

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

182nd Legislative Day

1/12/2009

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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 be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Bishop G.E. Livingston, Pastor at Life Changers Church in Decatur, Illinois. Pastor.

BISHOP G.E. LIVINGSTON:

(Prayer by Bishop G.E. Livingston)

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Please remain standing for the Pledge of Allegiance. Senator Sullivan, to lead, sir.

SENATOR SULLIVAN:

(Pledge of Allegiance, led by Senator Sullivan)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Reading and Approval of the Journal, please.

SECRETARY SHIPLEY:

Senate Journal of December 16th, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Happy new year, Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. Happy new year to you as well. 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. Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Communications, please.

SECRETARY SHIPLEY:

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I have a letter dated January 6th, 2009.

Dear Ms. Shipley - This office is forwarding herewith a copy of the Notice of Vacancy from the Legislative Committee of the Democratic Party of the 40th -- 40th Legislative District declaring the existence of a vacancy in the Office of the -- of Senator in the 95th General Assembly in the 40th Legislative District, as a result of the resignation of Senator Debbie DeFrancesco Halvorson, effective January 5th, 2009. Also enclosed is the copy of the Legislative Committee Certificate of Appointment for Toi W. Hutchinson, of Olympia Fields, Illinois, who was appointed to fill the vacancy in the Office of Senator, in the 95th General Assembly for the 40th Legislative District, along with her Oath of Office.

Very truly yours, Jesse White, Secretary of State.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY SHIPLEY:

Senate Resolution 967, offered by Senator Dillard and all Members.

Senate Resolution 968, offered by Senator Emil Jones and all Members.

Senate Resolution 969, offered by Senator Peterson and all Members.

Senate Resolution 970, offered by Senator Lightford and all Members.

Senate Resolution 971, offered by Senator Haine and all Members.

Senate Resolution 972, offered by Senators Clayborne, Emil Jones, Collins, Hendon, Hunter, Lightford, Meeks, Raoul, Trotter

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and all Members.

Senate Resolution 973, offered by Senator Hunter and all Members.

Senate Resolutions 974 through 976, offered by Senator Koehler and all Members.

And Senate Resolution 977, offered by Senator Brady and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Consent Calendar, Madam Secretary. Madam Secretary, continuing on Messages, please.

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 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 127.

Adopted by the House, January 8th, 2009. Mark Mahoney, Clerk of the House. And it is offered by Senator Delgado and is substantive.

And a second Message from the House by Mr. Mahoney, Clerk.

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

House Resolution 1617.

Adopted by the House, January 9th, 2009. Mark Mahoney, Clerk of the House.

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PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, House Bills 1st Reading, please.

SECRETARY SHIPLEY:

House Bill 3889, offered by Senator Delgado.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Introduction of Senate Bills, please.

SECRETARY SHIPLEY:

Senate Bill 3081, offered by Senator Althoff.

(Secretary reads title of bill)

And Senate Bill 3082, offered by Senator Althoff.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

WICS is seeking -- requesting permission to videotape the proceedings. And W -- and CBS is also asking permission to videotape the proceedings. Seeing no objection, so ordered. I'd like to -- for purposes of an announcement. I'd like all Members within the sound of my voice to please come up to the Senate Floor. All Members within the sound of my voice, please come up to the Senate Floor. We will be taking some Floor action, and it will be final action. So, please come up to the Floor immediately. Thank you. Senator Risinger, for what purpose do you seek recognition, sir? Ladies and Gentlemen, could you give the speaker your attention?

SENATOR RISINGER:

Would the -- thank you, Mr. President. Would you let the record show that Senator Pankau is ill and won't be in the

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Senate today?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The record will so reflect, sir. Once again, we ask all Members within the sound of my voice, please return to the Senate Floor immediately. All Members within the sound of my voice, we're going to be doing final action. Okay, Ladies and Gentlemen, if I could have your attention, please. We will go to Senate Secretary's Desk, Concurrence, Senate Bills. If you'd turn your Calendars to page 7. Page 7. On the top of page 7 comes Senate Bill 1415. On the Order of Concurrence is Senate Bill 1415. Senator Clayborne, sir, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY SHIPLEY:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1415.

Filed by Senator James Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Clayborne, to explain your motion, sir.

SENATOR CLAYBORNE:

Thank you. I -- I wish to concur with the House amendment, House Amendment No. 2. Basically, this amendment becomes the bill and clarifies the law that prevents this mistake from hurting tens of thousands of families. The bill simply clarifies existing law. Family Care has been established for years and funded to cover families up to -- one hundred and eighty-five percent of the federal poverty level. And it basically just clarifies that and makes sure that families up to

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a hundred and eighty-five percent are covered. That's basically it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Cullerton, you seeking recognition, sir? No. Senator Righter, are you seeking recognition on this motion, sir? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RIGHTER:

And I wonder, Mr. President, if we might, at the start -- I know there's a lot of -- there's a lot of hubbub and people saying "It's good to see you and happy new year", but since we're moving on concurrences... You just gaveled us down and I appreciate that very much. Senator Clayborne, first, I want to make sure that I am understanding what this motion would do. First, with regards to the Family Care program, it would increase the statutory percentage of what a family can make as a percentage of the federal poverty level and still be eligible. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

No, it's actually clarifying what's already in the rule, up to one hundred and eighty-five percent.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

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SENATOR RIGHTER:

Okay, is there -- is it -- is there a percentage set forth in statute now? And I'm not talking about administrative rule; I'm talking about statute.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

It's currently ninety.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

So, as a matter of Illinois law, this would increase that percentage of federal poverty level from ninety to one eighty-five. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

That's correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Is there any other changes with regards to TANF cash grants?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

It -- it increases it to fifteen percent, subject to appropriation. By fifteen percent.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Righter.

SENATOR RIGHTER:

Now -- and you said subject to appropriation. Is -- is there language in there that says subject to appropriation or is the TANF -- TANF cash grant process an entitlement, which means we're going to pay it whether we appropriate it or not?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

There -- there is language that says subject to appropriation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Is there an appropriations bill that you expect to be passed if this becomes law that will fund this cash grant? Or is this just something we're going to tell the families we're going to increase their cash grant by fifteen percent and then not appropriate it?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

We -- we've already increased it by nine effectively, but it has been -- it was appropriated in FY`09.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

It was appropriated. The nine percent was appropriated or the full fifteen that you've got in this bill?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

The nine percent was appropriated in FY`09.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Okay, then, Senator, I wonder if you can help the Body understand then - how much extra money are we talking about? Not just for the nine percent that was appropriated in this current fiscal year, but for the addition -- the addition, all the way up to fifteen. What is that outlay going to have to be for a State that's running seven months, eight months behind on its bills?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Up to fifteen percent, the total amount is about twelve and a half million. From -- from nine to fifteen is five million dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Is the -- am I correct, Senator, the -- the language would actually give the Governor the authority to increase the cash grant up to fifteen? In other words, the Governor can go -- leave it where it's at, or go to ten, or go to twelve, or -- or what not.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Clayborne.

SENATOR CLAYBORNE:

I guess to answer your question, yes and no. I guess yes in the sense that the Governor is the executive. And -- and no in the sense that DHS actually makes that determination.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

To the bill if I'm -- to the motion, excuse me, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Senate, here we are at the -- the dawn of 2009 in a State that is cash -- cash strapped, to say the least. Our unpaid backlog of bills is larger than it's ever been. Our deficits are larger than it's ever been. And here we have before us a proposal not just to send more money out the door that we do not have, but allow Governor Blagojevich to make that decision. What a great idea. Ladies and Gentlemen, 2009 ought to be the year when we start asking the question of what kind of money do we have and we what -- what do we want to spend it on. And we ought to figure out how much money we have before we decide what to spend it on and give the executive branch even more authority to do so. With all due respect, Mr. President and Senator Clayborne, I urge a No vote on the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Luechtefeld, are you seeking

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recognition on this motion, sir?

SENATOR LUECHTEFELD:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Please proceed.

SENATOR LUECHTEFELD:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR LUECHTEFELD:

Senator, you know, we have -- all of us have -- have had a lot of calls into our office about people not getting paid. And, you know, we blame it, most of it I think, on the Governor. You know, he's created all these programs and we can't pay them. It's his fault. But with something like this, we simply enable -- enable that to happen. Am I right about this? I mean, does the payment cycle just go out a little farther than what it is right now? And we are endorsing it. We are saying its okay. Is that basically what we're doing?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, not really, Senator. What happens, if you look at this, those families that aren't covered, they go to the hospitals anyway. And, then, the hospitals eat that loss. So, you know, we -- what we're trying to do is provide a mechanism to cover these -- these individuals. So, you know, it just depends on how you look at it.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, again, it's -- we are saying, all right, let's spend an extra -- this extra money; let's -- we don't have any way to pay for it, but let's just put it out there. And now we give it legitimacy by saying that it is in statute. You know, we have a tendency and happen to blame the Governor for everything. And -- and you know what? This Body in particular - the Senate - has enabled most of that to happen, whether it be -- you know, whether it be spend money or take money or not pay the bills. It -- and -- and this is one more time where you are -- you're -- we are actually doing that right up front. And I - I admire you for that part at least. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeking -- further people seeking recognition? Senator Bomke, to the motion, sir.

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR BOMKE:

Just for clarification, Senator Clayborne, did I not hear you say that we're increasing the poverty level for a family from ninety percent above the poverty limit to one hundred and eighty-five percent? And you're shaking your head yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

We're -- we're increasing -- we're increasing it in the

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statute. It has already been created by rule.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Bomke.

SENATOR BOMKE:

For clarification, then can you tell us what the family salary limit would be at ninety percent and what it is at one hundred and eighty-five percent?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

One second. One -- one second, if we get back with you on that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, it would probably be right around twenty thousand dollars for a family of four at ninety percent. So -- so if you go up to one eighty-five, about thirty-eight thousand dollars for a family of four.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, are you seeking recognition, sir, on this -
- to the motion?

SENATOR LAUZEN:

Yes, sir. Thank you. Happy new year, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Happy new year to you, sir.

SENATOR LAUZEN:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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Sponsor indicates he'll yield for a question, sir.

SENATOR LAUZEN:

Actually, two questions. Senator, would you agree that we have the worst, most serious fiscal crisis that this State has faced in at least the last decade?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

I would agree.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Then, may I ask, where -- where will the money come from to promise more when we're already not fulfilling the responsibilities that we've already committed to?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Lauzen, for the Family Care, the one eighty-five percent has already been appropriated.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Then, what's the necessity of the bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator James Clayborne.

SENATOR CLAYBORNE:

To -- to clarify that -- it was -- it was created by rule, and to put it in statute to clarify it.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

It would seem to me that whether it's created by law or it's a clarification, or however it gets to being appropriated, at an amount that's way more than we can afford to pay currently for -- for past obligations, it seems like we're -- we're creating a bigger problem that we're just going to have to correct at -- in some legislation in the next six months. But one last question, is there any proof of citizenship for eligibility for Family Care?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

I'm not sure.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, no -- no further people seeking recognition on the gentleman's motion, Senator Clayborne, to close, sir.

SENATOR CLAYBORNE:

Well, you know, basically the program has been in place. We currently have forty thousand citizens here in -- in Illinois who are jeopardize -- in jeopardy of losing their health care if we don't pass this. As my colleagues -- one of my colleagues raised the -- the issue, is that in -- in my district I've lost a hospital because of the number of people who did not have any kind of health care insurance. So, to -- to begin to address the health care needs of people, to make 'em more productive and to make their families and children more productive, we need to make sure that they have -- they have good health. I would ask

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for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, thank you, Senator. Okay, Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1415. All those in favor will vote Aye. All those opposed will -- 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, the Senate concurs on House Amendment No. 2 to Senate Bill 1415. On the question, there were 35 Ayes, 14 Nays and 0 voting Present. The Senate concurs on House Amendment No. 2 to Senate Bill 1415. And the bill, having received the required majority, is declared passed. Senator Murphy, for what reason are you seeking recognition, sir?

SENATOR MURPHY:

Happy new year, Mr. President. I rise..

PRESIDING OFFICER: (SENATOR DeLEO)

Happy new year to you.

SENATOR MURPHY:

Rise to call for a verification of the roll call on Senate Bill 1415.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, the gentleman has requested a verification on Senate Bill 1415. That request is in order. Madam Secretary... Ask all Members please be in their seats. There's been a request for a verification on Senate Bill 1415. Okay, Ladies and Gentlemen, Senator Murphy has requested a verification. I ask, once again, will all Members please be in their seats. I ask the Secretary to read those voting in the affirmative. Madam Secretary.

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SECRETARY SHIPLEY:

Bomke, Bond, Clayborne, Collins, Crotty, Cullerton, DeLeo, Delgado, Forby, Frerichs, Garrett, Haine, Harmon, Hendon, Holmes, Hunter, Hutchinson, Jacobs, Koehler, Link, Maloney, Martinez, Meeks, Millner, Munoz, Risinger, Sandoval, Schoenberg, Silverstein, Steans, Sullivan, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

...very much, Madam Secretary. Senator Murphy, do you question the presence of any Member voting in the affirmative, sir?

SENATOR MURPHY:

I do, Mr. President. Senator Bond.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Bond? Senator Bond? Is Senator Bond on the Floor? Senator Bond? Senator Bond? Can't miss him. He's kind of a skinny little guy. Madam Secretary, remove Senator Bond from the roll call. Senator Murphy, do you question the presence of any other Member voting in the affirmative, sir?

SENATOR MURPHY:

I -- I do, Mr. President. Senator Delgado.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Delgado? Senator Willie Delgado? Senator Delgado? Senator Delgado on the Floor? Sometimes, even when he stands, you can't see him. Senator Delgado? ...Secretary, remove Mr. Delgado from the roll call. Senator Murphy, do you question the presence of any other Member voting in the affirmative, sir?

SENATOR MURPHY:

I -- I do, Mr. President. Senator Munoz.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz? Senator Munoz? Is Senator Munoz -- Senator Munoz? Senator Munoz is not in the Chamber. Madam Secretary, please remove Senator Munoz from the roll call. Does the -- Senator Murphy question the presence of any other Member, sir?

SENATOR MURPHY:

Senator Silverstein, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein? No, they all look alike. Senator Silverstein? Senator Silverstein in the Chamber? Is Senator Silverstein in the Chamber? Senator Silverstein? Senator Silverstein's not in the Chamber. Madam Secretary, please remove Senator Silverstein from the roll call. Senator Murphy, do you question the presence of any other Member voting in the affirmative, sir?

SENATOR MURPHY:

Senator Risinger, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger? Senator Risinger? Senator Risinger? Senator Risinger is not in the Chamber. Madam Secretary, please remove Senator Risinger from the affirmative roll call. Senator Murphy, do you question the presence of any other Member in the Chamber, sir?

SENATOR MURPHY:

Senator Millner, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

I'm sorry.

SENATOR MURPHY:

Senator Millner, Mr. President.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Millner? There's -- Senator Hendon, for what purpose you seeking recognition, sir?

SENATOR HENDON:

Mr. President, I have a -- a -- a question of the Chair. Is -- is the rule of the Chair that this takes thirty votes? And secondly, is it proper -- I've never seen a -- a Member of their own party strike another -- their own Member off a bill. I mean, happy new year. I mean, I'm.. It's just..

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Hendon, because -- because it is after January 1st, 2009, it does require a simple majority, sir. And the Senator that's questioning the presence of any -- any Member in the affirmative is a proper procedure. Thank you for your inquiry. Senator Murphy.

SENATOR MURPHY:

We're ruling on Senator Millner, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Millner? Senator -- Senator John Millner? Is the gentleman in the Chamber? The gentleman is not in the Chamber. Madam Secretary, please remove him from the affirmative roll call. Senator James Clayborne, are you seeking recognition, sir?

SENATOR CLAYBORNE:

Yes, I am. Could you place this on a motion -- Postponed Consideration?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, the -- the motion is.. Okay, on the concurrence motion on Senate Bill 1415, on a verified roll call,

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the roll call will read 29 voting in the Affirmative, 14 Nay, 0 voting Present. And the bill will be reported as failed. Now, Senator Clayborne... File the appropriate motion at the appropriate time with the -- with the Clerk. WCIA is seeking -- requesting permission to videotape the proceedings. Seeing no objection, permission is granted. Ladies and Gentlemen, for the purpose of an announcement. The Senate will stand at ease for just one moment. We'd ask all Members of the Rules Committee please come to the President's Anteroom immediately. We have further action. So all members of the Rules Committee please report to the President's Anteroom immediately. Thank you. (Senate stands at ease) Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Hendon, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - House Bills 260, 334 and 4215. Senator Rickey Hendon, Chairman. January 12th, 2009.

And a second Rules report.

Senator Hendon, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Appropriations II Committee - Floor Amendment No. 2 to House Bill 4215; refer to Higher Education Committee - Motion to Concur with House Amendment No. 1 and 3 to Senate Bill 2603; refer to Judiciary-Criminal Law Committee - a Motion to Concur with House Amendment No. 1 to Senate Bill 100, a Motion to Concur with House Amendment No. 1 to Senate Bill 1013, and Floor Amendment No. 2 to House Bill 260; refer to Local Government Committee - a Motion to Concur with House Amendment No. 2 to

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Senate Bill 826; refer to Pensions and Investments Committee - a Motion to Concur with House Amendment No. 1 to Senate Bill 719; refer to Public Health Committee - a Motion to Concur with House Amendments 1 and 4 to Senate Bill 101, Motion to Concur with House Amendment No. 1 to Senate Bill 1174 and a Motion to Concur with House Amendments 1, 2 and 6 to Senate Bill 2348; and refer to Revenue Committee - a Motion to Concur with House Amendment No. 4 to Senate Bill 801.

Senator Rickey Hendon, Chairman. January 12th, 2009.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, could I have your attention please? Can we bring the noise level down just a couple -- couple... The Rules Committee has just met. You heard the bills assigned to the various committees. We'd like the committee chairmen please to announce the committees. So please listen very carefully. So, Senator Garrett. Senator Garrett. Purpose of an announcement, ma'am.

SENATOR GARRETT:

Yes, thank you, Mr. President. Public Health will be meeting today at 2:30 in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. That's Public Health in Room 400 at 2:30. Thank you very much. Senator Crotty, for purpose of an announcement, ma'am. Senator Crotty, please state your announcement.

SENATOR CROTTY:

Local Government will be meeting at 2:30 in Room 409.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Local Government, in Room 409 at 2:30. Senator

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Wilhelmi. Senator Wilhelmi. Senator Wilhelmi, on the BlackBerry. Senator Wilhelmi, for purposes of an announcement, sir. Senator Haine, can you let Senator Wilhelmi make his announcement, sir?

SENATOR WILHELMI:

Thank -- thank you, Mr. President and Ladies and Gentlemen of the Senate. We have the Judiciary-Criminal Law Committee starting today at 3 p.m. in Room 212. Thank you, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Criminal Law, 212, at the hour of 3 o'clock. Senator Munoz. Senator Munoz. Senator Forby. Senator Forby, for your purpose of an announcement.

SENATOR FORBY:

Yes, thank you. Transportation, in Room 400 at 3 o'clock. Transportation, 400, 3 o'clock.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby states that Transportation will meet in Room 400 at the hour of 3 o'clock. Thank you. Continuing on announcements. Senator Harmon. Senator Harmon, please state your announcement, sir.

SENATOR HARMON:

Thank you, Mr. President. The Senate Revenue Committee will meet today in Room 400 at 3:30 p.m.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. That's Revenue -- Committee on Revenue will meet in Room 400 at the hour of 3:30 today. ...Schoenberg, for purposes of announcement, sir. Senator -- Senator Schaumberg {sic}. Thank you for waking me up this morning. I appreciate that, and a very happy new year to you,

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sir.

SENATOR SCHOENBERG:

Thank you. I would have brought you coffee except I didn't want to make the plane late. The Senate Appropriations II Committee will meet at 4 p.m. in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. That's Appropriations II, at Room 212 at the hour of 4 o'clock today. Senator Maloney. Senator Maloney, for purpose of an announcement, sir.

SENATOR MALONEY:

Thank you, Mr. President. The Senate Higher Education Committee will meet at 4 o'clock in Room 409.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. That's Higher Ed, in Room 409, today at the hour of 4 o'clock. Senator Koehler, for what purpose do you rise, sir?

SENATOR KOEHLER:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR KOEHLER:

I have two guests with me today. First, I'd like to introduce Tammy Hyatt, who is from my district office in Pekin. And a name you'll recognize, this is Jim Shadid, from Peoria, whose grandfather served in this seat before I did. So, I'd like to have the Senate welcome them.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests from Peoria please stand and -- rise and be recognized? And welcome to the Illinois State Senate.

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Senator Cullerton, for what purpose do you rise, sir?

SENATOR CULLERTON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point. Ladies and Gentlemen...

SENATOR CULLERTON:

Mr. President...

PRESIDING OFFICER: (SENATOR DeLEO)

Can you give the speaker your attention, please?

SENATOR CULLERTON:

Mr. President, this is very important. This is an announcement that one of our colleagues is having a birthday today. And the colleague is Senator Martin Sandoval, who is having his birthday today. So I wish -- we should wish him a happy birthday.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval, on -- on -- on behalf of all Members of the Illinois Senate, a very happy birthday, sir. Doesn't look a day over sixty. Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. For purposes of another birthday announcement. Since we're announcing those great January birthdays, Senator Risinger celebrated a birthday - Saturday I believe it would have been. So...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger, a very happy birthday to you, sir. And besides having a -- a weekend birthday, for what purpose do you rise, sir?

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SENATOR RISINGER:

Thank you, Mr. President. For announcement. The Senate Republicans would like to meet in Leader Watson's Office immediately after the committees at 5 o'clock.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, the Republicans will caucus in Leader Watson's Office at the hour of 5 o'clock or immediately after the last committee has adjourned. Senator Haine, are you seeking recognition, sir?

SENATOR HAINE:

Yes, Mr. President. A point of personal privilege. I wish to announce to the Senate that we had a birthday Friday, other than Richard Nixon's, and that's Senator John Sullivan celebrated his birthday on Friday.

PRESIDING OFFICER: (SENATOR DeLEO)

John Sullivan. Richard Nixon. Happy birthday. Okay, Ladies and Gentlemen, President Jones is seeking recognition. President Jones, for what purpose you seeking recognition, sir?

SENATOR E. JONES:

Yes, thank you, Mr. President. I'd like the Body to give a warm welcome to the newest Senator, replacing our Majority Leader, and that's none other than Toi Hutchinson from the 40th Senatorial District. Toi Hutchinson.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Toi Hutchinson, welcome. Welcome, our newest Member of the Illinois Senate. Congratulations. The Chair will now recognize Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you. I'm honored to be here and I'm just looking forward to serving with and learning from all of you. Thank

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you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Congratulations. You learn fast. Very short. Very good. Very good. Okay, Ladies and Gentlemen, we still have some further business to -- before we go to committees. I ask you to take your attention to Supplemental Calendar No. 1. Supplemental Calendar No. 1. On Supplemental Calendar -- it's been printed and distributed. It is on the Members' desks. We'll go to House Bills 3rd Reading. House Bills 3rd Reading. House Bill 334. 334. Senator Althoff, do you wish to proceed? Senator Althoff, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, read the lady's bill.

SECRETARY SHIPLEY:

House Bill 334.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Althoff, to the bill, ma'am.

SENATOR ALTHOFF:

Thank you, Mr. President, and by the way, happy new year. House Bill 334 actually is identical to Senate Bill 2356, which passed out of this Chamber in April unanimously. What it actually permits is that a railroad easement may be used as a boundary line for annexation of unincorporated areas of DuPage County. Any land that is located within this area that is used for agricultural purposes may not be zoned according to this annexation. That was the sticking point last time. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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Seeing no discussion, the question is, shall House Bill 334 pass. 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 51 Ayes, 0 voting Nay, 0 voting Present. House Bill 334, having received the required constitutional majority, is declared passed. Okay, Ladies and Gentlemen, it seems that we've completed all the Floor action for today. There's some major parties in Carlinville this evening. So, there'll be no further business to come before the Senate. The Senate will stand adjourned until the hour of 10 a.m. on Tuesday, January 13th, the year 2009. Thank you. The Senate stands adjourned.