SENATOR MUÑOZ:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

42.5 over three years.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

And is there -- is there any reason we should be doing this given the -- the tight budget situation that we're in right now?

PRESIDING OFFICER: (SENATOR LINK)

Leader Muñoz.

SENATOR MUÑOZ:

Well, one of the reasons why we're doing this, you know, it lessens non-for-profits' reliance on government funding. You know, it brings greater diversification of funding for non-for-profits and it's also greater resources for the non-for-profits.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Let -- let me -- let me speak to the bill. You know, only about seven percent of these endowments are going to be spent. We have no guarantee that they're going to be spent on programs that we would've had to spend money on. There's no trade here. One of these -- one of these is in my district. Good friend said, "Can you support this?" I said, "You know, we just can't do this at this time." And, you know, and those are the tough decisions you make when you're -- when -- when you're pressed financially. And no one likes to tell their kids, in a family budget, that you're going to do without or you're going to do -- you just have a little; you know, you're not going to eat out as much; you're going to have fewer channels. Nobody likes to do that, but you do that because you believe that there's a future for your family and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

you're -- and you're obligated to take care of them. We have an obligation to pay our bills. This is a good time to just say, "You know what? We care for you, but we just can't do this." Voting No doesn't mean you don't care for these people. Voting No means that you really do and you think there's a future for the people that you represent. And it's time to, with compassion, just say no. I encourage a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Kotowski, for what purpose do you rise?

SENATOR KOTOWSKI:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR KOTOWSKI:

I rise in support of the bill for a number of reasons, and I think it was exactly enumerated before: because it gives those who are providing services in the community an opportunity to get investment from the private sector, encourages that investment. It does make them less reliant upon government and it makes them more capable of providing these services on their own. And something else that was stated in committee, I thought was pretty compelling, is it encourages those who, you know, have their businesses here, who are successful here, to invest here, and to invest in the community. So I think this is an excellent bill. I would encourage an Aye vote and I -- I thank the sponsor for his work.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, Leader Muñoz, to close.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR MUÑOZ:

Thank you, Mr. President. I just want to let my colleagues know, community foundations have specific mandates, strict regulations. Moneys that's raised in their communities will stay in their communities. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1448 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 4 Nays, 1 voting Present. Senate Bill 1448, having received the required constitutional majority, is declared passed. Senator Noland, for what purpose do you rise?

SENATOR NOLAND:

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

PRESIDING OFFICER: (SENATOR LINK)

State -- state your point.

SENATOR NOLAND:

Thank you. Above me on the Democrat side in the gallery, if you will, welcome my constituent, Scott Lesht, who lives in Streamwood. He is also the Chief Financial Officer of Kendall College, a culinary arts school that are going to be plying -- the students who attend will be plying their wares over at the Governor's Mansion to support the -- the Mansion Foundation at a fundraiser. So, if you can, stop by over there. In the meantime, please provide him with a warm Springfield welcome. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Welcome to Springfield, and enjoy yourselves. Senate Bill 14

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

-- 1454. Senator Delgado. Senator Delgado seeks leave of the Body to return Senate Bill 1454 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill -- 1454. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 5, offered by Senator Delgado.

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado, on your amendment.

SENATOR DELGADO:

Thank you, Mr. President and Members of the Senate. Senate Floor Amendment No. 5 deletes all and becomes the bill. It maintains the classification of hydrocodone as a Schedule III drug, but limits a provider's ability to -- to prescribe more than one month's supply at a time. Providers may write no more than three sequential thirty-day supply prescriptions for a patient at any one time. And I would ask for your indulgence in a Aye vote. This represents, by the way, Mr. President, a compromise reached between the Department of Public Health, the ISMS, and the optometrists.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1454. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SECRETARY ANDERSON:

Senate Bill 1454.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado, on your bill.

SENATOR DELGADO:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, we had debate the other day over something that was very medicinal. Today I bring you what I promised: legislation to address the epidemic in America and the epidemic here in Illinois - actually, an epidemic around the world. And no matter what we do as parents, we need to work hard, as I'm bringing forward to you the beginning of many, in terms of working together with the industry. And Senate Bill 1454, as amended, limits the amount of hydrocodone, known as Vicodin, that can be prescribed at any one time to no more than a thirty-day supply; two, clarifies that the purpose of the Prescription Monitoring Program, or otherwise known as PMP, is as a clinical tool to provide assistance to healthcare providers in preventing accidental overdoses or duplications of controlled substances to patients under their care; states that by January 1, 2018 - and this is to assist all our small folks, all our small pharmacies - that all electronic health records should operate with the Prescription Monitoring System; five, it permits physicians and pharmacists to access the PMP; and, six, establishes the selection of members of the PMP advisory council -- the advisory committee and sets forth the advisory committee's reporting requirements to the Director of the Department of Financial and Professional Regulation. Ladies and Gentlemen, I'm

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

open for questions, but it's very obvious and clear that with four hundred and fifty thousand prescriptions being filed or prescribed of hydrocodone per month, with 5.4 million hydrocodone pills in the State right now -- and before I go to question, Mr. President, from 1999 to 2010, the number of U.S. drug poisoning deaths involving opiates, OxyContin, methadone and hydrocodone, more than quadrupled, from four thousand to sixteen thousand. At this point, I'll be willing to answer any questions. And I'm very proud to say that we have brought together ophthalmologists, the Med Society, optometrists, physicians. We have brought together. And I want to commend my Senate -- our Senate staff in coordinating all of these parts, as this will continue to move forward. But this is the one we must capture now and give our families and our -- our loved ones. And keep in mind, let's not stigmatize, these are not people who are just abusing because they want to party, these are professional lawyers, teachers, everyday patients who are prescribed from the ophthalmologist, beginning of an operation, Vicodin, hydrocodone, all the way down to the optometrists, who also has prescribing power, who's going to give you a set of glasses. Should they be giving you another? Where do they all wind up but in our medicine cabinets, in the blood of our children and our loved ones. And with the accidental deaths in this nation and -- this is time. As the former Chair of Public Health, as we started these public hearings down in Carbondale, I look forward to coming into your communities with public hearings on how we will make sure that our youth have a future and that our adults, professionals, know when their doctors are giving them something that they are indeed going to be healthy once they've taken it. Mr. President, I'm here to answer any questions.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR SYVERSON:

Senator, we've discussed this over the last month on a couple of these issues, and, one, I appreciate you making the initial amendments to -- to draw this back so it doesn't become a -- a Schedule II concern. But we discussed in committee the -- the -- the potential problem that this creates financially for individuals that have long-term chronic, long-term cancer treatments and what this is going to mean as a hardship, requiring that they get monthly scripts and that they have to pay now monthly co-pays as opposed to, historically, being able to get this same prescription at a -- at a ninety-day amount. And we had -- and there was discussions that there was going to be an amendment to address that issue. And where are we on that, or your thoughts on that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado.

SENATOR DELGADO:

Thank you for the question, Leader Syverson, and I appreciate the inquiry. This is from the Assistant Vice President of Legal Services from the Illinois State Med Society. Restricting -- and I quote: Restricting the amount to a thirty -- to thirty-day supplies and requiring a new script authorized by a physician slows

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

down the prescribing and leads to more careful prescribing habits. Otherwise, a script can be for months with multiple automatic refills. And with this, we are very secure and feeling good that we will -- that this is my thoughts on it and -- and would -- and -- and we know that with five-dollar and ten-dollar co-pays and not -- and -- and to close the quote on -- on -- on the Med Society -- their lives and what is happening at the level that it's occurring. I'm very happy to report that statement by the Assistant Vice President of Legal Services from the Illinois State Med Society. That would be my answer to that question, Senator Syverson.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

Senator, thank you for that, except that really doesn't address the issue. What that just says is, which we understand, that the Medical Society has stated that you could give multiple prescriptions for that -- that drug, and that's not really the concern or the problem. So what the Medical Society is saying is that we can give you an ongoing prescription for thirty or sixty or ninety days, but that doesn't stop the fact that that individual has to fill that every thirty days and they have to pay a co-pay. Unfortunately, the co-pays aren't five or ten dollars; the co-pays are forty, sixty, eighty dollars per month under most insurance carriers, including the State of Illinois' carrier. And so it's -- it's addressing that hundreds of dollars of extra cost for a cancer patient, unless we can amend this legislation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR DELGADO:

No. Notwithstanding your comments, Mr. -- Senator Syverson, this still cuts down on the actual use and the -- and with -- and with respect to costs and coming from a community that always is concerned with costs, it's a lot cheaper than losing your life. And at the end of the day, I accept your constructive input, but this is where it's at now and I'd rather risk making sure that that cost can be covered by collateral families or other. But reducing the amount of dosages that can go into your body and to your home, to me, is -- supersedes the -- the -- the -- the actual cost at this time. And I -- I appreciate your major concern with costs, as I do share that. However, it will be particular populations, of course, and seniors and others that -- that you're speaking to. But I would -- I would say that based on the scale of one to ten, their health and long-term needs are much more valuable, in my assessment of my legislation, than that co-pay. It'll be cheaper to keep 'em alive -- be worth it to keep them alive.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

Well, Senator, we're really talking about two different things. You're talking about people who abuse this drug, who, for some reason, a physician writes a script for an individual that is -- doesn't have a serious illness and somehow they're going to continue to get a -- multiple scripts. And that's an issue between the Medical Society and -- and the pharmacies. We're talking about cancer patients. They're not abusing this drug. We're talking about people who are suffering from pain that have limited

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

resources. And in committee, we talked about this and you had said we were going to talk about addressing the problem of people who have serious illnesses, that the cost and the -- and the hardship of getting a script filled every thirty days and having to pay a co-pay every thirty days, as opposed to getting a ninety-day supply, is a hardship. I don't know why -- how that's going to hurt the -- the lives of people when we're talking about seriously ill people who are taking a serious drug and that filling every thirty days is a hardship for them. And it is a cost. And to ask family members to kick in and pay a higher co-pay for them is going to be difficult, 'cause most families don't have that kind of -- those dollars for the co-pay. So, what I -- we're talking about is amending it to help for those long-term chronically ill patients or cancer patients that are needing to take these prescriptions and having the ability to have that ninety-day supply that these people have been having now. That's what we're looking for. And that's what we talked about in committee and I thought there was a commitment with the Retailers, as well as that, that we were going to address this population.

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado.

SENATOR DELGADO:

Thank you. On -- on two points. One is, no, I'm not speaking specifically about those abusing. And please keep in mind, Ladies and Gentlemen, the mere use of Vicodin, hydrocodone and the -- the acetaminophen that is the -- the -- which is the -- the pain reliever causing this, is common in -- in Tylenol too, which has also been -- and reduced by the federal government from seven hundred and fifty milligrams down to three hundred and twenty-five

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

milligrams. It's just that with Vicodin, after taking a few tabs, you get addicted. It's not a matter of abusing it; it's just long-term use creates addiction. And number two, I did talk about this in committee, and -- and if -- at an amendatory level, if that's what they'd like to do, I'm still open to that. But at the end of the day, in terms of cancer patients and the prescribing, it still reduces the amount that they're going to require. Although, OxyContin, which has been reformulated, and that is truly for patients of cancer, and it's been reformulated for - why? - because it was a cheap heroin high. Matter of fact, they -- they not only made it harder to crush, I believe there's some place putting hot pepper in it so, if you use it, it will irritate you. OxyContin is mostly used for your cancer-type patients. In regards to Vicodin and its -- and its use -- it's not abuse, 'cause if you're taking it more than fifteen days, chances are you're going to become addicted. It's an -- a very addictive drug. And that is where we're at. Majority of the pharmacists are for twelve days or less than the current standings. And so, with major operations -- my wife had two broken feet and the most -- her doctor practices great American medicine, and that is twelve Tramadol's only. After that, on a nine-month injury, she was on Advil and bedridden and -- and very limited in her movement. So, with the majority of the Rx's already in favor of twelve days, and with all due respect, Mr. -- Senator Syverson, I work very well also with the Retail Merchants Association and they have -- they -- from what I know, I've not heard anything from the Illinois Retail Merchants as to my position on this as of now.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR SYVERSON:

Senator, I agree with you that the majority of people who get Vicodin get it for a period of less than ten days. This legislation doesn't affect that at all. This is a person that goes to the -- the dentist and has a tooth filled and they get Vicodin for two or three days, or they have a knee surgery and they take medicine for two or three days. Most of these people are going to take this for a shorter period of time. This legislation doesn't change that. Let me ask you maybe a different question. Who would the medical community -- who would they write scripts for that would be longer than ninety days? Who does the medical society write those scripts for? What population would -- would be using those -- would get those scripts?

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado.

SENATOR DELGADO:

On your last question -- first of all, responsible prescribers don't do ninety and -- not on this particular drug on the responsible level. And, number two, I'm glad you brought up the toothache. A root canal on May 11th, 2010, now I am going to be personal with myself, was prescribed to my son, and by June 11th, by 11 p.m. I was -- we were with 'em, ready to bring him home for a day or two because of his -- he's dead. Thirty pills for a root canal. Now, as needed. Young professional. Six, like to see that prescription. Thirty pills is what they'll give you, and if you have cash scripts -- and by the way, we're leading into electronic monitoring, you should not receive a cash -- you should not receive a handwritten script from your doctor for these particular drugs. Directly to the pharmacist, no mistakes. We

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

just arrested a doctor in my district - I want to congratulate Professional Regulation - for utilizing his license to deal with a person's mental illness and then writing cash scripts to the CVS for hydrocodone, cash only. Ladies and Gentlemen, I appreciate the gentleman's questions, but we have an epidemic on our hands and a lot of language can be dealt with - actually, very little here - on an amendatory. Although, I really want to go with, based on my knowledge of the New York legislation, where these concepts I did adopt, which is really signed by Governor Cuomo and sponsored by the State Attorney General of New York and I believe it was Senator Lanza, with some of my -- when I tried moving this, so it came through NAAG. And it was supposed to come through NAAG. But at the end of the day, a six - no, they do not just give you six, they write you a thirty-day. That's why now I've been able to compromise with -- with -- with, and I want to thank Randy from the level of the State of Illinois Pharmacists, whose our head pharmacist, and the optometrists, who said, "Yeah, I'll compromise, let's not go Schedule II." Senator Syverson, I heard you. And we didn't do that. But we must start dealing with the dosages. That's my other avenue of tweaking this and safely provide for Cardinal Health, all the staging of it, from the manufacturers. They're not under there. Who's supplying it. We're not -- we're -- we're concerned about the prescribing. And please, wait until I see -- you see a bill that I bring on an education level, in terms of what's happening at the universities, in terms of where it starts at. But in this case, I need to take issue with the type of prescribing. That is why we're here.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR SYVERSON:

Senator, does this legislation deal with anything, any way, shape, or form, with the example you just gave of those who give a thirty-day supply of -- of -- of this medication?

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado.

SENATOR DELGADO:

I'm sorry, Mr. -- Senator Syverson, I -- I didn't understand your question. Can you ask that again?

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

You stated that there's a lot of abuse of -- of -- in this case where people are supposed to only be getting -- given a couple of days dosage, but these doctors are giving them a thirty-day supply. Does this legislation address in any way, shape, or form thirty-day supplies or less?

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado.

SENATOR DELGADO:

Yeah. The answer is no. But it does help encourage the reduction, but giving the docs and pharmacists -- who, by the way, the pharmacists are your, really, experts on interaction. From my understanding, on the university level, doctors only have to take it as an elective. So your experts are your pharmacists. And -- and we have to change that curriculum too, to make sure they -- that's not an elective. But, no, on -- your -- your -- your doctors will be able to. They're giving out heavy fourth-hit batters, double to you. You take a -- and by the way, Vicodin,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

for those who -- is a pain reliever which has acetaminophen. But if you're taking a mental health drug with that or -- for anxiety, that is where the anxiety -- that's where interaction deaths are coming from. Two pills, because it -- going to have equal. And I hate to use a baseball metaphor, but it's like having two Carlos Beltráns batting back to back. Your pituitary gland is going to say shut down. It's going to stop your breathing, and unless there's someone there who's going to be able to awaken you, you will continue that sleep and move on to the next world. So that -- at that point, these are two equally heavy drugs and that is where we've been getting the -- the problems. The use of Vicodin, the sole use of Vicodin for a prolonged period of time -- and -- and -- and possibly, again, as I -- I equate it sometimes with crack cocaine - just taking a few drags of that is what's going to addict you. With the use of Vicodin, it is highly addictive. And, by the way, they give it to a twelve-year-old who -- who might need it for -- or a thirty-year-old for a root canal. How about an eighty-eight-year-old lady who just fell down and broke her ankle? And now, by the way, you have short-term memory and she hallucinates because she thinks that there's someone else coming in her home. There's no range in this matrix. Why are they doing this when -- when -- when, in essence, you want to have an MRI? Literally, they would even give you -- they would offer that as a -- a -- instead of trying to give you a sedative to reduce -- to -- to have you calm if you can't do an open MRI. This has gotten out of control, not only in the State of Illinois, but in the United States of America and around this country. I understand your concerns. I've met with all parties that are -- that are -- that are at the table, as we've done with the Affordable Care Act,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

as we've done with the mental health care Act, as we did with the crime wave stuff Act. And I appreciate all the comments, but everyone has been at this table and they're the ones that said, as someone tried to slip in Amendment No. 6 on us, "No." We didn't need to do that; that was not germane to our legislation. We want to get real {sic} two things accomplished here: make sure that we have electronic monitoring directly, in -- in this particular bill, by 2018; and number two is to control the dosages that are going into our bodies and into our homes and then becoming a candy store for our young people. And when you open up your child -- when you open up your medicine cabinet, you're opening up your young person's forehead. And take a look what's happening in your homes. And by the way, and dispensaries, where do we get rid of 'em at? Where have they been going? Can't flush 'em, but every -- everybody in here has to flush at one point or another. It's in your system. Just take a moment and think. You're very intelligent people. You're scientists. You're lawyers. You're parents. The prescription you take must come out also. In terms of -- so we have dispensaries now in police stations and I'm very proud that the State of Illinois is moving in this direction. And I've mentioned -- I referred to New York. I didn't go that far. It's called I-STOP. Acronym is Internet Safety -- I -- I lose my -- Tracking of Over-Abused Prescriptions {sic} (Internet System for Tracking Over-Prescribing) - I-STOP. And this is just one small component that I have done everything but water down. But we will have to control the amount of pills that are coming into our -- are prescribing. And we've had no push back. On the contrary, we've been encouraged by our docs and our pharmacists.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Senator Syverson.

SENATOR SYVERSON:

I'm not sure if that was a filibuster or not, but a couple - couple points and I'll wrap it up. The concerns you raise, I don't disagree with. The concerns of abuse or the concerns with misdiagnosis, this legislation doesn't address that whatsoever. That's an issue that the medical community has to deal with, ultimately. This doesn't deal with the fact that a -- a doctor may give a person a thirty-day supply of a pain medication when they only need it for a few days or a week. This doesn't address that at all. This says you can have a thirty-day supply. It doesn't say you can only have a seven-day or a five-day supply. It says a thirty-day. So anything less than that isn't addressed by this legislation. The idea that we're going to tell physicians, we're going to tell surgeons, we're going to tell those who are dealing -- I mean, just last week, we dealt with the issue of medical marijuana, giving pain relief to individuals. We are now telling fragile people that have major, expensive, long-term illnesses that are taking medically approved long-term medication and we're saying to them, you have to go now and get thirty-day supplies of the same drug. You still get the same drug, you still get it over ninety days, except for you have to now have three scripts. The legislation in fact allows a doctor to write you three scripts at one time. You're going to get three scripts, instead of one, except for you have to pay for three scripts instead of one. It doesn't stop the abuse that occurs. It just hurts those families that are struggling and the convenience that this is going to affect and the cost that it's going to affect for brand-name drugs. I certainly understand what the Senator is

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

trying to get at. This, unfortunately, doesn't get at the abuse, or the education, or the medical community addressing the misdiagnosis or over -- overprescribing of this medication. This is something that we can address. But the cost of this is going to be very heavy. And you're going to be receiving calls from your family members, from your constituents, who are going to say, "Why now do I have to have a separate co-pay every single month for the -- for the prescriptions that I have been taking or my loved one is taking for the serious illness that they have?" And this is just going to drive up more cost. So, I would urge a No vote on this. I appreciate the -- the -- the -- the -- the passion of this sponsor, but I think we can do better with this legislation, getting at the real problem without it costing individuals as much as this is going to end up costing them. Thank you for your time, Mr. President, and allowing me to share my concerns.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR DELGADO:

Thank you. I think it's been a lively debate. I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1454 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 12 Nays, 4 voting Present. Senate Bill 1454, having received the required constitutional majority, is declared passed. Senate Bill 2345.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Senator Jacobs. Mr. Secretary, please read the bill. Senator Jacobs seeks -- seeks leave of the Body to return Senate Bill 2345 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 2345. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs, on your amendment.

SENATOR JACOBS:

Thank you, Mr. Chairman {sic}. The amendment is -- I want to table this -- table this amendment, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs tables Amendment No. 2. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs, on Floor Amendment No. 3.

SENATOR JACOBS:

Thank you, Mr. President. Amendment No. 3 amends Section 11-10. It's intended to eliminate the possible ambiguity in the Section, confirming the meaning and definition of equipment that qualifies for pollution control facility certification. It also confirms the Department of Revenue's application of the valuation methods mentioned in the Statute are permissive and not mandatory.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2345. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2345.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs, on your bill.

SENATOR JACOBS:

Thank you, Mr. Chairman {sic}. This bill, we've worked very hard to try to find a compromise. Unfortunately, we couldn't find a complete compromise. We did move the bill through committee. We held the bill for two weeks without any question from the committee, but we held the bill in order to try to work out problems, but we were unable to get 'em all done. At the end of the day, what this bill does is simply codifies the current practice of the Department of Revenue and the Illinois EPA relating to pollution -- pollution control devices. It does not extend the definition of pollution control devices or the -- or change the way in which the devices have been assessed from the Department of Revenue for the past thirty years.

PRESIDING OFFICER: (SENATOR LINK)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR McCARTER:

I want to stand up and tell the sponsor I appreciate his efforts on this bill. This is a -- this issue is of serious concern in my district and -- and a number of yours. But this is the right thing to do. You know what -- what the EPA has done is they've come to these big producers, chemical companies, and said, "Listen, we're going to mandate that you spend millions and millions of dollars to clean up the air." Now, at the same time -- well, they had no choice to do it, but they did it. They -- they had no guarantee of getting that money back in profits; no -- no program was going to reimburse them for this. They did it -- because they were told they had to do it. Millions and millions of dollars. And so, what happened then was, the school district said, "Well, wait a -- well, wait a minute, your plant's more valuable." Therefore, the EAVs have gone up. "We should get some of that." It's not right. That's not the way you should evaluate this. These companies spent the money with no guarantee of getting it back, cleaned up the environment for the same schoolchildren who are benefiting from the existing sales tax -- I mean, property tax base already, and in many cases, they've even agreed to raise that -- even though they didn't have to. They've done that for the good of their community. They spent millions for the good of their community. This is the right way to value what these properties are worth and how much benefit should go to the community. I commend the sponsor for a good bill. I am a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

hundred percent in support of this bill. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rezin, for what purpose do you rise?

SENATOR REZIN:

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

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR REZIN:

Again, too, I commend the sponsor for working on this bill. It does bring clarity to a practice, a long-established practice, by the Department of Revenue on how to assess many large manufacturing plants, many that are in my district as well, that deal with pollution control devices. So it codifies a practice that's been handled for over thirty years. My question to you is, many of the school districts currently are negotiating five-year agreements with the oil refinery or with the -- the chemical plants. Does this, Senator, in any way impede their ability to negotiate and -- in -- regarding these long contracts?

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

That's really been the point of contention. And I'll tell you, in the two-week process I've been waiting, no one's shown me how that would occur. So the fact is, Revenue says it doesn't change how things are assessed. They've been doing it this way that we're trying to do now for thirty years. This will simply codify it into law. I think it's much ado about very little.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rezin.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR REZIN:

Thank you. To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR REZIN:

I, too, rise in support of this piece of legislation. It just helps to provide predictability for many large companies, manufacturing, chemical companies, oil refineries, ethanol plants, many of these plants that are in my district that do rely on the Clean Air and Water Act and the regs from the USEPA. This just allows them predictability on how their property has been assessed by the Department of Revenue for thirty years. I ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator McGuire, for what purpose do you rise?

SENATOR MCGUIRE:

Questions of the sponsor, please, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR MCGUIRE:

Thank you. Senator Jacobs, as you indicated, we've worked together for weeks to try to address the concerns of school districts and other taxing districts regarding this bill. And I appreciate Senator Rezin's mention of the local agreements which some refineries in this State have reached, at least one in my district, ExxonMobil. And if I may, I would like to ask you a couple questions, if we could examine more closely some of the language that's being added to bill. If I may?

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Senator Jacobs. Senator McGuire.

SENATOR MCGUIRE:

Thank you. In Section 11-10, Senator, there is existing language which defines what qualifies as a pollution control device. And it -- the existing language ends with mention of the Environmental Protection Act. Is that the Illinois Environmental Protection Act or a federal Act?

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

Illinois.

PRESIDING OFFICER: (SENATOR LINK)

Senator McGuire.

SENATOR MCGUIRE:

Thank you. And the language which Amendment 3 would add to the Section mentions, quote, "in compliance with federal or State requirements". And the concern has been expressed to me that there may be a disconuity here -- discontinuity here between the reference in the existing language to the Illinois Environmental Protection Act and the mention in this new language of federal or State requirements.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

The current law -- the current law is very broad and I don't see how codifying it really narrows it, given the fact that Department of Revenue has said, and the EPA has said, that this is not an expansion and that they don't see a problem with the assessment. The problem seems to come from the assessment -- seems

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

to come from the local assessors, who say, "Well, we can't get as much money for this smokestack because now they put a pollution control device on it." But they still can charge for the other part of the building. They can charge -- and a local assessor has wide latitude on what they can charge for. So I don't think this bill does what the opponents fear it's going to do. And I would acknowledge that you've worked very hard and pushed me very hard on this bill and I appreciate it. And I also want to acknowledge that you've done a good job of getting some of your schools together with -- with the refineries. But at the end of the day, what this bill really becomes about is legals - lawyers. If I could get the lawyers out of this way -- out of the way, we could get this bill solved - probably me and you.

PRESIDING OFFICER: (SENATOR LINK)

Senator McGuire.

SENATOR MCGUIRE:

With no harm intended toward our colleagues who are members of the Bar, I share that interest. And -- and, Senator Jacobs, that's why I -- that's why I wish to examine this language. So if there is a difference of opinion about the reference to the Illinois Environmental Protection Act and the reference to federal requirements, by whom and how will that be resolved?

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

By -- by the Illinois Pollution Control, which is -- we're doing through the codifying of the law. We're giving the Illinois Environmental {sic} Control the power to say, "This is -- this is what we've been doing for thirty years and now it's codified, so

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

there's no guessing anymore. This is the law. This is the law we've been using for thirty years. We're going to continue to use this law until someone tells us that it's a bad law."

PRESIDING OFFICER: (SENATOR LINK)

Senator McGuire.

SENATOR MCGUIRE:

To echo your earlier sentiment, the -- a concern here is that this will lead to -- will lead to litigation, to time-consuming and costly litigation, which the local agreements avoid. So, Senator, if I may, I'd like to ask you about another Section. It's Section 11-15. And this...

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

Well, Senator, I would like to point out that a lot of this is due to lawsuits. As you know, the -- the main backer of the other forces is doing lawsuits with schools, charging them exorbitant amounts of money and telling them the sky is falling. I've examined this for several weeks. I don't see the sky falling. And I would point out that this particular lawyer has filed over ninety lawsuits in Illinois in the last six months. So, I'm sure he has some questions about what's going to happen to his lawsuit.

PRESIDING OFFICER: (SENATOR LINK)

Senator McGuire.

SENATOR MCGUIRE:

Again, in our joint desire to avoid -- to limit the involvement of lawyers in these cases, I ask, in Section 11-15, which is the passage which allows the use of the productive earning value method to assess refineries, your Amendment 3 would add this

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

language, "where reasonable, consider", and I -- I ask you what the definition of "reasonable" is in this context, please.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

Department of Revenue will look at that and determine what "reasonable" is. You know, reasonable can mean a lot of different things to a lot of different people. And, you know, I do know that reasonableness is important, but, you know, we've been reasonable. The law has been the same for thirty years. It seems like we ought to be able to follow a law that's been written for thirty years and continue to follow it. That doesn't seem very unreasonable to me.

PRESIDING OFFICER: (SENATOR LINK)

Senator McGuire.

SENATOR MCGUIRE:

...you -- as you mentioned, Senator, the word "reasonable" is open to different interpretations, different meaning, which, again, raises the specter, if I may, of this language leading to complex and costly litigation, which I believe we wish to avoid because local agreements observe the principle of local control, and they -- and the stakeholders most directly involved by this -- the owners of the refineries, say, and the affected taxing districts -- together, through joint negotiation, arrive at a settlement.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

And there's nothing in the Statute that would prohibit them

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

from meeting together and finding a reasonable solution. What we have now is we have lawsuits being filed because there's ambiguity in what is reasonable. So we're -- we're working hard to define what is reasonable. That's why we made the concessions, of giving you the concession of keeping earning language in the law. That's why we put force behind the tax agreement, as sought by the opponents. That's why we exempted windmills and ethanol plants. The only thing I can't do for you is to give you a win in the courtroom. And what I'm fighting for here is for the standard that we have and to -- and hopefully we'll keep that standard because the standard seems to work.

PRESIDING OFFICER: (SENATOR LINK)

Senator McGuire.

SENATOR McGUIRE:

Yes. And indeed, Senator Jacobs, like you, I'm trying to keep these -- these cases, these attempts to balance the interest of refineries, which our State is fortunate to have four -- four of them, to balance their interests with the -- interests of the local taxing district. To the bill. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR McGUIRE:

Thank you. And we well know that property taxes are eminently local, based on terra firma, and thus it seems that local control, that principle of local control is best in situations like this. We should do what we can to promote these local settlements to, again, to esteem local control and also provide something very important, which I hear a cry for from everyone in the State of Illinois, from corporate chieftains to pensioners, and that is

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

stability and predictability. And as you know, the local agreements which have been achieved, they do bring stability and predictability, to corporate boardrooms, to chambers of local government, indeed to homeowners themselves. And my fear is that the ambiguity and apparent lack of clarity in this bill will make it more difficult to reach these local agreements and will lead to expensive and costly litigation and the expenditure of scarce resources at both the local and State levels. So, for that reason, because my reading of the bill is that there may be some ambiguity, there may be some lack of clarity in it, and that those two circumstances could lead to litigation at the expense of agreements reached on the local level, I would respectfully ask for a No vote on this bill. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, for what purpose do you rise?

SENATOR HAINE:

To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR HAINE:

I -- I congratulate the sponsor here for trying his best to work out a balance. And this entire system we've developed over the -- the decades has been a balance. It's a balance of competing interests that occur after large and small businesses put money into their operations. When they invest, the assessment goes up, the property's worth more. And I have that situation in my -- in my district with Phillips. They've put 4.1 billion dollars into the plant. They've hired four thousand pipefitters, laborers, carpenters. And that's why I note in the bill {sic} the Pipe

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Trades, the AFL-CIO joined in this bill, because their work depends upon in the investment of these businesses. And, of course, one of the things business -- these manufacturers are required to do is comply with the -- the air pollution standards. So when they put on a pollution control device, the historic procedure is that it is -- it goes to the Department of Revenue -- or the EPA, I'm sorry, the EPA to determine if it is in fact a pollution control device. That's the first check. And then if they determine that it is, then it's valued as salvage, and it's determined that way by the Pollution Control Board. What's rattled everyone's cages is the litigation both Senators have talked about that wants to go beyond that and litigate that this pollution control device should only apply if it controls pollution at the very site of the plant, which would, of course, be a very limited use, because the idea of the control device is to have pollution controlled that goes off the plant into the wider region or even the wider part of the country. And that would -- really, it's an attack upon the incentive to comply and to reward compliance with the efforts to control air pollution. And it does increase the value of the plant. And that's determined by the assessment -- the assessor. But to litigate everything causes these things to be delayed. It is a disincentive to put any more money in these plants while the litigation is -- is occurring. What this bill does is to -- is to bring stability and relative certainty to what is going on now and let the assessors do their job, let the plants put in more money, which hires all of our -- our laborers, carpenters, pipe trades, the electrical workers, teamsters, and then when the value goes up, to tax 'em. And that means more money for schools, cities, villages, parks, everyone else. So I think this is a balanced

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

bill and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR JACOBS:

I -- I'd just like to close by -- according to the EPA, I have a letter that says, they are -- we are effectively memorializing what has turned out to be the Pollution Control Board's practice in interpreting existing language and catches the language up to what the practice has been in their application of the language. So I think I'm just going to ask for a Yes vote and move forward. They still got to work through the House and they need some time to get it done.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2345 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 4 Nays, 1 voting Present. Senate Bill 2345, having received the required constitutional majority, is declared passed. Senate Bill 115. Senator Mulroe. Mr. Secretary -- Senator Mulroe seeks leave of the Body to return Senate Bill 115 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 115. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Mulroe.

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe, on your amendment.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. The amendment becomes the bill. I'd ask that the amendment be adopted and I'd be happy to explain it on 3rd.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 115. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 115.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Mulroe, on your amendment -- or, on your bill.

SENATOR MULROE:

Thank you, Mr. President. Senate Bill 115 makes it an unlawful practice for any person engaged in publishing criminal record information to solicit or accept money or other consideration as a basis for removing, correcting, or modifying the information. This is a relatively recent phenomena. There's about five or six states that are actively pursuing it. Some -- when someone gets arrested, their -- their photographs taking -- taken, and in cases where they -- the -- the charges are dismissed,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

the -- there are entities or people that are taking that mugshot, putting it on the Internet, contacting the person who's depicted in the mugshot and then asking 'em for money to remove the -- the mugshot. So I'd -- found that offensive and we worked hard to try to get -- put it in the right place and we ended up in the deceptive practice Act. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 115 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, No Nays, none voting Present. Senate Bill 115, having received the required constitutional majority, is declared passed. Senate Bill 1816. Senator Van Pelt. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 1816.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Van Pelt, on your bill.

SENATOR VAN PELT:

Thank you, Mr. President. Senate Bill 1816 amends the Illinois film tax credit by expanding the credit to include on-screen talent labor expenditures. The bill removes the current exemption for industrial and corporate film production. Senate Bill 1816 makes Illinois a primary destination for film and TV productions. The Illinois film tax credit does work. In Illinois, the tax credit -- we've leveraged 163.5 million dollars in tax

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

credits and have brought in more than a billion dollars in revenue and over ten thousand jobs. Illinois' best year for TV shows was 2010, when five television pilots -- pilots were shot here. Last year, our State broke a record for TV shows. Illinois is poised to become a primary location for film production. Illinois -- however, Illinois currently lags behind states like New York and Georgia and -- and North Carolina, Pennsylvania and Louisiana in the film industry spending, because those states offer more competitive tax credits. Senate Bill 1816 puts Illinois in line with other states offering modern -- more modern tax incentives. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1816 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 6 Nays, none voting Present. Senate Bill 1816, having received the required constitutional majority, is declared passed. With leave of the Body, we'll turn to page 10 for House Bill 2780. Senator Clayborne. Senator Clayborne seeks leave of the Body to return House Bill 2780 to the Order of 2nd Reading for the purposes of an amendment. All -- Mr. Secretary -- now on the Order of 2nd Reading is House Bill 2780. Mr. Secretary, please read the Floor amendment approved for consideration.

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Leader Clayborne, on your amendment. Excuse me. Leader

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Harmon, on the amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I want to thank Senator Clayborne for allowing an amendment to his bill. It does not replace the portion of the bill that he introduced. We've already, in the committee, adopted Amendment No. 1, which is a relatively modest modernization of the currency exchange laws. It's an agreement with the -- the Department of Financial and Professional Regulation. This amendment is a clarifying change relating to the ability of currency exchanges to offer alternative electric supply contracts through the currency exchanges. I'd move for its adoption and I would defer to Senator Clayborne on the bill. But if anyone had questions on the portion related to currency exchanges in the first amendment and this amendment, I'd be happy to try to answer them.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2780. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2780.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR LINK)

Leader Clayborne, on your bill.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. House Bill 2780 makes two changes. Senator Harmon just explained one of them. The other one is that it amends the Recyclable Metal Purchase Registration Law to establish the Recyclable Metal Theft Task Force within the Office of the Secretary of State and describes the composition of the Task Force. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 2780 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 2780, having received the required constitutional majority, is declared passed. I just have an announcement for all Members. The final day for moving House bills from 2nd to 3rd Reading will be Thursday, May 23rd. Again, if you wish to move your bill from 2nd to 3rd Reading, please do so by May 23rd, tomorrow. Now on the Order of 2nd Readings - House Bills 2nd Reading, page 14. House Bill 922. Senator Holmes. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 922.

(Secretary reads title of bill)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 946. Senator Manar. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 946.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 1189. Senator Cunningham. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1189.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 1516. Senator Silverstein. Out of the record. House Bill 1544. Senator Manar. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1544.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments reported. {sic}

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Manar.

PRESIDING OFFICER: (SENATOR LINK)

Senator Manar, on your amendment.

SENATOR MANAR:

Thank you, Mr. President. Amendment No. 2 becomes the bill. I'll be happy to discuss it now or on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 1573. Leader Muñoz. Out of the record. House Bill 1584. Senator Althoff. Out of the record. House Bill 1849. Senator Manar. Out of the record. House Bill 2213. Leader Lightford. Out of the record. House Bill 2317. Leader Harmon. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2317.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Leader Harmon, on your amendment.

SENATOR HARMON:

Thank you, Mr. President. Amendment No. 1 came out of the Executive Committee today. It deals with the taxation of leased vehicles. I'd move for its adoption and look forward to debating it on 3rd.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 2498. Senator Delgado. Out of the record. House Bill 2530. Senator McConnaughay. Out of the record. House Bill 2574. Leader Sullivan. Out of the record. Leader Sullivan in the Chair.

PRESIDING OFFICER: (SENATOR SULLIVAN)

House Bill 2716. Senator Morrison. Out of the record. No, excuse me, Mr. -- Mr. President {sic}. House Bill 2716. Senator Link. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2716.

(Secretary reads title of bill)

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senator Link in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

House Bill 2747. Leader Harmon. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2747.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 2755. Senator Rose. Out of the record. House Bill 2764. Leader Muñoz. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2764.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. We'll skip over House Bill 2943. House Bill 3075. Senator Silverstein. Out of the record. House Bill 3232. Senator Koehler. Out of the record. Ladies and Gentlemen, the following committees will be meeting: Labor and Commerce will meet in Room 212, tomorrow, at 9 a.m. Now, Supplemental Calendar No. 1, which has been distributed to everybody. We got Senate Bills 2nd Reading. 1626. Senator Sandoval. Out of the record. Now we'll go to House bills, back to House bills. House Bill 801. Senator Noland. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SECRETARY ANDERSON:

House Bill 801.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 983. Senator Althoff. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 983.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR LINK)

Have you any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 1063. Senator Collins. Out of the record. House Bill 1443. Senator Kotowski. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1443.

(Secretary reads title of bill)

2nd Reading of the bill. Committee on Criminal Law adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR LINK)

Are there any further Floor amendments approved for consideration?

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 3021. Senator -- Leader Silverstein.
Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3021.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 3035. Senator Jacobs. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3035.

(Secretary reads title of bill)

2nd Reading of the bill. Committee on State Government and Veterans Affairs adopted Amendment No. 6.

PRESIDING OFFICER: (SENATOR LINK)

Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 3271. With leave of the Body, we'll go to Senator Kotowski. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3271.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

5/22/2013

Amendment No. 1.

PRESIDING OFFICER: (SENATOR LINK)

Are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 3349. Senator Althoff. Mr. Secretary, please read the bill. Out of the record. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 11 a.m. on the 23rd day of May, 2013. The Senate stands adjourned.