

STATE OF ILLINOIS  
100th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

82nd Legislative Day

11/9/2017

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PRESIDING OFFICER: (SENATOR MUÑOZ)

The regular Session of the 100th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Reverend Robert Freeman, Urbana First United Methodist Church, Urbana, Illinois. Reverend.

THE REVEREND ROBERT FREEMAN:

(Prayer by the Reverend Robert Freeman)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Pledge of Allegiance. Senator Cunningham.

SENATOR CUNNINGHAM:

(Pledge of Allegiance, led by Senator Cunningham)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Lisa Yuscius, Blueroomstream.com, requests permission to video. There being no objection, leave is granted. Rae Hodge and Mike Fourcher, The Daily Line, request permission to photograph. There being no objection, leave is granted. Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Wednesday, November 8th, 2017.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bennett.

SENATOR BENNETT:

Thank you, Mr. President. I move to postpone the reading and approval of the Journals just read by the Secretary, pending arrival of the printed transcripts.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bennett moves to postpone the reading and the approval of the Journal, pending the arrival of printed transcripts. There

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being no objection, so ordered. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolutions 1092 and 1093, offered by Senator McCann and all Members.

Senate Resolutions 1094 and 1095, offered by Senator McGuire and all Members.

They are all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ANDERSON:

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

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

Senate Bill 61.

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

House Amendment 1 to Senate Bill 61.

We have received like Messages on Senate Bill 444, with House Amendment 3; 521, with House Amendments 1 and 2; 772, with House Amendments 1 and 2; 1103, with House Amendment 1; 1607, with House Amendments 2 and 3. Passed the House, as amended, November 8th, 2017. Timothy D. Mapes, Clerk of the House.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of

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the Senate, to wit:

House Bill 1277.

Passed the House, November 8th, 2017. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Mr. Secretary, House Bills 1st Reading.

SECRETARY ANDERSON:

House Bill 1277, offered by Senator Tom Cullerton.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCann, for what purpose do you seek recognition?

SENATOR McCANN:

Thank you, Mr. President, for recognizing me. On a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Please proceed, Senator.

SENATOR McCANN:

Thank you, Mr. President. Actually, to be clear, I have two points I'd like to make. First of all, I'd like to call attention to the fact that yesterday, when we were honoring all the veteran Members of the Senate, which is very fitting and appropriate, I feel as if we should also thank all of our staffers, all the LIS employees, all of our doormen. We have so many people here who work for us and with us and we count on desperately to keep this place running the way it's supposed to who are veterans and I'd like to make sure that we thank them for their service. Also, on my second point, I have some guests here at the Capitol with me today. Right above you, Mr. President, in the President's Gallery,

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is the Band of Brothers Motorcycle Club. These are a group of veterans. It's a veterans' motorcycle club. They are heavily involved in my district and around the State in veterans' issues, civic issues. They are the epitome of public servants from their time in the military to their time today. I would like to welcome them here to the Capitol and I hope you and my colleagues will join me in welcoming the Band of Brothers here to the Capitol today.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Will our guests in the gallery please rise? Welcome to the Illinois Senate. Will all Members please come to the Senate Floor? We have final action. All Members, please report to the Senate Floor. Mr. Secretary, Introduction of Bills.

ACTING SECRETARY KAISER:

Senate Bill 2267, offered by Senator McCann.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

All Members, please report to the Senate. We're going to final action. On page 4 of the Calendar is the Order of Motions in Writing to Override the Total Veto of the Governor. This is final action. House Bill 2462. Senator Biss. Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move that House Bill 2462 do pass, notwithstanding the veto of the Governor.

Signed by Senator Biss.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss. Let's keep the noise down a little bit, please.

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SENATOR BISS:

Thank you, Mr. President, Members of the Senate. You know, the Senate Democratic Caucus just emerged from a important sexual harassment training and I think our friends on the other side of the aisle are going to do something analogous in a couple of hours and I think it's important for us not to pretend that the only gender-related problems we have in our society around equality have to do with harassment. We have problems of economic justice, we have problems of employment justice, and we have problems of wage equity. Today, in Illinois, women still make just under eighty cents on a dollar that men make. African American women make far less. And Latino women make yet less. House Bill 2462 seeks to address this primarily in the following way: primarily by prohibiting prospective employers to ask about wage history. 'Cause here's the deal: Most employers want to do the right thing. Most employers try to do the right thing. But if you base your employee's salary on their previous wage history and they came from another employer that discriminated or an employer far earlier in their career discriminated, then that discrimination follows to a new employer that's trying to do the right thing and we have more trouble than we ought to have closing the pay equity gap. House Bill 2462 solves that problem. I want to clarify one quick thing, in addition, because it -- House Bill 2462 also clarifies an exception to the Equal Pay Act and there's four exceptions in current law that allow an employer to pay employees of the opposite sex a different wage: number one, seniority; number two, merit; number three, a system that measures earnings by quantity or quality of production; or number four, a differential based on any other factor other than sex or a factor that would constitute

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unlawful discrimination under the Illinois Human Rights Act. It's that fourth exception that House Bill 2462 is amending by clarifying when it's okay for an employer that uses this, quote, "factor other than sex" practice to do so in order to justify paying men and women different wages. The legislative intent of this new language in this section of the Act only applies to this one section, the factor other than sex. And so with that clarification out of the way, I'd certainly appreciate Aye votes and I look forward to any discussion on this important measure.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hutchinson, for what purpose do you seek recognition?

SENATOR HUTCHINSON:

Thank you. To the bill, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR HUTCHINSON:

This is -- it's been interesting watching the debate on this across both Chambers and even the override. Because I understand that there's some people who don't believe that this is the remedy for a situation that many women have experienced over the course of their employment. I would just point out that whenever we make arguments about the wage gap and the disparity between men and women, please know that it is much more succinct and much more -- and much wider when you talk about women of color. So if you say that it -- this is -- we're now at seventy -- what -- how much cents is -- seventy-eight cents on the dollar, if you're African American, it's closer to between -- oh, African American and Latino women, you start getting -- you start seeing rates as low as forty-eight cents on the dollar. So this persistent gap that goes year

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after year after year, if you get inadvertently, and sometimes not due to any part of your merits, stuck in a low wage and there's no way to jump through that barrier because every further -- every continuous job after that is based on the last salary you had, it's a very quiet way to make sure that your income levels don't grow. It's a very insidious way to make sure that those -- that web is harder and harder every single year to penetrate. So while I understand that there are many employers who don't do this, we don't write legislation for the employers who do the right thing, we write them to -- to compel folks who are doing this to please stop it. Because if sixty-seven percent of all households headed right now are headed by women, this is an economic issue; this is a community issue. This is not just a bill for women. It's not just a -- it's not. It's so -- it's how we can take care of our families over the course of our earning potential, over the course of our earning careers. And we are the ones that come in and out of the workforce more often than anyone else. So I would urge that for all of those reasons, and probably about four or five more I could think of if I had more time, please vote Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Biss, and -- and I am -- I -- I understand this is getaway day and we're hoping to move things along, but I am concerned - not about the prohibition in



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asking about previous wages. I -- I -- and I understand that was the thrust of your comments and -- and there's been a lot of talk about what this -- what -- what one part of this bill is. But I want to talk about the affirmative defenses amendment that you've placed in here. Because the -- the fourth affirmative defense that you're amending would include issues such as education and experience in the workplace. Would it not?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

I would characterize seniority, which is the first affirmative defense, as encompassing experience.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Well, in employment terms, seniority means how long you've been working there. I'm talking about years of experience in the field. So, in that regard, when an employer has to -- today, under the law, when an employer has to assert a defense and they talk about years of experience in the field, they have to assert it under the fourth -- the catchall, as you've -- and I don't know if you're aware of that, but that's what they have to do. You're amending the section so that it would require that not only does the defense that might be asserted under the fourth section have to be a business necessity - and I'm going to ask you to define that - but also that it has to account for the entire differential in the wage. So, one, tell me what a business necessity is. And, two, tell me the rationale for making a requirement that that account for the entire differential.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

A business necessity is a business goal that cannot be achieved by a different mechanism. And I think that's exactly what this bill ought to do. And I think it's exactly the standard that our society ought to set, which is that in order to continue a system that, in the scenario you're lining up, the employer acknowledges creates a wage differential, they ought to then justify why that's necessary to achieve the goals of their business. Now the question about the -- what accounts for which portion of the wage gap is -- is in the underlying law and it's the underlying principle. If you have a twenty-cent wage gap and eight cents of it is explained by seniority, then you still have a twelve-cent explanation that you got to make.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Okay. So, let me ask you, Senator, specifically, and these questions come from small employers in my district, small employers just like every Member in this Chamber represents, who are small employers and who do not have the money to have an experienced employment attorney on retainer, because that's what they'll need to figure this out. Senator, if I have an employer who says that he or she will pay twenty-five hundred dollars a year more in salary if that employee has a bachelor's degree, is it a business necessity if that bachelor's degree is in music and they work in an accounting office?

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Senator Biss.

SENATOR BISS:

Well, that -- that's exactly the question. And the answer is that if they set up a system that results in paying men twenty-five hundred dollars a year more than women for a reason that has nothing to do with advancing the goals of the business, then we've got a problem on our hands.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Senator, you did not answer the question. The question -- because these are the -- these are the questions that constituents are asking, and if this becomes law, then these are the questions that business owners are going to have to answer. So I'm going to ask you to be respectful to the fact that -- I mean, these -- those people are not in this Chamber. So the question is, is if an employer has in their handbook a provision that says they're going to pay an employee twenty-five hundred dollars a year more if they have a bachelor's degree, will it qualify as a business necessity if that business degree is in music if they work in an accounting office?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

I'm sorry if my answer came off as disrespectful, but -- but my point is that this is exactly the core issue. And I think it's not the appropriate role of this Body to lay out in great detail all the different precise business necessities that might exist. On the contrary, here is what has happened for way too long in

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this State and in this country. An employer will have a system in place that results in men getting paid more than women. And there's not a mechanism to ask the question, "Hey, is that really necessary?" That mechanism doesn't exist in current law. Current law says -- because of the lack of the language that we're trying to put in right now, current law says as long as you have any kind of rule in place, whether it's about a music degree or a bachelor's degree or anything else, then we don't mind if that rule results in the paying of men more than the paying of women. And what we're trying to do is put in place a system that says you've got to justify it as a business necessity if you have a system in place that causes a persistent wage gap.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Okay. Ladies and Gentlemen, we don't know the answer to the question. Your employers need to know the answer to the question. We don't know the answer to the question. Maybe you should know the answer before you vote Yes on this. Let me ask you another question, Senator Biss. Let's say that an employee in the accounting office is paid one -- is paid five thousand dollars - a male - more than -- five thousand dollars more than a female also in the accounting office. The employee handbook says that the employer is going to pay twenty-five hundred dollars a year more for a bachelor's degree and -- and is going to pay an additional wage for production. So the more tax returns they process, the more they get paid. Under your bill, the employer can't use the increased production defense, because -- and -- and claim the -- the education expense - yes - because it won't -- it

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will not account for the entire differential. In other words, if I am paying an employer -- or that employer is paying more because of both an education degree and because of production, they cannot use that defense. Can they?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

This goes back to your first question. If the employer is paying five cents more because of seniority and five cents more because of merit and five cents more because of production and five cents more because of something that goes into category four, for example a bachelor's degree, and five cents more because of discrimination, then you've got a five -- twenty-five cent gap. And the last nickel of that gap is clearly a violation. And the first fifteen cents of that gap are clearly not a violation and the fourth nickel of that gap is what is under discussion.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter, to the bill.

SENATOR RIGHTER:

To -- no, with all due respect, Mr. President, because...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Hey, I've been letting you ask a bunch of questions so... All right?

SENATOR RIGHTER:

And I'm still -- I'm still fishing for answers, Mr. President, but thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

I didn't put the timer on. I'm just letting you know.

SENATOR RIGHTER:

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I am being expeditious as possible. What you just said, Senator Biss, was that the last five cents wouldn't be allowable because it's based on discrimination. I think everyone in this Chamber can understand that. The point that I'm making that you did not address is that you can't use any defense under the fourth -- under your bill, under the -- under the affirmative defenses, can't use anything - education, experience - can't use that unless it accounts for the entire differential. Very few employers are going to be able to meet that standard. Very few employers are going to be able to meet that standard. To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen, this is not -- this is not an answer to the problem that Senator Biss is outlining and Senator Hutchin {sic} has underlined. It's not. This will affect thousands of small employers across the State who pay their employees more because they value their experience in the workplace and they value their education - things that we say we value. If this bill were just about not asking the question about previous wage history, I wouldn't have a problem with it at all. But the affirmative defense provisions in this bill are confusing and will make it more difficult for your small business owners to do what they think is right and pay people more because of education and experience in the workforce. There is something that we can do in this area. This bill goes too far. Please, I'm asking you to please, on behalf of your small employers, vote No on the motion. We can sit down and put something together that will actually make a difference and not go too far. Thank you, Mr. President.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy, for what purpose you seek recognition?

SENATOR TRACY:

Thank you, Mr. President. Questions of the sponsor of the bill, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR TRACY:

Senator Biss, what are the repercussions if an employer knowingly or unknowingly asks an employee about prior work history?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

So the employee can bring a civil action and -- so I'm now looking at lines 12 through 21 of page 5, which include subsection (b-5), the salary history portion of the bill, which can include special damages to provide relief for pay inequity that resulted from this practice, but capped at ten thousand dollars, and there's the capability of a further civil penalty, not to exceed five thousand dollars.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy.

SENATOR TRACY:

And isn't there also an allowance for attorney's fees as well?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

That's right.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Senator Tracy.

SENATOR TRACY:

And injunctive relief. Is that correct?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

Correct.

SENATOR TRACY:

And this would be if he knowingly, or unknowingly, knew that he was not supposed to ask about prior work history.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

So that's right. I think the crucial thing to say is that the most significant number in all of that is a relief for damages, which is to say compensation for wages lost, and so if you're winding up in a situation where over a significant period of time a lot of wages were lost because of this practice, it's appropriate to recover those wages. If, instead, you ask and the suit is brought immediately, the high number of ten thousand is irrelevant because no one has lost any wages whatsoever.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy.

SENATOR TRACY:

So another question I have is, you stated in your opening remarks that most -- most business people aren't bad. They -- they're just trying to run a business with employees and the like. But, by bringing this bill, you're presuming that all Illinois employers have bad motives, that they are asking about -- they



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would ask about work history with an ulterior motive to do harm to their employee.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

No, not at all. Not at all. First of all, as one of the previous speakers said, a lot of employers don't ask at all. But I would also say that the purpose of this bill is to educate many well-intentioned employers who do ask this question about the importance of not doing it. And I think we can have a reasonable discussion about what the appropriate level of incentive is to make sure that the question is -- issue's taken seriously. I think, by the way, the numbers we're talking about here are -- are low enough that we're not going to see a lot of litigation. But I also would point out that I have offered, in a position to pass right now, a trailer bill to specifically decrease the civil penalties significantly, both for small businesses and for the first several offenses. And if you would like, I'd be happy to take this out of the record and pass that immediately and then come back and do this override motion. That wouldn't have been my preference, frankly, but if that gives comfort to some who would otherwise have discomfort with this bill, it's a concession I'm more than happy to make.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy.

SENATOR TRACY:

Certainly, I would like there to be no penalties of that magnitude. And I think even a small reduction is still going to affect perhaps many people, because this affects all employers in

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Illinois, from one having one employee to one having a thousand employees. Correct?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

Correct.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy.

SENATOR TRACY:

Does it occur to you that you might be violating their freedom of speech?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

I've certainly given that significant thought. I don't think we're at all at risk of that. I think that it is very much the purview of State government to regulate the nature of contractual negotiations that go on.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy.

SENATOR TRACY:

And then, as you say, your purpose really isn't about the work history. Your purpose is to try to provide equal employment benefits for both genders.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

My purpose is to close the persistent and pernicious gender pay equity gap that exists to a staggering and appalling extent

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here in 2017, that the experts say that if we don't take aggressive action to accelerate the solution of, will persist beyond likely our lifetimes. That's what I'm saying.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy.

SENATOR TRACY:

Do you have empirical, factual basis that says that passage of a bill that prohibits employers from ever asking about previous work history will achieve the purpose you're talking about; that it will close a gender gap that you perceive in wages?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

What we don't have, yet, though hopefully today can solve that problem, is states that have had this in place for long enough to have completely native experiments of what happens when a state does just that. But we've got a bunch of other data. For example, we have data about the stickiness of wage discrimination that shows that employees who, early in their career, work for employers that discriminate tend to, even decades later, have visible pay gaps that they're -- that they're subject to. That's number one. Number two, we have significant data about the fact that the wage gap is tied up in a whole web of different, complex, interrelated factors; that just explicit, willful discrimination on the part of employers is a comparatively small part of those twenty-plus cents of gap. And therefore the other things, like what we're trying to address today, are the cause of literally the majority of the problem, the majority of a problem that every single person in this Chamber should see as unacceptable and necessary to fix.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy.

SENATOR TRACY:

And I -- again, my question was empirical, factual evidence. You're a mathematician. Can you give me that kind of data that says if you are no longer asking about work history, it means we will solve what you perceive as the gender pay gap?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss.

SENATOR BISS:

Senator Tracy, we don't have a completely scientific laboratory experiment. And if that tells us that we shouldn't try to solve the problem, I think we're making a catastrophic mistake. What we have is a ton of data, not a little data, but a ton of data from numerous studies over the course of a long period of time that suggests that this exact problem, the problem of discrimination following people from workplace to workplace, the problem of wage gaps that emerge at a particular phase of someone's career because of family reasons or -- or discriminatory reasons, are felt two decades later. We know that. That's what this bill is trying to get at. And if we pass this bill, then we'll have an experiment that can help other states do the same thing.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy.

SENATOR TRACY:

May I address to the bill, please?

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR TRACY:

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Well, I also have some presumptions of what bills like this that I've seen come through Labor Committee this past Session do to business. In our Labor Committee, we talk about workers and absolutely we want to make sure all of our Illinois workers are treated fairly. And, like you, I believe most employers genuinely want good qualified employees, because they have a common goal of achieving success for that business. And they want to treat those employee's fairly, because if you treat 'em fairly, they're a part of that success team more readily. But if you look at what we have failed to do in this Chamber this Session, is do anything that promotes and encourages business growth, because the biggest problem we have in this State right now is no revenue. We have lost revenue and that's because we've lost employers who've taken workers with them. You cannot have an employee unless you have an employer. And, in Illinois, most of those are small business people, ones that employ -- there's fifty-three percent that employ five hundred or less; there's fourteen percent that employ less -- a -- a hundred to four hundred ninety-nine; there's sixteen percent that employ twenty to ninety-nine percent {sic}; and there's sixteen percent that employ one to nineteen employees. All together that makes up forty-seven percent of our workforce in Illinois. They employee over 2.4 million people in private sector jobs and they're leaving every day. They get letters from us saying here's one more thing that you cannot do within your workplace. And it seems to me, the best way we can close any perceived gender gap of payment is to encourage job growth and our economy and our employers, and that's where we're failing. If you want to start up a business in Illinois, you can go to our Illinois websites and they'll tell you what you got to do. Well, you've

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got to get a tax number. You've got to get with the Department of Employment and -- Security and figure out what your unemployment insurance rate is - and it's going to be higher than the neighboring states. You've got to get together with the Illinois Workmen's {sic} (Workers') Compensation Commission and -- and get your -- your workmen's compensation insurance - and as a start-up business, your rates are going to be higher than to start up a business in Missouri -- Iowa, Wisconsin, or Missouri. Oh, and you've also got to recognize that you have to withhold wages for child support from any employee that has a child support order. You have to become current on EEOC. You have to learn what posters you've got to put out in your business. You have to make sure you're -- you're complying with everything from the federal Department of Revenue and everything from the Illinois Department of Revenue.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Can we wrap it up, Senator?

SENATOR TRACY:

You also have to learn, as I said, about the EEOC, the Equal Employment Opportunity Act passed by President Kennedy, and, last year {sic}, President Obama went further and we have the Lilly Ledbetter (Fair) Pay Act. I -- I ask you, if you have two twins, male and female, that are trained the same way, intern the same way, educated the same way, start at the same job position the same way, they will receive the same wages. If not, they have a remedy and it's under the EEOC. It's under the Lilly Ledbetter Act. And so I just ask, why are we continually passing these bills that harm our ability to attract business in this State, hurt that poor guy that's running a gas station, hurt the guy that's trying

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to make a living and provide employment for others? So I urge a No vote. It's -- it's just one more death killer to Illinois that we're doing. Instead of improving our economy, we're lowering the ability to improve it. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Connelly, for what purpose do you seek recognition?

SENATOR CONNELLY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR CONNELLY:

Thank you, Mr. President. I'll be very brief. Senator Biss, you and I have talked about this bill for a while. We greatly appreciate the spirit behind the bill and the purpose behind the bill. I guess, in some ways, it's somewhat personal. I -- long before STEM was the thing, my wife went into engineering and she's been a Bell Labs engineer for thirty years. She's competed against men for thirty years. I hear plenty of stories and I understand the motivation here. I have a daughter who's a biochemical engineer, I have a daughter who's a speech pathologist - competing every day against men in the work -- in the workplace. So I totally appreciate what's going on here. So when the bill was filed, I took a quick look and said this is -- this is a good step in the right direction, but there's got to be another -- let's see what other states do. So I went to that bastion of right-wing Republicanism - I went to Massachusetts - to find a model bill and the Massachusetts' model is essentially this bill, this bill with one big addition. This bill -- the -- the bill I filed, which never got a hearing in the Labor Committee, but maybe in -- maybe

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in January it will, it creates what is called a self-evaluation plan incentive. It incentivizes companies to look in -- inward to do the analysis to see if, in fact, there are wage disparities between men and women and to correct them - to correct them. And if you correct it, you get an affirmative defense. Isn't that what we're supposed to be doing here, is incentivizing this type of thing, incentivizing companies to look inward and say, are we paying women with the same experience the same that we're paying men? That's exactly what we should be doing. And again, the bill I filed is from Massachusetts, folks. It's not from some Republican state out there and it's -- it's measured and it has all the things that you have in your bill, Senator. So I would respectfully ask for a No vote. Come back in January and I will give you the sponsorship of my bill, ask that I be your chief cosponsor, run my bill in January, get it to the Governor's desk - I don't know if we can get it there before the end of March, but we can try to get it there as quickly as we can - and provide not just a -- a -- an incentive for -- for businesses to do the right thing. But most importantly, instead of using a stick, let's use a carrot. I urge a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Rooney, for what purpose do you seek recognition?

SENATOR ROONEY:

To the bill, please, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR ROONEY:

Mr. President, I should have been a very easy get on this bill, because I support the idea as well every fall semester when



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I teach kids about an economic concept that you have to be offering equal information from both sides. And so when Senator Connelly introduced a bill, I jumped right on it as well. I totally support this idea, not only because of its gender implications, but I think people keep forgetting anybody in the non-profit sector is hurt by this practice, too, when they try to get into the for-profit sector, because they know they can also be lowballed by offering their salary history. But nobody ever asked us, nobody ever offered to work with those of us who were friendly voices to try to take care of some of our small concerns that would make this one great big happy Chamber about an issue that a whole lot of us care about. We were all sitting here with a bill, with a sponsor and a bunch of chief sponsors, and it was the "we're going to go it alone" approach. We don't need you guys. We don't need to talk to you guys - until, lo and behold, the second week of Veto Session, two days before we're done for the year. Now, all of a sudden, those of us who also care about this issue all of a sudden became important, and what could we do to help you come over to our side and stuff? That's supposed to happen back in the spring. It -- it -- it could have even happened the first week of Veto Session, but it didn't. Why don't we all work together on these things instead of going it on our own side?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McConnaughay, for what purpose do you seek recognition?

SENATOR McCONNAUGHAY:

To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

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SENATOR McCONNAUGHAY:

Thank you. Senator, I certainly appreciate the spirit of what you're trying to do here. I mean, I look around the room and who in this room isn't for equal pay? I mean, I think we live in a day and age where we believe that any individual, whether they're male or female, should be paid the same for -- to do the same work. And -- and I voted for this the first time. And I got some pushback after I voted for it, because I wanted to send the signal that I support equality for women. The pushback that I got was from the small business owner, which makes me wonder, was that even considered - the impact on the small business owner? How is this education supposed to take place where they're supposed to understand? Something that, if you spent any time -- and I think about all -- all the folks that I know in my local chambers who are, you know, one, two, three, four employees, who, you know, they're everything. They're the bookkeeper, they're the president, they're the salesman, they're the janitor - they do everything in that business. And -- and you know the one that really hit me was the -- the woman business owner who came to me and said, you know, you talk about opportunity all the time, trying to be a -- a female entrepreneur, trying to do -- have a better life for me and my family, and you just put one more burden on me as a -- as a business owner who's trying to build a better life for my kids. And -- and so while we're -- we really want to support legislation that moves women forward, we also have to be cognizant of the fact that sometimes the unintended consequence of a really good idea isn't such a good idea. So, unfortunately, I'm going to be a No vote on the override, because I think - I think you've got a great idea - I think there's a better way to have

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done this. And I -- I hope that we have an opportunity to fix that in the future, because, I got to tell you, I know a lot of women business owners who will not know this is coming, will make this mistake, and that five-thousand-dollar fee or that ten-thousand-dollar fee is enough to put 'em out of business and I don't want to see that happen. Certainly, in my -- my personal quest to work across the aisle to help women have a level playing field, I certainly don't want to be part of putting a woman out of business. Thank you, Senator.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Biss, for a brief close.

SENATOR BISS:

But there's so much to address. Thank you, Mr. President, and thank you to my many friends across the aisle for your spirited debate. You know, it's interesting, the last speaker talked about how we all believe in equal pay, and, in fact, when this bill came up for a vote across this building, it got eighty votes. It was -- had broad bipartisan support. And all of a sudden here it comes to the Senate and it feels like kind of a partisan issue and I think you can tell that it's become a partisan issue because all the arguments are different, but the conclusions are the same. The last couple speakers were talking about wanting a different procedure and hoping that we could have reached an agreement in May instead of in November and I -- you know, May is great. I love all the months, but we have a trailer bill, right now, on 3rd Reading ready to go, that does what you wanted, Senator. Come on board. We'll take this one out of the record, we'll pass that, we'll come back and do this quickly. We can do it right now. That's what agreement is all about. Speaker before that kept

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talking about this so-called pay equity gap. Kept talking about how we've solved this problem with the Lilly Ledbetter Act and the EEOC. I would argue that that was the most germane point made in opposition to this bill, and I would ask you to listen to that comment and decide where you fall on that question. Do you agree that this situation is fine and we're done, no more action is needed? Or do you think that a twenty-plus-cent gender pay gap, which is north of thirty cents for African American women and north of forty-five cents for Latinos, do you think that that is something that we ought to do something about? Do you think that we have a problem on our hands that's more subtle and more complicated than just explicit intentional discrimination? And that brings me to the first questions, from my friend, the gentleman from Coles County. We had a back-and-forth that was spirited and you sounded pretty, kind of, aggrieved and indignant at my responses. Here's what this bill does. What this bill does, it says that if you currently have a pay gap in your workplace, you better explain why. You better explain why that's necessary. You better justify that is something that you need to have in order for your business to be successful. That's all. That's all this bill does. This bill says that we've had a gender pay equity law in place for a long time, but it's been almost impossible to enforce because there's a loophole in it that you could drive a truck through and this bill, in a reasonable way, closes that loophole. There's not a so-called gender pay equity gap, there's a real one that women feel in their paychecks every single time it's pay period, every single time they're trying to provide for their family, every single time they're trying to figure out how to afford childcare, every single time they're trying to figure

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out how to pay their mortgage. That's what this bill is about. Please vote Yes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall House Bill 2462 pass, notwithstanding the veto of the Governor. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 voting Aye, 17 voting Nay, 1 voting Present. House Bill 2462, not having received the required three-fifths majority, is declared failed. Committee on Assignments will please report to the President's Anteroom immediately. Senator Fowler, for what purpose do you seek recognition?

SENATOR FOWLER:

Point of personal privilege, please, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Please proceed, Senator.

SENATOR FOWLER:

Ladies and Gentlemen of the Senate, today we are honored to have in the gallery the members of the Shawnee Community College student government class along with instructors Blake Goforth and Erin King. And I would just ask for them to rise, please, and I would ask that the Senate Chambers welcome them to Springfield, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Will our guests in the gallery please rise? Welcome to the Senate. Senator Jones, for what purpose do you seek recognition?

SENATOR JONES:

Thank you, Mr. President. I'd just like to request that we use the timer once we proceed.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

We will, Senator. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur with House Amendment 1 to Senate Bill 61, Motion to Concur with House Amendment 3 to Senate Bill 444, Motion to Concur with House Amendments 1 and 2 to Senate Bill 521, Motion to Concur with House Amendments 1 and 2 to Senate Bill 772, Motion to Concur with House Amendment 1 to Senate Bill 1103, Motion to Concur with House Amendment 2 to Senate Bill 1451, Motion to Concur with House Amendment 2 and 3 to Senate Bill 1607, Senate Joint Resolution 25, and Floor Amendment 1 to Senate Resolution 1067.

Signed, Senator James Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Supplemental Calendar 1 has been printed and distributed. We will now proceed to Senate Bill 1451. Be advised, the timer will be on now for the rest of the bills. Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1451.

Signed by Senator Link.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. I would ask to move for the adoptions of the amendments and I will discuss it on 3rd Reading.

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All right. This is -- I'll get to it yet. Too many advisors helping me at the same time and I don't know what to do, but anyway.. My first bill. This is the wireless bill that we passed out of the Senate in May and ended up in the House and was passed out of the House after a lot of negotiations with all the parties concerned. I think that this bill was narrowed down and came to a point where I think it has met the requests of almost all the municipalities, all the other users that are involved in this, and I think we reached this. But as I said in committee today, we have thirteen hundred communities in the State of Illinois. There's no way we're going to get all thirteen hundred to agree on this. But I think this is the wave of the future. This is the technology the State of Illinois has been looking for and the State of Illinois needs. I would like to be on the forefront for once. I don't want to be number fifty. I want to be number one. I want our State to have this technology into effect, which will end up -- if this technology goes into effect, signed into law, we're looking at a hundred thousand jobs. We're looking at billions of dollars of new money at the State of Illinois at no cost to the State of Illinois. We're also looking for businesses in the future to be moving into Illinois, relocating into Illinois because of the technology available to 'em. This is a win-win situation for the State of Illinois. But as I addressed in committee - I'll say again - this is new. This is a new situation. There will be questions. There will be things that will come up after this. And I have committed, even though there's a three-year sunset in this bill, I have committed that if something comes up that we can address, I will address it. We will look at what needs to be done. I understand the apprehension of some people, but I have to tell

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you, this is something the State of Illinois needs and needs now. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Castro, for what purpose do you seek recognition?

SENATOR CASTRO:

Point of information from our Parliamentarian.

PRESIDING OFFICER: (SENATOR MUÑOZ)

State your inquiry.

SENATOR CASTRO:

My inquiry is, does this require a two-thirds vote because we are exempting home rule? Preempting.

PRESIDING OFFICER: (SENATOR MUÑOZ)

As the bill provides concurrent exercises of home rule units' power by the State, pursuant to Section 6 of Article VII of the Illinois Constitution, the passage of this measure will require a simple majority. Senator Hastings, for what purpose do you seek recognition?

SENATOR HASTINGS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR HASTINGS:

First, I want to say thank you to the sponsor for this bill. Small cell technology will allow cellular technology to be expanded throughout the State of Illinois. As a sponsor of many technology bills and privacy bills, we've walked through steps in terms of how to delete your location on your phone. I think I did that for some of the Members on the Floor, 'cause you so badly needed it, but -- I'll do it again for you, Mr. President. I won't name any



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other names. However, I know I'm on the timer, so... Some people -- it was testified today in committee by a wise -- a wise man, he said, you know, you -- you go to work and you leave your -- you know, a couple dollars at home that you were going to use to buy your lunch, but you go to your -- you ask your buddy, "Hey, do you mind if I borrow ten bucks to buy lunch?" And he says, "Yeah, no problem." But if you go without your phone, you may be an hour or two away from home, you turn right back around to go get your phone. That's how attached we are to the phone. Last, I just want to say this, my generation - I can't say I'm the youngest Senator anymore here, because Omar's here, and since I used your name in debate, Omar, and Emil's -- he's getting older - our generation demands this. They demand high-speed video access to transmit data back and forth because that's how millennials -- that's how younger people are communicating today. I can understand the concerns with various municipalities across the State of Illinois, but we will be dragging behind again, and I know that's what I hear on both sides of the aisle is what we do not want. And with that, I urge an Aye vote, because this is for the future of Illinois and we can build a great foundation to build upon. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy, what purpose do you seek recognition?

SENATOR TRACY:

Questions of the sponsor.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR TRACY:

Senator Link, where'd you go? Over there. Thank -- sorry.

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Initially, there was a -- a large number of concerns about public liability from municipalities or anybody that owned a pole and -- and had a small cell device put on that. What in this bill addresses that public liability, or the issues of liability?

SENATOR LINK:

Thank you...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

...Senator, for that question. What we -- what we have done in here is -- bequest {sic} of myself to the wireless companies - what they did is - and it was brought up in discussions about their engineering - they got to have an engineer go out and inspect these poles and certify it. So I said, why can't that be turned over to the municipalities? They agreed to it. So there is no cost, whatsoever, for the engineering to show about that pole. And then if that pole should fall down or anything with it fall down, the liability is on the carrier, not on the municipality. So we cleared that up in all regards. I think that's a huge savings to all the municipalities.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy.

SENATOR TRACY:

So it's a two-step thing? Structural engineer will check out and -- and verify the integrity of the structure and the device. And then the -- if there is a failure, then that liability falls on the applicant or -- or the carrier and not the municipality?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

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SENATOR LINK:

Correct.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy.

SENATOR TRACY:

And also many municipalities had huge concerns about their losing local control, that much of it would be nullified by allowing an application. So what can -- what does your bill do to address that?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

They lose no control in the permitting. They still -- the carriers have to go to municipalities and submit a permit. What -- what we have done in this bill is streamline that in allocating the amount of days it takes to process this permit and also set a fee to add on to that to pay for this permitting process. So there's no local control -- the -- local -- local control loses nothing. They still have the power to deny this permit and say we will not locate it on this particular pole, you have to go somewhere else. So they still have that control.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Tracy. You got less than a minute.

SENATOR TRACY:

To the bill. I would just say that...

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill.

SENATOR TRACY:

To the bill.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

...Senator.

SENATOR TRACY:

To the bill. I would say we have had assurances from the sponsor, we've had assurances from the carriers that are involved that, yes, if there is a glitch, if we're missing something, and we find that it should be fixed, even if it occurs inside the three-year sunset, we're going to be back here to fix it. We're -- we're growing, we're learning, and we want to do this right. But, yes, it will be a huge bonus for Illinois development, Illinois workers, Illinois consumers. But I -- I appreciate the sponsor saying if it -- if we don't get it right, we'll come back and make it right. And -- and I hope that gives assurances to our municipalities and our consumers. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Cunningham, for what purpose you seek recognition?

SENATOR CUNNINGHAM:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR CUNNINGHAM:

Thank you, Mr. President. We had testimony, as the sponsor alluded to, we had testimony this morning in committee from a number of municipalities that have expressed reservations about this, about a -- a lack of local control. We understand those objections. Some of them are very legitimate. But I think the sponsor has done a very good job of addressing many of those concerns. It's -- it's important to point out that we are not the first state to engage in this effort to put standardized rules in

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effect. In fact, twelve different states have already passed legislation. And I -- I'd like to point out that based on the rules in this bill, the municipalities in Illinois will be able to charge wireless carriers in Illinois the highest rates in the nation. So our -- the municipalities are still going to be able to charge fees and they will be among the highest - in fact, the highest - in the nation. So care has been taken to make sure a number of the concerns, legitimate concerns, brought up by municipalities have been addressed, and therefore I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Syverson, for what purpose you seek recognition?

SENATOR SYVERSON:

Thank you, Mr. President. To the -- to the bill and maybe a question as well.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR SYVERSON:

Senator, thank you for bringing this forward. I know this is always somewhat controversial, but it's an important piece of legislation that's really going to make a difference. You know, we talk about the goal of trying to keep young people in Illinois or young people to come to Illinois, and one of the things that to them is a huge issue is this technology. When you have the frustration of having a -- having your cell phone and having one bar or having a hard time trying to download something, that's a frustration and a issue that young people are -- are concerned about, and it makes a difference. There's no reason why Illinois shouldn't be on the cutting edge, and with this, it's going to

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bring coverage in every community, but throughout the whole community so we don't have areas that are going to have dead zones or a slow zone. So this is going to make a significant difference of moving Illinois forward and being on the front end instead of the back end of technology. So I think this is important. From the job standpoint, how many -- implementing this program across the State and throughout the community, how many jobs are going to be created through this whole process?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

An estimate over the next seven years is one hundred thousand jobs.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Syverson.

SENATOR SYVERSON:

And how many -- for those -- all those jobs being created, how many -- how much in State incentives are there to make this project happen?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link.

SENATOR LINK:

Zero.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Syverson.

SENATOR SYVERSON:

There's not too many times I think we can say we can create this many high-paying jobs and putting Illinois on the cutting edge with technology and do that without giving huge incentives.

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And so I appreciate your leadership on trying to reach a good compromise on this. I think it's -- you've done a good job and I think this will make a difference for Illinois and I would urge my colleagues to support this fine piece of legislation. Thank you, Senator.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Schimpf, for what purpose you seek recognition?

SENATOR SCHIMPF:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR SCHIMPF:

Thank you, Mr. President, colleagues. I spoke against this bill the -- the last time around. I do want to commend Senator Link for the -- for the work that he has done. I thought that the bill was over broad the last -- the last time around. It's now much more narrow. And, you know, some of the speakers have talked about -- have brought up age. As of tomorrow, Senator Rooney and I will be two hundred forty-two years old with the birthday of the United States Marine Corps, so this two-hundred-forty-two-year-old is going to be voting Yes, and I urge an Aye vote on this legislation.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McConchie, for what purpose you seek recognition?

SENATOR McCONCHIE:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR McCONCHIE:

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I just want to thank the sponsor for his tireless work in this regard with all the municipalities, especially in our area, who raised a significant number of concerns about how this would affect them. I think that there was a -- a great deal of benefit that has come out of that twenty-seven different areas that have been addressed in which we were able to come to an agreement with the -- with these, you know, local units of government, the vast majority of them, and be able to provide essentially for our municipalities some of the best, I think, protections and incentives to be able to help roll this out. I'm very hopeful that this will be able to move quickly, because -- in part because of -- of them being on board in such a way. And so I just want to thank you for that and encourage an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator McCann, for what purpose you seek recognition?

SENATOR McCANN:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR McCANN:

First of all, I want to thank the sponsor for bringing what is in essence a tremendous bill. There's no doubt about it that this is the future. This small cell technology, it is the future. It's the future we need to embrace. It's the future we need to move into. However, it doesn't go far enough. Even though I support the essence of the bill, the spirit of the bill -- I believe in the technology and I commend the stakeholders. I commend all the telecommunications companies who are involved. I commend the sponsor and the cosponsors and everyone who has spoken



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in favor of the bill. I rise today to speak for a group of Illinoisans who very rarely have a voice here in State government, and those are the Illinoisans who live in rural Illinois all over the State, all those folks who live west of 39 and south of 80, who don't live in the City of Springfield or the City of Jacksonville or the -- or Rockford or the Quad Cities or Carbondale, all places where these small cells are going to be placed. And the future will be now and that will be an amazing thing and I look forward to it eventually happening, but there are so many Illinoisans who live in areas that are underserved currently, and what this bill is going to do, because they are not being addressed in the bill, is it's going to make matters worse for them. We're going to improve the life for those in the metropolitan areas, but -- but we're not going to have a neutral effect on those in rural areas, we're going to have a negative effect. When we went from analog service to digital service, what we did was we went to a GSM system and that meant we had to have .3-watt phones instead of three-watt phones, and that meant we needed more towers. And we do have more towers today than ever, but they, of course, are placed where the markets deem them to be placed. And I understand that and I agree with that, but in the rural areas, they are being ignored more and more, and I have people, I have constituents, who have gone back to school and gotten master's degrees because they thought that they could get a job working from home. I have a constituent who got her PhD so that she could teach college on-line courses, and because -- she cannot get a high-speed Internet connection through her carrier of last resort, through a landline, even though they sell her DSL at a hundred and thirty-nine dollars a month - it's worse than dial-

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up. And she's tried to use MiFis. And if you are in a city, a metropolitan area where these small cells are going to be placed, you are in tall cotton. But if you are like many of my constituents and many constituents that many of you have in these towns..

PRESIDING OFFICER: (SENATOR MUÑOZ)

You have forty seconds, Senator.

SENATOR McCANN:

...in these towns of five thousand or less and the tertiary areas around them, these folks are going to be left in the past. So, while -- while the rest of Illinois embraces the future, we're forgetting about a -- an entire group of Illinoisans, who deserve to be listened to also. So I would love to support the bill and I would support the bill if we could have a comprehensive conversation that talks about high-speed Internet being delivered to the rural residents of this State. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Leader Brady, for what purpose you seek recognition?

SENATOR BRADY:

Thank you, Mr. -- thank you, Mr. President. I -- I want to compliment the sponsor. This hasn't been easy. A lot of hard work's gone into this, but this is important for Illinois. As we continue to encourage and foster technological investment in this State, the infrastructure that that relies on is paramount to our success, not to mention the thousands of jobs this will create. Senator Link, congratulations. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Link, to close.

SENATOR LINK:

Thank you, Mr. President. This is for one previous speaker,

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we have a provision in there if there's only one pole in the area, it can be done. If one pole's put in one of those rural areas, it will advance the technology for that area immensely, so we already have that provision in here. Looking forward to it. I just want to say one thing. First of all, thank Mandy. I want to thank Representative Burke, Kelly Burke, in the House. But I want to say, you have an opportunity today to put Illinois on the forefront, not only with technology, but in the business community, where I've heard it from numerous amount of people, we don't know how to attract business in Illinois. Guess what? This is the first step. I would ask for an affirmative vote. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall the Senate concur in House Amendments (sic) 2 to Senate Bill 1451. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 voting Aye, 7 voting Nay, 2 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments {sic} 2 to Senate Bill 1451, and the bill is declared passed. Senate Bill 1607. Senator Raoul. Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 2 and 3 to Senate Bill 1607.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Raoul.

SENATOR RAOUL:

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

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Senate Bill 1607 is a cleanup bill to Senate Bill 2872, which we passed earlier this calendar year. The bill makes corrections regarding sentencing credits to allow more opportunities for credits. The bill also makes various changes to improve the transition of former inmates back into society. It establishes guidelines for parole and release based on validated risk assessment. Creates a Frequent Users Systems Engagement Re-Entry rental subsidy support house {sic} (supportive housing) program for the most vulnerable people exiting DOC. Expands crime victims' compensation for minors to receive trauma services. Encourages expanded use of electric -- electronic detention. And requires ICJIA to develop a four-year strategic statewide violence prevention program. I urge your support.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? There being none, the question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 1607. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Aye, 5 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 2 and 3 to Senate Bill 1607, and the bill is declared passed. Senate Bill 61. Senator -- Senator Fowler, for what purpose you seek recognition?

SENATOR FOWLER:

Thank you, Mr. President. I apologize. I intended to be a No on that vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Record will reflect a No vote. Senate Bill 61. Senator

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Righter. Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 61.

Signed by Senator Righter.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Thank you very much, Mr. President, Ladies and Gentlemen of the Chamber. The amendment added in the House with which I am seeking the -- the -- the Senate's consent in concurring simply changed the effective date of the bill to this coming January 1st.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Any discussion? There being none, the question is, shall the Senate concur in House Amendments {sic} 1 to Senate Bill 61. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate concurs in House Amendments {sic} 1 to Senate Bill 61, and the bill is declared passed. Senate Bill 444. ...Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 444.

Signed by Senator Manar.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Manar.

SENATOR MANAR:

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Thank you, Mr. President. This bill came over from the House yesterday. It's a request of the State Board of Education. It represents cleanup language to the bipartisan school funding reform bill that we passed a couple of months ago. There's two specific changes. The first maintains the usage of the alternative PTELL adjustment for the EAV calculations, and the second adds language to the evidence-based model statute that would be consistent with previous law in regard to deducting two abatements used to calculate the equalized assessed valuation of school districts. This was a unanimous vote in the House and I would describe it as necessary to clarify language so that the State Board can begin to distribute the tier funding as soon as possible. Be happy to take any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Castro, for what purpose you seek recognition?

SENATOR CASTRO:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR CASTRO:

Senator Manar, I have a question. As far as we know, ISBE had mentioned they had inadvertently left out pre-K funding for EL. Is there a commitment from ISBE to address that issue in January?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Manar.

SENATOR MANAR:

In short, yes. So I would -- Senator, I would describe it as not ISBE's inadvertent omission. I would say that when tier

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funding begins to be distributed, there's going to be any number of substantive changes that we have to review. This would be one of them. So I'm not, of course, able to make a commitment on the part of ISBE's behalf, but I would make to you my commitment to revisit that issue and present that issue to the Senate for consideration.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Castro.

SENATOR CASTRO:

...bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

...bill.

SENATOR CASTRO:

Thank you, Senator Manar, for those comments. You know, obviously I encourage all the Members here to support the bill and I do look forward to working with you to make sure that funding gets applied as proper.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter, for what purpose you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Thank you. Senator Manar, can you explain to me why we are doing this?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Manar.

SENATOR MANAR:

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Absolutely. So ISBE came forward several weeks ago. In the course of them setting into motion the Public Act that we passed and that the Governor signed, they determined that these two changes were needed for clarification purposes so that the model that we intended to adopt is actually set into motion. So I should have clarified in my opening remarks that all of the printouts that we saw -- the numbers that we saw, how each school district would be impacted, do not change with this bill. So this I would describe as simply clarification language that's technical in nature, that is at the request of the State Board of Education so that they can see through the law that we passed.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Manar, let me -- let me take a -- a brief shot at -- I mean, I don't want to change your answer, but -- but -- but so I understand. Is that these two changes are necessary in order to make the ISBE run that we saw correct.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Manar.

SENATOR MANAR:

Kind of -- kind of. So I -- I would say it this way - I would say it this way - our intention, as a Body, was to enact a law that reflected the run, not the other way around. So one of these is as simple as a placement of a comma in a sentence. So this is putting into practice what our intention was when we passed the law, when we met as a commission, and when we negotiated the final bill. We see these things, as you know, Senator Righter, all the



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time with not just large pieces of legislation, but small ones as well, where there has to be technical cleanups when those that are charged with putting into implementation laws, they come back and say, "You know what? You didn't draft this the way that we would suggest." I would, by the way, argue that the State Board of Education could probably do this if they asked their chief legal counsel to come up with a different opinion. I think that would be legitimate. But, nonetheless, this is what the State Board of Education says that they need to make sure that what they're implementing is reflective of what our intention was.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter, to the bill.

SENATOR RIGHTER:

Just to say that that was extraordinarily well said by Senator Manar. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Manar, to close?

SENATOR MANAR:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall the Senate concur in House Amendments {sic} 3 to Senate Bill 444. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 voting Aye, 11 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 {sic} (Amendment 3) to Senate Bill 444, and the bill is declared passed. Senate Bill 521. Mr. Secretary, read the motion.

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SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 521.

Signed by Senator Bennett.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bennett.

SENATOR BENNETT:

Thank you, Mr. President. 521, which actually came over yesterday from the House with just about a hundred votes, it -- makes one change to the Eastern Illinois Economic Development Authority Act. It crosses out the number two hundred and fifty million, which is their current bonding authority, replaces it with five hundred million, which will allow for some economic development in one major project coming into the Tuscola area. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There any discussion? Senator Rose, for what purpose you seek recognition?

SENATOR ROSE:

To the bill, if I may.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR ROSE:

I want to thank Senator Bennett for working with me on this and remind my side of the aisle that this is great for our area. And I'd ask for Aye votes all around. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 521. All those in favor will vote Aye.

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Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 521, and the bill is declared passed. President Cullerton in the Chair.

PRESIDENT CULLERTON:

...is Senate Bill 772. Senator Bush. Senate Bill 772. Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 772.

Signed by Senator Bush.

SENATOR BUSH:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 772, it actually is a bill that we passed here, went over under a different bill number, and is now coming back to us for concurrence. This is a prescription drug monitoring database bill. It requires that doctors, when they prescribe an opioid, that they check the database when making that prescription. There is an amendment to the bill and the amendment is that the doctor must make that check of the prescription drug monitoring database only the first time they are writing a prescription. I know of no objections to the bill and I would certainly ask for an Aye vote.

PRESIDENT CULLERTON:

Discussion? Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. To the bill.

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PRESIDENT CULLERTON:

...bill.

SENATOR SYVERSON:

Thank you. And I support this legislation, but there has been some concerns raised that because of some of the issues with the pilot program - concerns raised - does the -- does the Department of Human Services have the resources to implement this program, because of some of the issues they've had with their pilot program? And I think the answer to that is, yes, they do. There has been -- I think there's work being done on the interface and it's not as user-friendly or as up to date as it should be, but my understanding is those things are all being worked on and will be corrected soon to make it easier for hospitals and doctors to be able to access that. But there were some concerns that there wasn't the resources to have this system running and the answer is, yes, they fully intend on doing that. And so I -- I appreciate your help in getting this finalized, and people should be rest assured that the system was -- will be capable of -- of handling this when it's up and running. So thank you for your leadership on this.

PRESIDENT CULLERTON:

Senator Holmes, for what purpose do you rise?

SENATOR HOLMES:

Thank you, Mr. President. I've got two questions for legislative intent of the sponsor.

PRESIDENT CULLERTON:

Proceed.

SENATOR HOLMES:

Yes. Senator Bush, does Senate Bill 403 change the

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presumption under FOIA that records in the custody or possession of a public body are to be open to inspection or copying?

PRESIDENT CULLERTON:

Bush.

SENATOR BUSH:

Thank you very much, Senator. My apologies, this is for a different bill. Thank you so much, Mr. President, for smiling.

PRESIDENT CULLERTON:

Senator Bush, to -- to close. On -- on this bill?

SENATOR BUSH:

Yeah, no wonder it was in a different file folder. Anyway, I just appreciate an Aye vote. We all know the -- the -- the situation we are in in this country with opioid addiction. And I would just like to make sure that when -- we're looking at the prescription drug monitoring database going forward. It is the number one recommendation of the President's Commission, their report on opioid addiction and what we need to do as a country. So there's a lot of work we need to do on this moving forward. I really believe that the doctor should be checking it every time, but that's for next Session. So I'd urge an Aye vote and thank you very much, Senator Syverson, for your comments.

PRESIDENT CULLERTON:

The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 772. All those in favor, vote Aye. Opposed, vote No. The voting is open. ...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Aye, none voting No, none voting Present. And the -- 53 voting Aye, sorry, none voting No, none voting Present. And that motion to concur on Senate Bill 772

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having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 772. The bill is declared passed. Senate Bill 1103. Senator McCann. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1103.

Signed by Senator McCann.

PRESIDENT CULLERTON:

Senator McCann.

SENATOR McCANN:

Thank you, Mr. President. This bill originally passed out of here unanimously. An amendment was added that simply adds the property that the transferee will be giving back to the State, back to DNR, in return. It passed near unanimously out of the House and I ask for an Aye vote.

PRESIDENT CULLERTON:

Is there any discussion? Being none, the question is, shall the Senate concur in House Amendments {sic} No. 1 to Senate Bill 1103. All those in favor, vote Aye. All the -- those opposed, vote No. The voting's open. ...all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On that question, there are 54 voting Aye, none voting No, none voting Present. And having received the required constitutional majority, the Senate does concur on House Amendments {sic} No. 1 to Senate Bill 1103, and the bill is declared passed. We're now going to House Bills 3rd Reading. On page 2 of the regular Calendar, House Bill 1764. Senator Hutchinson. Mr. Secretary, please read the bill.

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SECRETARY ANDERSON:

House Bill 1764.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT CULLERTON:

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President. House Bill 1764 permits a person convicted of a forcible felony to challenge the court's sentence by establishing that the offense was a direct result of suffering from postpartum depression or postpartum psychosis, which they assert would likely change the sentence imposed by the court. House Bill 1764 also allows the court to consider a defendant's postpartum depression or postpartum psychosis as a mitigating factor during sentencing. Happy to take any questions. Would appreciate your support.

PRESIDENT CULLERTON:

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

SENATOR HARMON:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDENT CULLERTON:

She indicates she will.

SENATOR HARMON:

Thank you, Mr. President. I have just one question, which I hope will serve to shorten the debate here. I know there's some controversy. As I understand your intention here, you would like to do two things: First, you would like to be sure that when women

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are charged with a crime that postpartum depression and postpartum psychosis can be raised as a part of the trial and as a -- as a mitigating factor in sentencing. Second, you would like to ensure that that twenty-some women who are currently serving sentences and did not have an opportunity to raise this as a mitigating factor have a chance to revisit that. The legal concerns that I understand have been raised is that the way the -- the post-conviction portion is drafted, it would apply in perpetuity to new cases as well as to the twenty-some women currently serving sentences. Would you agree to work with us on a trailer bill to clarify that so you can provide relief to those women, but establish a system going forward that is more consistent with the way we handle a mental illness today in -- in court proceedings?

PRESIDENT CULLERTON:

Senator Hutchinson.

SENATOR HUTCHINSON:

Absolutely, and thank you so much for raising it and adding some clarification as it -- as it relates to that. The issue with the twenty-five women who are incarcerated right now is that postpartum depression is not included in the list of mitigating factors that would go to sentence mitigation. That's the biggest thing that we're trying to deal with right here, not alter the conviction, but say that these people -- had they been able to raise that, that the sentence would -- would have likely been different, considering we know so much more now. So I really appreciate that you asked that question. Yes, I'm committed to working on a trailer bill to deal with the perpetuity questions that were raised in our -- in our -- our Judiciary Committee. And I also wanted to say that I really appreciate the fact that my



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colleagues raised it, continue to talk to us, and that that is a committee -- a committee that we really dig deep into these issues. And so I -- I appreciate your support and I would hope that other folks could join with me. There will be a trailer coming.

PRESIDENT CULLERTON:

Senator Righter, for what purpose you rise?

SENATOR RIGHTER:

To the bill, briefly, if I might.

PRESIDENT CULLERTON:

To the bill.

SENATOR RIGHTER:

Thank you very much, Mr. President. Ladies and Gentlemen, having heard the exchange between the sponsor and Senator Harmon, I do think it will serve to shorten the debate, with the understanding that we're working on a finite group of individuals for the remedy that is allowed for in House Bill 1764 and that going forward we will be looking to deal with this in the context of a trial, like we would other issues like that. I -- I've made commitments back home, based on the way the bill's drafted, to vote No, but I would -- I would -- I would suggest that given the comments from Senator Harmon and Senator Hutchinson that we allow this go -- to go ahead and move forward and then begin work next January on -- on -- on moving forward. Thank you.

PRESIDENT CULLERTON:

Senator Hutchinson, to close.

SENATOR HUTCHINSON:

Thank you very much, Ladies and Gentlemen. This is really about an issue that for decades was very much not understood. And as Senator Harmon pointed out, this temporary situation, this

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psychosis that we now have a lot more information, data, and scientific knowledge about, is something that really ought be revisited again for a very finite group of women who have been suffering, not only from the effects of what happened, but for the way that our entire system deals with that. So I would appreciate your support and I look forward to having any further discussions with anyone as we need.

PRESIDENT CULLERTON:

Question is, shall House Bill 1764 pass. All those in favor, vote Aye. All those opposed, vote No. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On that question, there are 48 voting Yes, 2 voting No, none voting Present. And House Bill 1764, having received the required constitutional majority, is declared passed. On the regular Calendar, under Concurrences, page 3, Senator Bush, on Senate Bill 403. Maybe this is the bill. Mr. - - Mr. Secretary, please read the -- the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 403.

Signed by Senator Bush.

PRESIDENT CULLERTON:

Senator Bush.

SENATOR BUSH:

Thank you, Mr. President. So Senate Bill 403, we saw this bill here. I move to concur with the -- with the House. We saw this bill come through. This is the bill that provides a -- an opportunity for a seven-hundred-fifty-dollar property -- excuse me, income tax credit for homes that had flood damage. The

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amendment to the bill - excuse me - specifies that the disaster declaration will come from the Governor, not the President, and it's due to flooding, rather than just listing out the counties. It also details the certificate that the assessor will provide. It cites the Natural Disaster Homestead Exemption in the Property Tax Code, and it requires the assessor or assessment officer to certify to the Department of Revenue a list of properties damaged, and makes a technical change, excuse me, in reference under the Internal Revenue Code. Most of these are technical -- well, they're all really technical changes that were required by Revenue. So I know of no objections. I would be happy to answer any questions. And I think I have some questions for legislative intent also.

PRESIDENT CULLERTON:

Senator Holmes, for what purpose do you seek recognition?

SENATOR HOLMES:

I would like to do a wonderful job of asking these questions for legislative intent, since I've had time to rehearse. Thank you.

PRESIDENT CULLERTON:

To the bill.

SENATOR HOLMES:

Does Senate Bill 403 change the presumption under FOIA that records in the custody or possession of a public body are to be open to inspection or copying?

PRESIDENT CULLERTON:

Senator Bush.

SENATOR BUSH:

Lovely delivery. No, Senate Bill 403 does not change that

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presumption. Section 1.2 of the Freedom of Information Act, which sets out the statutory presumption that all records in the custody or possession of a public body are open to inspection or copying, is not amended by Senate Bill 403. So, the presumptive language of FOIA is unaffected by this bill. Rather, SB 403 simply makes it clear that county and municipal office -- excuse me, officials may share information in their possession related to reports or owners of damaged properties with township or county assessment officials.

PRESIDENT CULLERTON:

Senator Holmes, are you ask -- seeking recognition?

SENATOR HOLMES:

Yes, I have the final question.

PRESIDENT CULLERTON:

Senator Holmes, to the bill.

SENATOR HOLMES:

Senator, were their concerns that information in the possession of county and municipal officials related to property damage might not be subject to disclosure to township or current county assessment officials?

PRESIDENT CULLERTON:

Senator Bush.

SENATOR BUSH:

Thank you, Mr. President. Yes, some local officials were concerned that they might not be permitted under current Illinois law to share property damage information in their possession with township or county assessment officials. SB 403 is intended to make it clear that sharing of information among the specified public officials is permissible. SB 403 does nothing more than

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that. You are so welcome.

PRESIDENT CULLERTON:

Okay, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 403. All those in favor, vote Aye. All opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On that question, there are 51 voting Aye, none voting No, none voting Present. And the -- having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 403, and the bill is declared passed. On the same page, Senate Bill 1345. Senator Trotter. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1345.

Signed by Senator Trotter.

PRESIDENT CULLERTON:

Senator Trotter.

SENATOR TROTTER:

...you -- thank you very much, Mr. President, Members of the Senate. Just for those that have asked me, this House bill will have nothing to do with the Chicago fire contribution fund. As a matter of fact, it deletes all and becomes the bill. It's a cleanup bill, for House Floor Amendment No. 2 makes technical changes to Article 1 of the Pension Code to correct a drafting error in the BIMP bill, which was Senate Bill 42, which inadvertently closes Tier 2 for newly hired covered State Employees Retirement System Article 14 employees. Secondly, it changes the Tier 2 definition under Article 15 to correct a drafting error in

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the BIMP, which inadvertently closes Tier 2 in the State University {sic} (Universities) Retirement System for anyone hired on or -- or after January 6, 2018.

PRESIDENT CULLERTON:

Seeing no discussion, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1345. All those in favor will vote Aye. All opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 43 voting Yes, 5 voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 2 to Senate Bill 1345, and the bill's declared passed. Senator -- Senator Van Pelt, for what purpose do you seek recognition?

SENATOR VAN PELT:

I would like to be reflected as a Yes vote on Senate Bill 1451. I was unaware of some negotiations that had been -- had taken place, so... Thank you.

PRESIDENT CULLERTON:

Record will so reflect. Senator Tracy, for what purpose do you seek recognition?

SENATOR TRACY:

Yes, thank you, Mr. President. I believe, on -- on Senate Bill 681 {sic}, I didn't get to my switch in time, and I wanted to be recorded a Yes.

PRESIDENT CULLERTON:

Record will so reflect.

SENATOR TRACY:

Thank you.

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PRESIDENT CULLERTON:

Senator Anderson, for what purpose you rise?

SENATOR ANDERSON:

A -- a point of personal privilege, Mr. President.

PRESIDENT CULLERTON:

State your point.

SENATOR ANDERSON:

That last bill, Senate Bill 1345 I believe, I intended to be an Aye vote.

PRESIDENT CULLERTON:

Record will so reflect. ...Trotter in the Chair.

PRESIDING OFFICER: (SENATOR TROTTER)

Continuing on page 3, we're going to Secretary's Desk, Resolutions. Senate Resolution 1080. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Resolution 1080, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR TROTTER)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I share this resolution with you in an effort for the United States of America to recognize the technological and energy innovation measures. We're just hoping that science, technology, and innovation requires a systematic, comprehensive, integrated, sustainable, multidisciplinary, and multi-sectoral approach. Our goal here is devising collaborative models to tackle some of business and society's most complex opportunities for underserved communities, and identifying the leadership attributes that enable

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inclusive innovation and measurable change on a large scale. Therefore, our goal is to work towards including underserved communities in collaborative research, science, technology, and innovation projects and to promote investments to enhance public knowledge and to achieve sustainable participation. So in a nutshell, we'd just like to do a better job on including underserved communities and minority groups in the advancement of technology and other areas on a national level. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR TROTTER)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Resolution 1080 pass. All those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and the resolution is adopted. Senator Aquino, you seeking recognition?

SENATOR AQUINO:

...privilege.

PRESIDING OFFICER: (SENATOR TROTTER)

What's your point, sir?

SENATOR AQUINO:

I realize that we all are waiting to -- to head out and -- and we won't be back here until next year, but I wanted to talk -- I -- I've had a resolution that I was hoping to get done, but unfortunately, because of the timing, it wasn't able to be achieved. But I wanted to talk a little bit about the -- the impact of the storms that happened last -- last September, last month {sic}, in -- in Puerto Rico and in the Virgin Islands. And as a Puerto Rican myself and many family members that are -- are struggling in the island right now, I just wanted to take note of



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what we have been doing in the State. I actually joined the Governor this weekend with other colleagues and the Director of IEMA, where we sent out over a hundred and fifty members of the National Guard to help in that island. And so while we go out in the next month, all of us, to celebrate our holidays, I want you all to know that my family in Puerto Rico, several weeks and months after of this storm, most of 'em are still without running water, are still without electricity, have barely been able to -- to -- to -- to go to schools and -- and -- and work and -- and whatnot and there's a lot of struggle happening in a territory of the United States, where every person that is Puerto Rican is an American citizen. They are Americans that are struggling right now on an island that, unfortunately, because of the economic turmoil and -- and fiscal issues that it had that we can all relate to, had very poor infrastructure. And the storms, Category 5 storms that passed by there - not one, it was Irma and then two weeks later, Category 5 Maria - road through that island and destroyed a poor infrastructure that still leaves millions of people asking "Where's the help coming?" Unfortunately, I can't say that the same assistance has been -- a great response has been from our federal government. So I just wanted to say that we have in my community, in the 2nd District, have the Humboldt Park community, which is home to many Puerto Ricans. There has been a great response from our communities to send out aid. We have a lot of groups, actually a medical mission just next week, that is going out there to assist. So while we celebrate Christmas and the holidays coming up in the next few months, just know that we have Americans that are suffering, that can use assistance, and I hope that in this State -- I'm glad that the Governor has said

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that he's willing to make this State a welcoming State to all Puerto Ricans. Our hope's that we can continue that, work in a bipartisan manner, 'cause, again, these Puerto Ricans are not any foreigners or anything like that. They are American citizens waiting for response and assistance from us. And so I thank you for -- for that time.

PRESIDING OFFICER: (SENATOR TROTTER)

Thank you very much. Thank you for your comments and reminding us that there are citizens of the United States that need our help. Senator Anderson, for what purpose do you rise?

SENATOR ANDERSON:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR TROTTER)

State your point, sir.

SENATOR ANDERSON:

My apologies. In -- in the hustle and bustle of stepping off the Floor and coming back, I just want to make sure I have it correct - I think I stated the wrong bill before - I intended to be a No vote on Senate Bill 1345.

PRESIDING OFFICER: (SENATOR TROTTER)

That was my bill. Your intentions will be recognized, sir. Staying on that page, let's go to -- excuse me, Senate Bill 1067. 1067. Senate Resolution 1067. Senator Hutchinson. She acknowledges she wishes to proceed. Mr. Secretary, read the resolution. Just one second, please. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR TROTTER)

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Senator Hutchinson, proceed.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Body. This is a resolution urging our Congressional delegation to not support the elimination of the state and local...

PRESIDING OFFICER: (SENATOR TROTTER)

Senator, this is the amendment, so if you want to...

SENATOR HUTCHINSON:

Oh. I would like to adopt it and then explain it when it gets to the Floor.

PRESIDING OFFICER: (SENATOR TROTTER)

Certainly. Let's do that. Is there any discussion? Is there any discussion? All those in favor will say Aye. All 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 TROTTER)

Now, to the resolution. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Resolution 1067, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR TROTTER)

Senator Hutchinson.

SENATOR HUTCHINSON:

Okay, now?

PRESIDING OFFICER: (SENATOR TROTTER)

Yes.

SENATOR HUTCHINSON:

So, Ladies and Gentlemen, this is a resolution urging our

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Congressional delegation to not support the elimination of the state and local tax credit. I -- I just want to point out a -- like four things that are really important and why we all agree on this. One, the state and local deduction allows families that pay state and local income tax or sales tax to deduct those from their federal income tax. This deduction prevents families from being double taxed, once by the federal government and then again by the state on the same income. The second, Illinois has the fifth-highest number of taxpayers who claim this deduction, but that of all the Illinoisans that claim this, eighty-five percent earn less than two hundred thousand dollars. So in the spirit of bipartisanship and in the spirit of recognizing how important this particular tax credit is to middle income-earning folks across our State, this is a resolution urging our Congressional delegation to please not include that in their tax cut package thing. We just think it would be detrimental to too many people in Illinois. With that, I would urge your support.

PRESIDING OFFICER: (SENATOR TROTTER)

Is there any discussion? Seeing none, the question is, shall Senate Resolution 1067 pass. All those in favor will say Aye. All opposed, Nay. Opinion of the Chair, the Ayes have it, and the resolution is adopted. Senate Resolution 731. Tom Cullerton. You wish to proceed? The gentleman states he wishes to proceed. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Resolution 731, offered by Senator Tom Cullerton.

PRESIDING OFFICER: (SENATOR TROTTER)

Senator Cullerton.

SENATOR T. CULLERTON:

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Thank you, Mr. President. Senate Resolution 731, I'm very glad we were able to get this done this week of veterans' week, and yesterday we had a lot of veterans speak to their time in service and what Veterans Day means to 'em. Senate 7 -- Senate Resolution 731 -- urges Illinois communities to become involved in the Vietnam Veterans Memorial Foundation "Wall of Faces" project. The Vietnam Veterans Memorial was finished in 1983. The wall listed more than fifty-eight thousand servicemen and women who either died in action or went missing during the Vietnam War. Due to a fire at a government facility in 1973, the United States military lost millions of personnel records, including many of those who were listed on the wall. The military and other organizations have made efforts to recover the lost data. Twenty-four thousand veterans listed on the wall still had no picture in military records as of 2013. In January of 2017, the Illinois Press Association and the National Press -- Newspaper Association have started to coordinate efforts to recover the five hundred and seventy-nine missing Illinois resident -- veterans' photos. So I urge we accept this resolution.

PRESIDING OFFICER: (SENATOR TROTTER)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Resolution 731 pass. All those in favor will say Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it, and the resolution is adopted. Remaining on the Calendar. Senate Resolution 578. 578, Senator Hastings. Senator Hastings indicates he wishes to proceed. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Resolution 578, offered by Senator Hastings.

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PRESIDING OFFICER: (SENATOR TROTTER)

Senator Hastings.

SENATOR HASTINGS:

It's the softer side of me, Mr. President. This resolution designates April the 8th through April the 14th as Healthy Pet Week. And as we approach the holiday season, we have a lot of family, we have a lot of friends out there, we want to make sure that all of our pets are taken care of. I've run two pet bills this past Session in which they were very interesting bills and I'm happy they passed and are signed into law. I think this is a good thing to take care of our furry friends. Thank you, Mr. President, for your time.

PRESIDING OFFICER: (SENATOR TROTTER)

Thank you. Is there any discussion? Seeing none, the question is, shall Senate Resolution 578 pass. All those in favor will say Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it, and the resolution is adopted. We're going to Supplemental Calendar No. 1. Going to Senate Joint Resolution 25. Senate Joint Resolution 25. Senator Rezin. She indicates she wishes to proceed. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Joint Resolution 25, offered by Senator Rezin.

PRESIDING OFFICER: (SENATOR TROTTER)

Senator Rezin.

SENATOR REZIN:

Thank you, Mr. President. Senate Joint Resolution 25 honors and respects a truly great family in Peoria. Six brothers of the Kaszynski Family from Peru served in World War II. Five of the brothers served in the United States Army: Bernard, Florian,

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Thaddeus, Alex, and Richard. And one brother, Chester, served with the United States Merchant Marine during World War II, with the United States Army during the Korean War as well. Alex Jr. was the only brother who was seriously wounded in action on Luzon and was awarded the Purple Heart. We would like to recognize and honor this family by designating Route 6 from Mary Street in Spring Valley to Harrison Street in Peru as the "Kaszynski Brothers Memorial (Highway)". I ask for your support.

PRESIDING OFFICER: (SENATOR TROTTER)

Is there any discussion? There is no discussion. As this resolution requires the expenditure of State funds, a roll call vote will be required. So on that question, Senate Joint Resolution 25 to 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? On that question, Senate Joint Resolution 25, having received the required constitutional majority, is declared adopted. Mr. Secretary, are there any Communications from the House?

SECRETARY ANDERSON:

I have a Communication from the President of the Senate. Letter dated November 9th, 2017.

Dear Mr. Secretary - Enclosed please find the Senate Session Calendar -- Session -- Senate Session Schedule for the 100th General Assembly. If you have any questions, feel -- please feel free to contact my Chief of Staff, Kristin Richards.

Sincerely, John J. Cullerton, Senate President.

PRESIDING OFFICER: (SENATOR TROTTER)

We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in

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today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ANDERSON:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR TROTTER)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And the resolutions are adopted. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

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

House Joint Resolution 88.

Offered by Senator Link.

(Secretary reads HJR No. 88)

Adopted by the House, November 8th, 2017. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR TROTTER)

On the Order of Resolutions is House Joint Resolution 88. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 88, offered by Senator Link.

PRESIDING OFFICER: (SENATOR TROTTER)

Senator Link moves to suspend the rules for the purpose of



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immediate consideration and adoption of House Joint Resolution 88. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Link moves for the adoption of House Joint Resolution 88. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. There being no further business to come before the Senate, pursuant to House Joint Resolution 88, the Senate stands adjourned until the hour of 12 o'clock noon on the 30th day of January 2018, or until the call of the Senate President. The Senate stands adjourned. Wish everyone a safe and happy holiday - Thanksgiving, Christmas, and all the other occasions that come in between.