

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

56th Legislative Day

6/15/2007

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PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 95th General Assembly will please come to order. Will the Members please at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor John Price, the Springfield Church of Christ, here in Springfield, Illinois. Pastor.

PASTOR JOHN PRICE:

(Prayer by Pastor John Price)

PRESIDING OFFICER: (SENATOR DeLEO)

Please remain standing for the Pledge of Allegiance. Senator Maloney, to lead in the Pledge.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DeLEO)

Kristen Schmid Schurter seeks leave of the Body to photograph for The New York Times. Seeing no objection, leave is granted. Madam Secretary, Reading and Approval of the Journal, please.

SECRETARY SHIPLEY:

Senate Journal of Thursday, June 14th, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Good morning, Senator Hunter. Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection,

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so ordered. Okay. Ladies and Gentlemen, we will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, has there been any objections filed to any resolution on the Consent Calendar?

SECRETARY SHIPLEY:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? 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. All those opposed will say Nay. The Ayes have it. The motion carries, and resolutions are adopted. Senator Righter. Senator Righter, are you seeking recognition, sir?

SENATOR RIGHTER:

Good morning, Mr. President. It's good to see you and the other twenty or so Senators who have chosen to join us today. I rise for purposes of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR RIGHTER:

Senator Althoff will not be with us here today. She is back in her district on legislative business.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The record will so reflect.

SENATOR RIGHTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, I'd ask you to turn your

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Calendars to page 2 of your Calendar, Senate Bills 2nd Reading. Leave of the Body, we'll return to Senate Bill 1110. Senator Trotter, on Senate Bill 1110. Madam -- do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1110.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Continuing on Senate Bills 2nd Reading is Senate Bill 1120. Senator Schoenberg, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1120.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Continuing on Senate Bills 2nd Reading is Senate Bill 1140. Senator Hunter, do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1140.

(Secretary reads title of bill)

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

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reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Okay. Ladies and Gentlemen, I'd ask you to turn to page 36 of your Calendar. We will be going to Concurrences on Senate Bills. On page 36 of your Calendar comes -- on the Order of Concurrence is Senate Bill 13. Senator Link. Senator Terry Link. Out of the record. On the -- continuing on Concurrences is Senate Bill 68. On the Order of Concurrence, Senate Bill 68. Senator Jacobs, do you wish to proceed, sir? Senator Jacobs indicates he'd like to proceed. Madam Secretary, please read the gentleman's motion.

SECRETARY SHIPLEY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 68.

Filed by Senator Mike Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, to explain your motion, sir.

SENATOR JACOBS:

Thank you, Mr. Chairman. Senate Bill 68 provides financial and educational assistance for eligible child in an interim period between when a child's adoptive parents died and the ending of finalization of a new adoption. As well, this bill changes to allow that a child can get Social Security benefits from the deceased adoptive parents. I know of no opposition.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, this is final action. The question is, should the Senate concur in House Amendment No. 1 to Senate Bill 68. All those in favor will vote

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Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 45 Ayes, 0 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 68. And the bill, having received the required constitutional majority, is declared passed. Senator Righter, for what purpose you seek recognition, sir?

SENATOR RIGHTER:

Thank you, Mr. President. Pardon me. I'm rising for a second time to announce the absence of a Member, that Senator Hultgren is also back in the district on legislative business, please. Like the record to reflect that.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The record will so reflect, sir. Okay. Continuing on Motions on page 36 is Senate Bill 153. Senator Sieben, on a motion to -- out of the -- out of the record. Okay. Ladies and Gentlemen, we go to page 37 of your Calendar. Continuing on Secretary's Desk, Concurrence, is Senate Bill 333. Senator John Cullerton, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the gentleman's motion.

SECRETARY SHIPLEY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 333.

Filed by Senator John Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to explain your motion, sir.

SENATOR CULLERTON:

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Yes. Thank you, Mr. President, Members of the Senate. I wish to concur with the House amendment. This reflects the agreement between the Illinois Trial Lawyers Association and Midwest Generation. Turns out that a number of power companies own land that they lease to the Department of Natural Resources for a nominal fee. And this bill deals with the -- their liability if someone comes on that land. It creates a new Act which we call the State of Illinois Recreational Use of Leased Land Act. And it reinstates liability protection, except, of course, for willful and wanton misconduct, for landowners who lease open space land to the Department of Natural Resources for a nominal fee. It's modeled after the Recreational Use of Land and Water Areas Act, which was amended in -- in 2005 to provide civil immunity to private land owners only for hunting and recreational shooting activities. Under this bill, the land -- to be eligible, the land must be made available to members of the general public. The liability protection only extends to recreational uses of leased land. And I should point out that the definition of recreational uses is more limited than the -- 2005 definition. The intent is to place these land owners who lease to the DNR in the same position they were in prior to the 2005 amendments to that Recreational Use of Land and Water Areas Act. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 333. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 46 Ayes, 0 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 333. And the bill, having received the required constitutional majority, is declared passed. Continuing on Concurrences is Senate Bill 678 on the Order of Concurrence. Senator Clayborne. Senator James Clayborne, do you wish to proceed, sir? Out of the record. I'd ask the Ladies and Gentlemen of the Senate to turn your Calendars to page 38. Page 38. On the top of page 38 is Senate Bill 833. Senator Noland, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the gentleman's motion.

SECRETARY SHIPLEY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 833.

Filed by Senator Mike Noland.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland, to explain your motion, sir.

SENATOR NOLAND:

Thank you, Mr. President. This is the bill affecting the Water Reclamation District of -- the Fox River Water Reclamation District, northern Kane County. This is a compromise bill that was passed unanimously out of committee. We took out some of the old, what seemingly was offensive language regarding the makeup of the board, and I believe it has concurrence with both Senator Peterson - who will probably speak to the bill - and State Representative Beaubien. So, I think this is a compromise and I urge everyone to vote Aye.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Senator Peterson, for what purpose you seek recognition?

SENATOR PETERSON:

Thank you, Mr. President. To speak to the bill: Want to concur with my colleague, Senator Noland, that this was an agreed bill that came out of the House. All parties were negotiating and I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Noland, to close, sir.

SENATOR NOLAND:

Thank you, Senator. I -- again, just to concur. I -- I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 833. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 45 Ayes, 1 {sic} (0) voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 833. And the bill, having received the required constitutional majority, is declared passed. Continuing on Concurrences is Senate Bill 1327. On the Order of Concurrence is 1327. Senator Schoenberg, do you wish to proceed, sir? Out of the record. Continuing on page 38 of your Calendar is Senate Bill 1366. Senator James Clayborne. Senator James Clayborne. Out of the record. Ask you to turn your Calendars to page 39. Page 39 is Senate Bill 1625, is Senator

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Carol Ronen. Senator Carol Ronen. Senator Carol Ronen. Out of the record. Continuing on Concurrences is Senate Bill 1746. Senator Delgado. Senator Willie Delgado. Senator Delgado. Out of the record. All right. Ladies and Gentlemen, I'd ask you to turn your Calendars to page 35, please. Page 35 of your Calendar is Secretary's Desk, Resolutions. Ladies and Gentlemen, we will go to the middle of page 35, is Senate Resolution 199. Senator Silverstein. Senator Ira Silverstein. Out of the record. Senate Resolution 205. Senator Peterson, do you wish to proceed? He'd like his resolution considered. Madam Secretary, please read the gentleman's resolution.

SECRETARY SHIPLEY:

Senate Resolution 205.

No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Peterson, to explain your resolution.

SENATOR PETERSON:

Thank you, Mr. President. Basically, it would ask the State to designate, I believe, June 20th as American Eagle Day to honor the symbol of our country. I know of no opposition. Ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Senator Peterson moves the adoption of Senate Resolution 205. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the resolution is adopted. Senator Luechtefeld, on Senate Resolution 206. Senator Luechtefeld, on Senate -- Resolution 206, sir. Out of the record. Senator Crotty, on Senate Resolution -- 220. Do you

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wish your resolution considered, ma'am? She indicates she does. Madam Secretary, please lead -- read the lady's resolution.

SECRETARY SHIPLEY:

Senate Resolution 220.

No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, to explain your resolution, ma'am.

SENATOR CROTTY:

Thank you very much. Senate Resolution 220 urges the Division of Insurance and the Department of Human Services, in consultation with the insurance companies, support groups for children in need of habilitative services, and medical practitioners specializing in the care of those children to undertake a study on congenital brain disorders. Specifically, this study will investigate the insurance treatment of habilitative services by insurance companies in Illinois and the potential costs to premium holders by mandating the coverage of habilitative care, and also the cost savings of that mandate.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Senator Crotty moves the adoption of Senate Resolution 220. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the resolution's adopted. Senate -- Senate Resolution 228. Senator Murphy, do you -- the gentleman indicates he wishes to proceed. Madam Secretary, please read the gentleman's resolution.

SECRETARY SHIPLEY:

Senate Resolution 228.

No committee or Floor amendments reported.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy, to the resolution, sir.

SENATOR MURPHY:

Thank you, Mr. President. We had a impressive young man from my district named Soeren Palumbo come down and give a -- a -- a speech to this Body on behalf of -- really, in defense of his younger sister who's developmentally disabled, encouraging people to cease in the use of the word "retard" or "retarded" as a pejorative term. To honor his -- his leadership as an impressive young man, we brought a resolution urging people in Illinois not to use that term in that manner. And I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, Senator Murphy moves the adoption of Senate Resolution 228. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the resolution is adopted. ...Resolution 240. Senator Forby. Do you wish to proceed with it, sir? He indicates he'd like to proceed. Madam Secretary, please read the gentleman's resolution.

SECRETARY SHIPLEY:

Senate Resolution 240.

No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Good afternoon, Senator Forby. To the resolution, sir.

SENATOR FORBY:

Thank you. It is a good afternoon. In April this year, Rend Lake was chosen as -- consumers in a contest as one of "The Seven Wonders of Illinois". Senate Resolution 240 simply recognizes this is a great success by naming Monday, June 18th,

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207 {sic} (2007), Rend Lake Day in the State of Illinois. This is -- the guy that runs Rend Lake Conservative District is John Reilly. I think most everybody in here knows him. He's done a fantastic job. So, thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Senator Forby moves the adoption of Senate Resolution 240. All those in favor will say Aye. All those opposed will say Nay. And the Ayes have it. The resolution is adopted. Continuing on Resolutions is Senate Joint Resolution 54. Senator Demuzio, do you wish your -- resolution considered, ma'am? No. Out of the record. Senator Demuzio, on Senate Joint Resolution 56, ma'am. Would you like that resolution considered? She indicates she does. Madam Secretary, please read the lady's resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 56.

No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, to the resolution.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Members of the Assembly. Senate Joint Resolution 56 actually determines that the State Board of Education, the Board of Higher Ed, and the Office of the Governor are to jointly appoint a task force to recommend a sequence of strategic steps based on, but not limited to, the measure detailed in the "Blueprint for Change". This task force, I believe, is very critical in helping us to have preparedness when it comes to school leadership.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Senator. Is there any discussion? Is there any discussion? Ladies and Gentlemen, it's the opinion of the Chair that this resolution requires the expenditure of State funds; therefore a roll call vote must be taken. Those in favor of Resolution -- Senate Joint Resolution 56 will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 42 Ayes, 0 voting Nay, 0 voting Present. The resolution is adopted. Continuing on Resolutions is Senate Joint Resolution 57. Senator Maloney, do you wish your resolution considered, sir? He indicates he does. Madam Secretary, please read the gentleman's resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 57.

The Committee on State Government and Veterans Affairs...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney, to the resolution.

SECRETARY SHIPLEY:

...adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

I'm sorry, Madam Secretary. Senator Maloney, to the resolution.

SENATOR MALONEY:

Thank you, Mr. President. Do we need to -- the amendment changes the makeup of the committee. I'll talk to it on 3rd Reading. Okay. The -- Senate Joint Resolution 57 directs the Illinois Board of Higher Education to develop a master plan and public agenda for higher education through a Task Force on Higher

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Education and the Economy. I really feel that this plan is needed to deal with the changing demographics of Illinois' emerging workforce. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion. Once again, Ladies and Gentlemen, it's the opinion of the Chair that this resolution requires expenditure of State funds; therefore a roll call vote must be taken. Those in favor of -- Senate Joint Resolution 57 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 43 Ayes, 0 voting Nay, 0 voting Present. And Senate Joint Resolution 57, the resolution is adopted. Continuing on Senate Joint Resolutions is Senate Joint Resolution 59. Senator Maloney, do you wish to proceed with your resolution? He indicates he does. Madam Secretary, please read the gentleman's resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 59.

No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney, to the resolution, sir.

SENATOR MALONEY:

Thank you, Mr. President. Senate Joint Resolution 59, under this resolution the Community College Board and the Board of Higher Education are directed to develop a plan using the Prairie State -- State Achievement Examination to gauge students' college readiness. This, I really feel, will cut down on the need for so much remediation at the higher education level. I'll be happy to

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answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Maloney. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Maloney moves the adoption of Senate Joint Resolution 59. It's -- once again, it's the opinion of the Chair that this resolution requires expenditure of State funds and therefore a roll call vote must be taken. Those in favor of resolution -- Senate Joint Resolution 59 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 42 Ayes, 0 voting Nay, 0 voting Present. Senate -- Senate Joint Resolution 59, the resolution is adopted. Continuing on 2nd -- Secretary's Desk, Resolution, on the bottom of page 35 is House Joint Resolution No. 11. Senator Lightford, do you wish to proceed? Would you like to have your resolution considered, ma'am? She indicates yes. Madam Secretary, please read the lady's resolution.

SECRETARY SHIPLEY:

House Joint Resolution 11.

No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford, to explain your resolution, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Committee -- of the Senate. I apologize. House Joint Resolution 11, it designates the Department of Commerce and Economic Opportunity to work with the -- Lincoln-Douglas Debate the -- Sesquicentennial Collation. Actually, we're coming up to a

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hundred fifty years since President Lincoln and Douglas had that awesome debate that really made significant changes in our history and we'd like to emphasize that and allow many of our places across the State to utilize it as another effort of tourism. And so I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Senator Lightford moves the adoption of House Joint Resolution 11. All those in favor will say Aye. All those opposed will say Nay. And the Ayes have it, and the resolution is adopted. Top of page 36, we will continue on Secretary's Desk, Resolutions, is House Joint Resolution 24. Senator Demuzio, would you like your resolution considered, ma'am? She indicates she does. Madam Secretary, please read the lady's resolution.

SECRETARY SHIPLEY:

House Joint Resolution 24.

The Committee on State Government and Veterans Affairs adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, to the resolution, ma'am.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President. House Joint Resolution 24 creates the task force on special education funding needs and it also makes the recommendation as to how the State can increase special education funding and ease the financial burden on school districts.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any

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discussion? Seeing no discussion, Senator Demuzio moves the adoption of House Joint Resolution 24. All those in favor will say Aye. All those opposed will say Nay. And the Ayes have it, and the lady's resolution is adopted. Madam Secretary, on the Order of Resolutions, please.

SECRETARY SHIPLEY:

Senate Joint Resolution 66, offered by Senator Halvorson.

(Secretary reads SJR No. 66)

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, Senator Halvorson moves to suspend the rules for the purpose of immediate consideration and the adoption of Senate Joint Resolution 66. Those in favor will say Aye. Those opposed will say Nay. The Ayes have it, the rules are suspended. Now, Senator Halvorson moves for the adoption of Senate Joint Resolution 66. All in favor will say Aye. All opposed will say Nay. The Ayes have it, and the resolution is adopted. Now, pursuant to Senate Joint Resolution 66, Ladies and Gentlemen, the Senate stands adjourned until 12 noon, on Tuesday, June 19th, the year 2007. The Senate stands adjourned.