

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

60th Legislative Day

6/28/2007

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PRESIDENT JONES:

The regular Session of the 95th 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 Pastor James Hennig, Concordia Lutheran Church, Springfield.

PASTOR JAMES HENNIG:

(Prayer by Pastor James Hennig)

PRESIDENT JONES:

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDENT JONES:

Madam Secretary, Reading and Approval of the Journal.

SECRETARY SHIPLEY:

Senate Journal of Wednesday, June 27th, 2007.

PRESIDENT JONES:

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.

PRESIDENT JONES:

Senator -- Senator Hunter moves to approve the Journals just read by the Secretary. There being no objections, so ordered. Will the Members in their offices kindly come to the Senate Floor? We are about to proceed with final action on legislation. Kindly come to the Floor, all Members. Madam Secretary,

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Resolutions.

SECRETARY SHIPLEY:

Senate Resolution 274, offered by Senator Peterson and all Members.

It's a death resolution, Mr. President.

PRESIDENT JONES:

Resolutions Consent Calendar. Madam Secretary, Messages.

SECRETARY SHIPLEY:

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

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

House Bill 1717, which amendment is as follows:

Senate Amendment No. 1 to House Bill 1717.

Nonconcurrent in the House -- in by the House, June 27th, 2007.
Mark Mahoney, Clerk of the House.

I have a Message from the House by Mr. Mahoney, Clerk.

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

Senate Bill 360, together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment No. 1 to Senate Bill 360 and House Amendment No. 4 to Senate Bill 360.

We've received like Messages on Senate Bill 1397, with House Amendment No. 3, and Senate Joint Resolution 9, with House Amendments 1 and 2.

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Passed the House, as amended, June 28th, 2007. Mark Mahoney, Clerk of the House.

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

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

House Bill 122.

Passed the House, June 28th, 2007. Mark Mahoney, Clerk of the House.

PRESIDENT JONES:

Madam Secretary, Communications.

SECRETARY SHIPLEY:

Have a letter dated June 22nd, 2007.

To the Honorable President of the Senate:

Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate bill from the 95th General Assembly as vetoed by the Governor, together with his objections.

Senate Bill 1395.

Respectfully, Jesse White, Secretary of State.

I have another letter dated June 28th, 2007.

Dear Madam Secretary - Pursuant to Rule 3-2(c), I hereby appoint Senator Donne Trotter to temporarily replace Senator James Clayborne as a member of the Senate Executive Committee. This appointment is effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDENT JONES:

Will all the Members of the Rules Committee kindly convene

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in the Antechamber? All the Members of the Rules Committee, kindly convene in the Antechamber. Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Appropriations II Committee - House Bill 3920; refer to Executive Committee - a Motion to Concur with House Amendment No. 1 to Senate Bill 182; refer to Public Health Committee - a Motion to Concur with House Amendment No. 1 to Senate Bill 1580; and refer to Transportation Committee - a Motion to Concur with House Amendment No. 2 to Senate Bill 577.

Senator Debbie Halvorson, Chairman. June 28th, 2007.

PRESIDENT JONES:

Senator Trotter, what purpose you rise?

SENATOR TROTTER:

Purpose of making a motion.

PRESIDENT JONES:

Proceed.

SENATOR TROTTER:

Mr. President and -- Ladies and Gentlemen of the Senate, I move to waive all posting requirements so that House Bill 3920 can be heard in the Senate Committee on Appropriations II on this date, June 28th, 2007.

PRESIDENT JONES:

Senator Trotter moves to waive all posting requirements so that House Bill 3920 can be heard in the Senate Committee on Appropriations II. All in favor of the motion, signify by saying Aye. Opposed, Nay. The Ayes have it, and the motion pass.

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Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. I'd -- point of -- of an announcement.

PRESIDENT JONES:

Proceed.

SENATOR HUNTER:

I'd like to announce that the Public Health Committee will be meeting today, Room 400, at 1:35 p.m. Repeat: 1:35, Room 400.

PRESIDENT JONES:

Senator Demuzio.

SENATOR DEMUZIO:

Thank -- yes, thank you, Mr. President. A -- a point of -- of an announcement.

PRESIDENT JONES:

Proceed.

SENATOR DEMUZIO:

Yes, thank you. State Government and Veterans Affairs will be meeting today at 2 o'clock in Room 409.

PRESIDENT JONES:

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. I rise for an announcement. The Higher Education Committee will meet in -- in Room 400 at 2:15 today. Thank you.

PRESIDENT JONES:

Senator Silverstein.

SENATOR SILVERSTEIN:

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I rise for purpose of an announcement. Senate Executive will meet at 2 o'clock in Room 212.

PRESIDENT JONES:

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. I rise for a point of information, that the Insurance Committee will meet at 2:15 in Room 400 today. Thank you, sir.

PRESIDENT JONES:

Senator Michael Bond.

SENATOR BOND:

I rise for a purpose of announcement. Senate Transportation will meet in Room 400 at 1:45 today.

PRESIDENT JONES:

Senator Terry Link.

SENATOR LINK:

Thank you, Mr. President. An announcement: Senate Appropriations II will meet at 2:15 today.

PRESIDENT JONES:

Senator Haine, are you seeking recognition again? Madam Secretary, do you have any motions on file?

SECRETARY SHIPLEY:

There's a motion filed with respect to Senate Bill 1395 by Senator Harmon.

PRESIDENT JONES:

Let that motion be printed on the Calendar. A Supplemental Calendar has been distributed. It is -- it is on the Members' desks. On that -- on that Calendar, we have Senate Bill 1395. Senator Harmon, you wish to proceed? Madam Secretary, read the

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motion.

SECRETARY SHIPLEY:

I move that Senate Bill 1395 do pass, not without -- not -- notwithstanding the veto of the Governor.

Filed by Senator Don Harmon.

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

Thank you, Mr....

PRESIDENT JONES:

...on the motion.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill, Senate Bill 1395, started here in the Senate. Senate Bill 1395 started here in the Senate as a routine Department of Revenue initiative to conform Illinois withholding requirements to federal withholding requirements. It was then amended in the House to permit the City of Rockford to collect a sales tax that had been approved by the voters at referendum on July 1st, instead of a default date of January 1st. That bill came back over here to the Senate, where we concurred with the House's amendment by an overwhelming number. The bill went to the Governor, who recently vetoed it. This is a -- an important measure for the City of Rockford and also urgent in that July 1st is almost upon us. It is my hope that you will join me in my motion to override the Governor's veto so that the House can take it up as well and the City of Rockford will be positioned to collect the tax effective July 1st.

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Is there any discussion? Any -- any discussion? Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. Question for the -- the sponsor or the Senator from Rockford. Is there any sense of -- of -- of where this is going to -- how this is going to be received in the House? Do you -- any -- any vote tallying over there as to whether or not they've got the votes?

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, thank you for your question. I'm afraid I've been agonizing about how it would be received in the Senate rather and not worrying so much about the House. But I -- I would be hopeful that they would take it up expeditiously as well.

PRESIDENT JONES:

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. First of all, I want to thank Senator Harmon for the extraordinary work in helping work through this so late in the Session. And, Mr. President, thank you for helping maneuver this during this busy time with the budget. And this is an important piece of legislation for Rockford. And as Senator Harmon mentioned, the important thing is the -- the voters of -- of Rockford overwhelmingly approved this referendum and this just allows them to begin that collection sooner so they can begin collection sooner. We know of no opposition for this and would certainly urge my colleagues to help override this so

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we can get this over to the House. Thank you, again, for your help, Mr. President.

PRESIDENT JONES:

Any further discussion? Any further discussion? The question is, shall the Senate pass Senate Bill 1395, notwithstanding the total veto of the Governor. All those in favor of the vote will signify by voting Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the -- take the record. On that question, there are 43 voting Aye, 3 Nays, none voting Present. The -- Senate Bill 1395, having received the required three-fifths majority, is declared passed, notwithstanding the veto of the Governor. Senator Righter, what purpose you rise?

SENATOR RIGHTER:

Thank you, Mr. President. For purposes of an announcement.

PRESIDENT JONES:

Proceed.

SENATOR RIGHTER:

Thank you. I'd like the record to reflect, Mr. President, the absences today of Republican Senators Althoff, Senator Lauzen, Senator Burzynski and Senator Rutherford.

PRESIDENT JONES:

The -- the record shall so reflect. There being no further action coming before the Senate at this time, the Senate will stand in recess to the call of the Chair. We will be coming back to the Senate Floor for further action, especially to deal with the appropriation bills and to move them from 2nd to 3rd so that we can move toward final action tomorrow. But we will be coming back at the call of the Chair. With that, the Senate stands in

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recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDENT JONES:

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

SECRETARY SHIPLEY:

Senator Garrett, Chairperson of the Committee on Public Health, reports a Motion to Concur in House Amendment No. 1 to Senate Bill 545 and House Amendment No. 1 to Senate Bill 1580 recommend Do Adopt.

Senator Munoz, Chairperson of the Committee on Transportation, reports a Motion to Concur with House Amendments 1 and 2 to Senate Bill 577 recommend Do Adopt.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Amendment No. 4 to Senate Bill 766 and a Motion to Concur with House Amendment No. 3 to Senate Bill 82 recommend Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports a Motion to Concur in House Amendment No. 1 to Senate Bill 182, House Amendment No. 1 to Senate Bill 778 recommend Do Adopt.

Senator Maloney, Chairperson of the Committee on Higher Education, reports Senate Amendment No. 1 to Senate Bill 858 recommend Do Adopt.

Senator Haine, Chairperson of the Committee on Insurance, reports a Motion to Concur with House Amendments 1, 3 and 4 to Senate Bill 1523 recommend Do Adopt.

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And Senator Schoenberg, Chairperson of the Committee on Appropriations II, reports House Bill 3920 Do Pass.

PRESIDENT JONES:

Will all Members under the sound of my voice kindly come to the Senate Floor? On Supplemental Calendar No. 2, Madam Secretary, House Bill... Supplemental No. -- Calendar No. 2 has been distributed. It's on the Members' desks. On the Order of 2nd Reading is House Bill 3920. Senator Trotter wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 3920.

(Secretary reads title of bill)

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

PRESIDENT JONES:

Has there any -- been any -- 3rd Reading. The Secretary's Desk on the Order of Concurrence appear Senate Bill 82. Senator Sandoval. Madam Secretary, read the motion.

SECRETARY SHIPLEY:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 82.

Filed by Senator Martin Sandoval.

PRESIDENT JONES:

Senator Sandoval.

SENATOR SANDOVAL:

Yes, Señor Presidente. Mr. President, Members of the Illinois Senate, I ask for concurrence on Senate Bill 82.

PRESIDENT JONES:

Senator Sandoval -- is there any discussion? Any

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discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 82. This is final action. 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. The Senate -- on that question, there are 43 voting Aye, no Nays, none voting Present. The Senate concurs in House Amendment No. 3 to Senate Bill 82. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 182. Out of the record. Senate Bill 545. Out of the record. On the Order of Concurrence is Senate Bill 577. Out of the record. Senate Bill 778. Out of the record. Senate Bill 1523. Madam Secretary, read -- read the motion.

SECRETARY SHIPLEY:

I move to concur with the House in the adoption of their Amendment -- Amendments 1, 3 and 4 to Senate Bill 1523.

Filed by Senator William Haine.

PRESIDENT JONES:

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. These three amendments are defined as -- are defined as follows: House Amendment 1 makes a technical change in a -- in a bill which is a bookkeeping measure between these various State departments. It replaces Central Management Services with the Department of Healthcare and Family Services in clarifying the authority to establish funds and accounts to receive money in group insurance policies by State employee groups. And these are accounts outside the State treasury. There's no opposition to

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this. It's a bookkeeping measure by accountants who are basically bored with life. House Amendment No. 3, the amendment -- this amendment requires any insurance company doing business in the United -- in the State of Illinois to share data with the Department of Healthcare and Family Services. This is to meet a federal mandate, which is absolutely necessary. We passed this in a different bill 59 to 0 and the -- somehow it got lost in -- in the other Chamber. House Amendment No. 4 is a corrective measure to another bill, which only adds an immediate effective date.

PRESIDENT JONES:

Is there any discussion? Any discussion? Seeing none, this is final action. The question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill -- I'm sorry, 1, 3 and 4 to Senate Bill 1523. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 voting Aye, no Nays, none voting Present. The Senate concurs in House Amendments 1, 3 and 4 to Senate Bill 1523. And this bill, having received the required constitutional majority, is declared passed. Senate Bill 1580. Senator Garrett, do you wish to proceed? Madam Secretary, read the motion.

SECRETARY SHIPLEY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1580.

Filed by Senator Susan Garrett.

PRESIDENT JONES:

Senator Garrett, to explain the motion.

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SENATOR GARRETT:

Thank you, Mr. President. House Amendment No. 1 allows for the nursing home initiative freeze to be in place for another year and also for additional long-term care facilities' expenses to progress through the MDS formula for the next twelve months.

PRESIDENT JONES:

Is there any discussion? Any discussion? Seeing none, this is final action. The question is, shall -- shall the Senate concur in House Amendment No. 1 to Senate Bill 1580. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 voting Aye, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 1580. And the bill, having received the required constitutional majority, is declared passed. There being no further action to -- come before the Senate, rather than stay here all weekend, the Senate will stand adjourned until the hour of 10 a.m., Friday morning. 10 a.m., Friday morning. If you're here on time, we will work hard and try to get you home so you can be with your families. God bless you. Senate stands adjourned.