

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

90th Legislative Day

8/14/2007

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PRESIDING OFFICER: (SENATOR HALVORSON)

The regular Session of the 95th General Assembly will please come to order. Will the Members please be at their desks and the guests in the galleries please rise? The invocation today will be given by Dr. Richard Ahlgrim, Berean Baptist Church, Springfield, Illinois.

DR. RICHARD ALGHRIM:

(Prayer by Dr. Richard Ahlgrim)

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR HALVORSON)

NewsChannel 20 and ABC Channel 7 requests permission to videotape the proceedings. Seeing no objection, leave is granted. Madam Secretary, Reading and Approval of the Journal.

SECRETARY SHIPLEY:

Senate Journal of Monday, August 13th, 2007.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter.

SENATOR HUNTER:

Madam 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 HALVORSON)

Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Senator Righter, for what purpose do you rise? Okay. Senator Harmon,

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for what purpose do you rise?

SENATOR HARMON:

Thank you, Madam President, for recognizing my need to arise even before I could reach my button. I'm pleased to have with me some very special people. My wife, Terry, is here; my son, Don; my son, Francis -- or my daughter, Frances; and my daughter, Maggie. They are supposed to be far away this week in Springfield, Illinois, on vacation at the State Fair and instead chose to come here to Springfield, Illinois, with me to attend to some Senate business, but we're looking forward to making it over to the Fair later on, if the Chair so desires. Thank you very much. Join me in welcoming them all to the Senate Chambers.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. It's wonderful to have you here. Senator Peterson, for what purpose do you rise?

SENATOR PETERSON:

For the purposes of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR PETERSON:

Thank you, Madam President. Like to have the Chamber welcome my granddaughter, Myra Peterson, who's a constituent of Senator Link's, and she's here today as a Page.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. It's so good to have you here with your grandpa. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Madam President. For purposes of personal privilege, please.

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PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR RIGHTER:

Thank you. Madam President, Ladies and Gentlemen of the Senate, in the gallery right above us, my two sons, Jonathon and Benjamin, along with my father - their grandfather - Kenneth Righter, have come today to the State Fair. They were on the Floor with me, but since the young men - well, in fact all three men - are wearing t-shirts or a collared shirt, they had -- we had to be ushered up into the gallery. The reason they're here, Madam President, is because tonight, at 7:30 at the State Fair, my uncle Roy, who is seventy-five years old, will be driving a two-wheel -- truck in the sixty-two-hundred-pound class of the two-wheel truck division tractor pulling at the State Fair. So, I welcome everyone to come out. Yes. Senator Bond is looking at me like I'm not sure what a tractor pull is, and that's fine.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. It's great to have you. CBS Channel 2 requests permissions to videotape the proceedings. Seeing no objection, leave is granted. ...Secretary, Resolutions.

SECRETARY SHIPLEY:

Senate Resolutions 329 through 331, offered by Senator Koehler and all Members.

They're all death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolutions Consent Calendar. Rules Committee will meet immediately in the President's Antechamber. Rules Committee will meet immediately. Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

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Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - a Motion to Concur with House Amendments 1 and 2 to Senate Bill 662, a Motion to Concur with House Amendments 1, 2 and -- I'm sorry, 1, 2, 4 and 5 to Senate Bill 1299, Floor Amendment No. 2 to House Bill 471 and Floor Amendment No. 2 to House Bill 691.

Senator Debbie Halvorson, Chairman. August 14th, 2007.

PRESIDING OFFICER: (SENATOR HALVORSON)

Ladies and Gentlemen, if I could have your attention, I want to make an announcement that the Executive Committee will be meeting at 2:15 in Room 212. 2:15, in Room 212, Executive Committee, today. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal -- privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR ALTHOFF:

Thank you. I would just like to take a moment to acknowledge my thank yous to this Chamber for all of you who supported me in the Breast Cancer Walk. It was a three-day walk to raise funds for breast cancer research, as well as to assist individuals who don't have health coverage who need medical attention. My brother and I walked. I could not walk day one, on Friday, because we were here, but I did complete day two and day three. We raised in excess of eight thousand dollars and we walked over sixty-five miles. So thank you very much to all of you who chose to participate in this wonderful endeavor.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Congratulations, Senator. Congratulations. I would like to state my own personal privilege. I have some friends up in the gallery, the Schultz's, from Iroquois County. If they would please rise, so we can welcome them. Thanks for being here. The Senate will stand in recess till the call of the Chair. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SECRETARY SHIPLEY:

Senator Halvorson, Vice-Chairman of the -- of the Committee on Executive, reports a Motion to Concur with House Amendments 1 and 2 to Senate Bill 662, House -- House Amendments 1, 2, 4 and 5 to Senate Bill 1299 and Senate Amendment 2 to House Bill 471 and Senate Amendment 2 to House Bill 691 recommend Do Adopt.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Resolutions.

SECRETARY SHIPLEY:

Senate Resolution 332, offered by Senator Hunter and all Members.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Rules Committee will meet immediately in the President's Anteroom. Rules Committee immediately. And will all Members in the sound -- within the sound of my voice please come to the Senate Chambers. Madam Secretary, Committee Reports.

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SECRETARY SHIPLEY:

Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment No. 3 to House Bill 471.

Senator Debbie Halvorson, Chairman. August 14th, 2007.

PRESIDING OFFICER: (SENATOR HALVORSON)

Ladies and Gentlemen, with leave of the Body, we will be going to page 30 on the Calendar, House Bills 3rd Reading. And we will be going directly to the bottom of the page, House Bills, 471. Senator Trotter seeks leave of the Body to return House Bill 471 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 471. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter, to explain your amendment.

SENATOR TROTTER:

Thank you very much, Madam President and Members of the Senate. Floor Amendment No. 2 creates the FY2008 Budget Implementation Act pertaining to education. And if I could, I'd like -- I'll explain further on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Trotter moves the adoption of Amendment No. 2 to House Bill 471. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments

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approved for consideration?

SECRETARY SHIPLEY:

Yes, Madam President. Floor Amendment No. 3, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson, to explain Floor Amendment No. 3.

SENATOR WATSON:

Yes. Thank you very much, Madam President. Caught me by surprise. This -- what this does is just changes and modifies the language on regard to pay for -- performance. That's all it does.

PRESIDING OFFICER: (SENATOR HALVORSON)

There any discussion on the amendment? Seeing none, Senator Watson moves the adoption of Amendment No. 3 to House Bill 471. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 471. Senator Trotter, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 471.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.



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SENATOR TROTTER:

Thank you very much, Madam President, Members of the Senate. House Bill 471, as amended, becomes the FY2008 Budget Implementation Act for education. The bill contains statutory changes necessary to implement the budget as contained in House Bill 3866, as passed by this General Assembly. Included in that is the language raising the foundation level -- foundation level up to four hundred dollars per pupil, to a total of five thousand seven hundred and thirty-four dollars per pupil. It deals with personnel reimbursement for special education teachers, establishes a targeted intervention program, hard-to-staff salary incentives and the -- severely overcrowded schools programs. It also has language for the rural technology program and the superintendent mentoring program and various other acts.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any discussion? Seeing none, the question is, shall House Bill 471 pass. 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? Have all voted who wish? Take the record. On that question, there are 44 Yeas, none voting Nay, 1 voting Present. And House Bill -- 471, having received the required constitutional majority, is declared passed. With leave of the Body, we will be... Senator Brady, did you wish to be recognized? No. Okay. With leave of the Body, please turn to page 31, House Bills 3rd Reading. We will be going to the Order of House Bill 691. Senator Trotter seeks leave of the Body to return House Bill 691 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 691. Madam Secretary, have

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there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter, to explain your amendment.

SENATOR TROTTER:

Thank you very much, Madam President and Members of the Senate. Senate Amendment No. 2 of the bill establishes the FY08 Budget Implementation Act to make changes in State programs essential to implementing the FOY {sic} budget pertaining to human services.

PRESIDING OFFICER: (SENATOR HALVORSON)

There any discussion? Seeing none, Senator Trotter moves the adoption of Amendment No. 2 to House Bill 691. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 691. Senator Trotter, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 691.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

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SENATOR TROTTER:

Thank you very much. The House Bill 691 creates the Fiscal Year '08 Human Service Budget Implementation Act. Inclusive in that are changes to Local Government Health Insurance Reserve Fund to a non-appropriated fund. It allows deposits to federal financial participation proceeds from the DD children's waiver to go back into the trust fund, rather than going to GRF. It authorizes 3.5 million dollars in low-interest capital loans for community-based providers serving the disabled, mentally ill and substance abusers. It also provides dollars for a rate increase for nursing homes and authorizes a 2.5 cost-of-living adjustment for ICF and DD facilities, effective date of October 1st, 2007, and provides a rate increase for institutions for mental disease, along with creating a managed care pilot program.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RADOGNO:

Senator Trotter, this issue was raised in committee and that is there's a lot of good things in this bill - we're spending for -- the COLA for DD, nursing home increases - yet we, at least on our side, have not been told what it is the Governor intends on cutting out of the budget in order to fund his health care plan. How can we be assured that our DD providers will get their raise, the nursing homes will get their raise. How do we know that the

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Governor's not cutting these things out?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

We do not know. The specter of -- of what the Governor can do existed when we passed a bill last week, knowing at that time that he had the authority to veto, but also knowing that we have the authority to override that veto if necessary. It is, to me, more prudent for us to act on this so that those individuals that are looking forward to these dollars can go forward, than for us to react to what we don't have a clue of what he may do.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

It -- it just seems to me that if we don't know if these dollars have been cut out, these individuals can't move forward because we don't know that the money's going to be there. You know, it might be appropriate for us to consider a commitment right now that if he line items out nursing home raises, COLAs for DD providers, that we'll all commit to override that.

PRESIDING OFFICER: (SENATOR HALVORSON)

There any further discussion? Senator Trotter, to close.

SENATOR TROTTER:

In -- in the absence of a message coming directly from the Governor at this time, I believe, again, that it is prudent that the General Assembly and the Senate, in this instance, vote Aye for this legislation, which will serve the providers and give the needed rate increase to those individuals that do serve some of our most vulnerable constituents.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Question is, shall House Bill 691 pass. 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 37 Yeas, none voting Nay, none voting Present. And House Bill 691, having received the required constitutional majority, is declared passed. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 9 a.m., tomorrow, August 15th, 2007. The Senate stands adjourned.