

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

1st Legislative Day

1/14/2009

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GOVERNOR ROD BLAGOJEVICH:

The Senate will come to order. Will the Members and our guests please be seated? ...need the gavel. Article IV, Section 6 of the Constitution of the State of Illinois in part reads as follows: On the first day of the January session of the General Assembly in odd-numbered years, the Governor shall convene the Senate to elect from the membership a President of the Senate as presiding officer. Representatives of the media have requested permission to record the proceedings. Hearing no objection, leave is granted. The following Senators are appointed to the Committee to Escort the members of the Judiciary into the Chamber: Senators Wilhelmi, Noland, Hutchinson, Bivins, and Duffy. Will the Committee of Escort please report to the rear of the Chamber to escort the distinguished members of the Judiciary into the Chamber? The Chair is pleased to welcome into the Chamber Chief Justice Thomas Fitzgerald and Justices Charles Freeman, Robert Thomas, and Thomas Kilbride of the Illinois Supreme Court. The Chair would also like to recognize our other distinguished guests: Lieutenant Governor Pat Quinn; State Comptroller Dan Hynes; State Treasurer Alexi Giannoulias; Auditor General Bill Holland; Justice Mary Jane Theis, of the Illinois Appellate Court; representing United States Senator Dick Durbin, his wife, Loretta Durbin; former State Senate President Philip Rock, and his wife, Sheila; former Senate President Tom Hynes; former Senate President Emil Jones and his wife, Lora {sic} (Lorrie); former Governor Jim Thompson; former Senator, former Congressman, and now President of Southern Illinois University, Dr. Glenn Poshard; Springfield Mayor Tim Davlin. Will the Members and our guests please rise? The

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invocation will be offered by the Very Reverend John F. Canary, Vicar General of the Archdiocese of Chicago. Father Canary.

THE VERY REVEREND JOHN F. CANARY:

(Invocation by the Very Reverend John F. Canary)

GOVERNOR ROD BLAGOJEVICH:

Will the Members and our guests please remain standing for the Presentation of the Colors and the Pledge of Allegiance of the -- to the Flag? The Colors will be presented by the Color Guard of Lincoln's Challenge Academy from Rantoul. Senator Maloney will lead us in the Pledge of Allegiance.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

GOVERNOR ROD BLAGOJEVICH:

Please remain standing for our National Anthem, which will be sung by Molly Durand.

MOLLY DURAND:

("The Star-Spangled Banner", sung by Molly Durand)

GOVERNOR ROD BLAGOJEVICH:

Please be seated. I hereby appoint the following persons as temporary Senate Officers of the 96th General Assembly: Deborah Shipley, Secretary of the Senate, and Joe Agans-Dominguez, Sergeant-at-Arms. The Secretary will now read the Letter of Certification from the State Board of Elections of Senate Members elected on November 4th, 2008, to the 96th General Assembly. Madam Secretary, please read the letter.

SECRETARY SHIPLEY:

Yes, I have a letter dated December 2nd, 2008.

Dear Ms. Shipley - Enclosed is a list of individuals who have been elected to serve as Members of the Illinois State

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Senate in the General Assembly, and have been duly certified by the State Board of Elections at their Board meeting on November 30th, 2008.

Respectfully, Mark Mossman, Director of Election Information.

2nd Senate District, William "Willie" Delgado, Chicago; 3rd Senate District, Mattie Hunter, Chicago; 5th Senate District, Rickey R. Hendon, Chicago; 6th Senate District, John J. Cullerton, Chicago; 7th Senate District, Heather Steans, Chicago; 8th Senate District, Ira J. {sic} (I.) Silverstein, Chicago; 9th Senate District, Jeffrey M. Schoenberg, Evanston; 11th Senate District, Louis S. "Lou" Viverito, Burbank; 12th Senate District, Martin A. Sandoval, Cicero; 14th Senate District, Emil Jones III, Chicago; 15th Senate District, James T. Meeks, Chicago; 17th Senate District, Donne E. Trotter, Chicago; 18th Senate District, Edward D. Maloney, Chicago; 20th Senate District, Iris Y. Martinez, Chicago; 21st Senate District, Dan Cronin, Elmhurst; 23rd Senate District, Carole Pankau, Itasca; 24th Senate District, Kirk W. Dillard, Hinsdale; 26th Senate District, Dan Duffy, Lake Barrington; 27th Senate District, Matt Murphy, Palatine; 29th Senate District, Susan Garrett, Lake Forest; 30th Senate District, Terry Link, Waukegan; 32nd Senate District, Pamela J. Althoff, McHenry; 33rd Senate District, Daniel W. Kotowski, Park Ridge; 35th Senate District, J. Bradley Burzynski, Rochelle; 38th Senate District - I'm sorry, 36th Senate District, Mike Jacobs, East Moline; 38th Senate District, Gary G. Dahl, Granville; 39th Senate District, Don Harmon, Oak Park; 41st Senate District, Christine Radogno, Lamont; 42nd Senate District, Linda Holmes, Aurora; 44th Senate District, Bill Bradley {sic} (Brady), Bloomington;

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45th Senate District, Tim Bivins, Dixon; 47th Senate District, John M. Sullivan, Rushville; 48th Senate District, Randall M. "Randy" Hultgren, Winfield; 50th Senate District, Larry K. Bomke, Springfield; 51st Senate District, Frank Watson, Greenville; 53rd Senate District, Dan Rutherford, Chenoa; 54th Senate District, John O. Jones, Mt. Vernon; 56th Senate District, William R. "Bill" Haine, Alton; 57th Senate District, James F. Clayborne, Jr., Belleville; and 59th Senate District, Gary Forby, Benton. Senator Steans' term is for two years. All others are four years, Mr. President.

GOVERNOR ROD BLAGOJEVICH:

Thank you, Madam Secretary. Will Justice Mary Jane Theis, of the Illinois Appellate Court, First District, please come to the Rostrum to administer the Oath of Office to the Members of the Senate.

JUSTICE MARY JANE THEIS:

First, our newly elected Senators. Will Senator-elect Bivins, Duffy, Steans and Jones please stand? Please raise your right hands, repeat after me, and insert your name at the proper place. I - your name - do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the Office of State Senator according to the best of my ability. Congratulations. And now will the remaining Senators-elect please stand? You have done this before. You know the routine. Please raise your right hand and repeat after me. I - your name - do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and I will faithfully discharge the duties of

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the Office of State Senator according to the best of my abilities. Congratulations to you, Senators.

GOVERNOR ROD BLAGOJEVICH:

Madam Secretary, please call the roll of the Senators of the 96th General Assembly.

SECRETARY SHIPLEY:

Althoff, Bivins, Bomke, Bond, Brady, Burzynski, Clayborne, Collins, Cronin, Crotty, Dahl, DeLeo, Delgado, Demuzio, Dillard, Duffy, Forby, Frerichs, Garrett, Haine, Harmon, Hendon, Holmes, Hultgren, Hunter, Hutchinson, Jacobs, Jones, E. III, Jones, J., Koehler, Kotowski, Lauzen, Lightford, Link, Luechtefeld, Maloney, Martinez, Meeks, Millner, Munoz, Murphy, Noland, Pankau, Radogno, Raoul, Righter, Risinger, Rutherford, Sandoval, Schoenberg, Silverstein, Steans, Sullivan, Syverson, Trotter, Viverito -- Viverito, Watson and Wilhelmi.

GOVERNOR ROD BLAGOJEVICH:

Can I ask Justice Theis if she can come up just one more time to administer the Oath to State Senator Viverito? You did so good, we thought we'd have you come back again.

JUSTICE MARY JANE THEIS:

Senator Viverito, welcome. We want to make sure that you are welcomed to this Chamber. And let's try this again. I - state your name - do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties in the Office of State Senator according to the best of my ability. Congratulations, Senator.

GOVERNOR ROD BLAGOJEVICH:

Senator Viverito has the flair for the dramatic.

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Congratulations. The whole country knows you now.

SECRETARY SHIPLEY:

I'll once again call the roll. Althoff, Bivins, Bomke -- Bomke, Bond, Brady, Burzynski, Clayborne, Collins, Cronin, Crotty -- Crotty, Dahl, DeLeo, Delgado, Demuzio, Dillard, Duffy, Forby, Frerichs, Garrett, Haine, Harmon, Hendon, Holmes, Hultgren, Hunter, Hutchinson, Jacobs, Emil Jones, John Jones, Koehler, Kotowski, Lauzen, Lightford, Link, Luechtefeld, Maloney, Martinez, Meeks, Millner, Munoz, Murphy, Noland, Pankau, Radogno, Raoul, Righter, Risinger, Rutherford, Sandoval, Schoenberg, Silverstein, Steans, Sullivan, -- I'm sorry, Syverson, Trotter, Viverito, Watson and Wilhelmi. And Senator Cullerton.

GOVERNOR ROD BLAGOJEVICH:

Thank you, Madam Secretary. A quorum is now present. The next order of business is the election of the Senate President of the 96th General Assembly. In the opinion of the Chair, thirty affirmative votes will be required to elect the President. Nominations are now open. Senator Clayborne is recognized for the purpose of placing a name in nomination.

SENATOR CLAYBORNE:

Thank you, Governor. I'd like to place the name of John J. Cullerton in nomination for President of the Senate. I stand in honor with pride and excitement to nominate John J. Cullerton to be elected President of the Illinois State Senate. John is a true leader with the ability to handle complex issues, provide strategy based upon keen insight and experience. He is very witty and he can be very funny. I think John plans on being a comedian once he leaves the Senate and make some real money.

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Let me tell you all a little bit about John Cullerton that you may or may not know. John was first elected to the Illinois General Assembly where he served in the House of Representatives for twelve years. He served as the President {sic} (Speaker) Pro Tem and Democratic Floor Leader. He saw the light and moved to the upper Chamber, refusing to have that operation. John -- John was then appointed to the Senate in 1991. He's had a stellar career, being one of the hardest-working legislators. He has championed many -- many issues. But to highlight a few: John was successful passing the mandatory seat belt law; he was cosponsor and very instrumental in passing the smoking ban in Illinois; he has passed legislation to toughen DUI laws; and he has also passed legislation to protect the Great Lakes in the -- in the northern area of Chicago. John understands the need to protect our most vulnerable. Protect those on the road and create a safe living environment for all the people of the State of Illinois. Senator Cullerton is committed to the 6th Senatorial District and the USA. He works tirelessly to spend all kinds of time away from home and improve the quality of life for all of those that he can touch with his legislation. John's life experience -- John's experience in life, raising kids, his marriage to a beautiful woman by the name of Pam, and his thirty years in the Legislature, has prepared him to lead this august Body. John understands the regional differences of Members that make up the Democratic Caucus and is committed to the task of continuing to build on the numbers of this caucus. John is committed to providing the game plan for his caucus to be successful in helping his members improve the quality of life for those in their districts, get reelected and -- and make this

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State the best in the nation. My nomination of John is based upon my personal experience with him. I've traveled to China with him and I've spent time at his home. He has cooked pizza for me from his special oven that he had built. I won't tell you how much it cost, but... John has received numerous awards, but I would like to mention two. One is the ISBA Presidential Award for the death penalty. It's always an honor to be recognized by your peers. The second award is Mr. Wonderful - and I'm sure Pam has given him this award - but in 1979 COWL gave him this award - Conference on {sic} (of) Women Legislators. John's career reminds me of a story that I read a few years ago, and I'll share it with you. Several years ago the Lockheed L-1011 TriStar was introduced. For safety purposes, the firm developed an eighteen-month rigorous testing program, costing in excess of a billion dollars. The tests were designed to determine the strength of the jetliner and to expose the plane to the toughest treatment possible. The hydraulic jacks, the electronic sensors and the computer put the plane through its paces for more than thirty-six thousand simulated flights. The jetliner underwent five lifetimes of simulated flights, amounting to more than one hundred years of airline service, without one single malfunction. The test pilots flew the plane in icy clouds. They wanted to check the operation of the anti-ice system and see how the aircraft would respond to ice accretion. Finally, after hundreds of tests, the airline -- the aircraft was given the seal of approval. The plane has been through it. I would not mind flying on that plane. John Cullerton has been tested over thirty years in this Legislature. And he has been found worthy and he is ready to move the

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Illinois Senate forward to great heights through adversity, challenge and great times. Therefore, I nominate John J. Cullerton for election to the Senate President of the 96th General Assembly.

GOVERNOR ROD BLAGOJEVICH:

Senator Clayborne nominates Senator John Cullerton for President of the Senate. Senator Viverito is recognized again, only this time for the purpose of seconding the nomination. Senator Viverito.

SENATOR VIVERITO:

Thank you, Governor. Ladies and Gentlemen, it took me a while to get here. John, you don't realize how much, on that elevator, I was a little frightened that I wasn't going to be able to make this presentation. So you'll have to understand, I'm a little bit nervous. But with ten other people there and we're all taking care of each other, it was an exciting moment. Ladies and Gentlemen, today we choose our new Senate President. It is an awesome responsibility, given the many challenges facing our State. Ideally, we'd be electing a Senate President under much different circumstances. From historic budget shortfall to rising unemployment to the trial of our Governor, never before has this august Body been called upon in -- to deliberate serious and solemn issues. Our caucus has been divided. Our Chamber fractured and the process somewhat broken. Today we have the opportunity to take one significant and meaningful step towards finding the process of restoring the public's trust. Ladies and Gentlemen, that opportunity is for us to elect John J. Cullerton as our next State Senate President. I have personally known John Cullerton for well over

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twenty-some years. During that time, I have found him to be of many -- of much integrity, a man of high intelligence and competency. He possesses one trait that we will all get to experience at different times. And as -- a moment ago it was said, he does have a great sense of humor - and he's going to need it. I'm proud to call him my friend, my colleague, and a true leader. And I say that from my heart. He has served in the Illinois General Assembly since 1979 with great distinction and a -- a member of the legislative process. The work -- his work in the Senate Civil Law and Judicial Criminal Law committees has been unmatched. He has distinguished himself an effective public servant, never hesitant to include complex legislative matters while always putting the people first. John is a people person. He has sought compromise over conflict while still -- staying true to his ideals. And it's not always easy. Time and time again, John Cullerton forged a bipartisan spirit, reaching across the aisle to get legislation passed that was necessary. And he did it on many occasions. As Senate President, John will work with Leader Radogno. He will reach out across the Rotunda to work with Speaker Madigan and Leader Cross. While John Cullerton will work to find consensus with our colleagues from the other side of the aisle, make no mistake, he will work day and night to provide and build and -- upon the majority Democratic leadership. And, majority, I tell you, he will continue to work for. While John Cullerton will work to find consensus with our colleagues from the other side of the aisle, make no mistake, he will work day and night to preserve, build upon our Democratic majority. And I would like to say this, if I may, for just a moment, because I thought it

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was rather special: From the shores of the mighty Mississippi to the shores of Lake Michigan, from the Rock River to the Ohio and to the Wabash, all come from different places, all share a common bond, a common union for all the people of the State of Illinois. Ladies and Gentlemen, it is a great honor for me to nominate John J. Cullerton as the next President of the Senate. Thank you very much.

GOVERNOR ROD BLAGOJEVICH:

Senator Viverito seconds the nomination of Senator John Cullerton for President of the Senate. Senator Steans is recognized for the purpose of seconding the nomination.

SENATOR STEANS:

Thank you, Governor. It is my distinct honor, privilege and pleasure to second the nomination of John Cullerton to be the President of the Illinois Senate. Nearly two years ago to this day, I, like many of us here, stood outside just down the street, on a bitter cold morning, as our former Senate colleague, President-elect Barack Obama, declared his improbable quest for the highest office in this land. While there's nothing improbable about Senator Cullerton's methodical, thoughtful approach to seeking the Senate Presidency here in Illinois, he shares -- President-Elect Obama's intellect, commitment to character, commitment to public service, humility in how he approaches our collective work here as a Body, and a deep sense of character. As Obama remarked at the dedication of the Lincoln Library, character is the tree that stands in the face of our doubts, our fears, our bigotries, and insists we can do better. At this historic time in Illinois politics, we must and have demanded better. And we will be extraordinarily well

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served by Senator Cullerton's unique brand of inclusive and accountable leadership. Our first order of business in this new Session will be to conduct an impeachment trial of our Governor. This proceeding has profound implications for the immediate leadership of our State, as well as our ability to protect the public trust and ensure that the sound rule of law prevails both now and in the future. In our Chamber, Senator Cullerton uniquely possesses the legal background perspective to balance these very difficult issues and help us deliver justice to the people of Illinois. Yet, Illinois residents need far more from us this legislative Session than a careful and fair impeachment trial. While we cannot and will not rush to judgment, our State's serious challenges demand that we move with deliberate speed in our act to judge. For at this trial conclusion, we must correct a massive budget deficit, pass meaningful ethics reform, and get Illinois working and building again with a capital program. Senator Cullerton calls on each Member to confront these challenges with a renewed sense of openness and transparency. Each of us will have a greater say in our work, with new Senate rules that -- that will allow for more participation from all rank-and-file Members. And with this enhanced involvement comes fundamentally greater accountability for our collective results. Senator Cullerton's inclusive style will end the days of blaming the other Chamber, the Governor, or our friends across the political aisle. With apologies to Ben Franklin, if we do not hang together, we shall surely hang separately. Constituents in every district of our State crave this cooperative problem solving. As you consider your vote for Senate President today, you certainly do not have to take the

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word of one of the most junior Members of this Body. Senator Cullerton's performance truly speaks for itself. His work ethic and ability to listen and learn from all stakeholders in an issue have resulted in a laudable record of getting the most legislation passed for too many years to count. His willingness to candidly share his views and provide guidance is what made -- drew me and many of my colleagues to seek him out as a mentor. While his humor and ability to impersonate Illinois political figures is also renowned, he's further valued as a man of his word - which I take great comfort in, as my husband sought and got his promise that he will never mimic me. But this reliability, his honesty, typifies Senator Cullerton's moral compass. He stands tall and firm like that tree, insisting we can do better in the face of our ideological, regional and political differences. This is a time of significant pride for our State and our country, as the Land of Lincoln's own President-elect prepares to take the Oath of Office. Our sense of hope for that historic change that arrives next week is tempered, however, by our work ahead due to the less worthy aspects of our imperfect State. To quote Martin Luther King, Jr., "The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy." I urge you at this important moment, the best and worst of times, to stand proudly with Senator John Cullerton, as I will, as our next Senate President.

GOVERNOR ROD BLAGOJEVICH:

Senator Steans seconds the nomination of Senator John Cullerton for President of the Senate. Senator Murphy is recognized for the purpose of placing a name in nomination.

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SENATOR MURPHY:

Thank you, Governor. It is my great honor to rise for the purpose of nominating the first woman in Illinois history to serve as a legislative leader. I nominate Senator Christine Radogno for the -- for -- for President of our Senate. I've gotten to know Senator Cullerton over the last couple years down here and I've found him to be a magnanimous man of history. And I'm sure he will join me in urging the women on both sides of the aisle to help Senator Radogno in this historic quest to become Senate President. He's nodding in agreement; I don't think I have had myself politically terminated yet. You know, it's often said that timing is everything, and that's certainly true in politics. America has always been blessed to have leaders rise to the occasion at the time of her greatest challenges. I believe that our State is about to be similarly blessed by that divine good fortune. My colleagues on the other side of the aisle have chosen a genuinely decent man with a brilliant mind to lead them. Senator Cullerton, my sincerest best wishes to you. For our part, we Republicans have selected a leader who is seemingly tailor-made for the challenges our State currently faces. As our State faces record-gaping budget deficits, Senator Radogno brings the depth of knowledge she gained while serving as the Senate Republican point person on budget, as well as the resolve of a true budget hawk. As Illinois lingers under a stubborn ethical cloud, Senator Radogno brings a proven record of advocating for reform and transparency in Illinois government. Perhaps more importantly though, at a time when the people's faith in their leaders has never been more shaken, she leads by -- by example with her unquestioned

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personal integrity and genuine commitment to honest public service. Yes, timing is everything. And the time is right for a budget watchdog, an ethical role model to lead in Illinois. Senator Radogno is that leader. In closing, this is a -- a truly historic day. I am proud that my Republican Party is producing our State's first female legislative leader. But even more than that, Senator Radogno, as I stand here on this Floor with my wife Julie, between my mother, who has always had the talent and drive to achieve anything but perhaps not always the opportunity, and my three daughters, who face truly limitless futures, your -- your assent strikes me as jarringly poignant and personal. Thank you for making your climb. Congratulations on your historic achievement. I proudly nominate you, Senator Christine Radogno, for Senate President.

GOVERNOR ROD BLAGOJEVICH:

Senator Murphy nominates Senator Christine Radogno for President of the Senate. Senator Althoff is recognized for the purpose of seconding the nomination.

SENATOR ALTHOFF:

Thank you, Governor. I stand to second the nomination of Senator Christine Radogno. As already noted by my colleague Senator Murphy, but as a woman I think its -- bears repeating, Senator Radogno will be the first woman to serve as a legislative leader in our State. What a tremendous accomplishment and momentous occasion, not just for Senator Radogno and for the women who currently serve in these Chambers, but for the women who follow us and, more importantly, for the women who preceded us and made this moment possible. What we do here today sets the example, demonstrates the possibilities for

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young women all across this State. I am proud to be a very small part of this history and have the pleasure of nominating Christine Radogno as our first woman legislative leader. I do note, however, that gender is not the reason I'm making this nomination. I am nominating Senator Christine Radogno because of her tremendous abilities that we all have come to recognize. She's bright. She's a quick study. She has the uncanny ability to communicate the most complex issues in a manner every audience, including Senators, can understand. She has traveled the State, investing her time and energy in learning what's important not to just the people in her district, but to the people in all of our districts. She is respected across our State as a fiscal expert who understands the State budget inside and out and recognizes the fiscal challenges that lie before us. She is a fiscal conservative with a compassionate heart of the social worker she is. She's committed to restoring our citizens' faith in their government. I believe Senator Christine Radogno has the skills, the dedication and the heart to lead this Chamber and to help craft the plans that will lead our State to a bright and more hopeful future. Please join me in supporting Senator Radogno and celebrating this moment in history.

GOVERNOR ROD BLAGOJEVICH:

Senator Althoff seconds the nomination of Senator Christine Radogno for President of the Senate. Senator John Jones is recognized for the purpose of seconding the nomination.

SENATOR J. JONES:

Thank you, Governor and Members of the General Assembly here today. It is truly a great honor and a privilege for me to

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rise up today and second the nomination for Christine Radogno to be the President of the Illinois Senate. As the two previous speakers have spoken, about this being the first woman to lead one our caucuses here in this building, she is truly a great leader. And she's demonstrated that over the last few years in serving in the General Assembly. You know, she's one of the hardest workers that I believe I've ever met, as I've watched her, especially in Appropriations working on the budget. But she never backs down from a challenge and she has the grace and charm to go along with it. I think it's a trait in the Senate that we're all going to learn to love as we watch Senator Radogno lead us here in this great State of Illinois. Now, I can assure you one thing: She's not a Senator Frank Watson. She's not a downstater. And, quite frankly, when she doesn't approve of that budget, she won't be slinging it up in the air, as we saw Senator Frank Watson do at a time or two. But, you will still love her for what she does. You know, she's represented a part of Chicago; she's from the suburbs. But she knows this entire State. In fact, last week, she was touring southern Illinois. She's been in my district numerous times in southern Illinois. She knows this State from one end to the other and she will make a great leader in this Senate. I think it's time that we move forward in the State of Illinois. There is a tremendous amount of work to be done. We all know that. We have tremendous budget crisis in the State of Illinois and it's time to roll up our sleeves and get to work on it. Democrats and Republicans need to be working together - not like it's been the last few years. And Christine Radogno is a person that will walk across the aisle, as she's proven already many,

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many times. But, in the last few weeks, since we found out that she would be the Republican Leader and Senator John Cullerton would be the Democratic Leader in the Senate, she's extended her hand to Senator Cullerton numerous times already. And I know they're going to work very closely together over the next months and years ahead, because they both know that there's a lot of work to do to turn this State around. We all know what's facing us, the -- the problems that's hanging over our head right now and strangling this State. But we must move forward and I think Senator Christine Radogno is the person to help lead us forward in these endeavors as we go down the road. You know, she understands the State of Illinois, the economic crisis that we have here, and she understands that we need to turn the economic crisis around in this State. And she knows what we need to do to create jobs in this State, but also to attract new businesses to come to this State and attract our businesses to stay that we already have in the State of Illinois. She will be a proven leader. We have chosen her to be the leader of our Senate Republican Caucus. And, like you, you've had some good choices. Christine Radogno is the right choice to be the President of the Senate. I am proud and honored to stand here today and second the nomination for Christine Radogno to be the next President of the Illinois Senate. Thank you.

GOVERNOR ROD BLAGOJEVICH:

Senator John Jones seconds the nomination of Senator Christine Radogno for President of the Senate. If there are no further nominations, Senator Crotty is recognized for the purpose of making a motion. Senator Crotty.

SENATOR CROTTY:

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Thank you, Governor. And I move that nominations for the Office of Senate President be closed.

GOVERNOR ROD BLAGOJEVICH:

Senator Crotty, thank you. Senator Crotty has moved that nominations be closed. All those in favor of the motion, indicate by saying Aye. Those opposed, -- sorry. All those supporting that motion, indicate by saying Aye. Those opposed, Nay. The Ayes have it. The motion carries and the nominations are closed. The Secretary will call the roll call of the Senators. Each Senator should answer the roll call by stating one of the names nominated or by voting president {sic} (Present). Please call the roll call, Madam Secretary.

SECRETARY SHIPLEY:

Althoff. Althoff votes Radogno. Bivins. Bivins votes Radogno. Bomke. Bomke votes Radogno. Bond. Bond votes Cullerton. Brady. Brady votes Radogno. Burzynski. Burzynski votes Radogno. Clayborne. Clayborne votes Cullerton. Collins. Collins votes Cullerton. Cronin. Cronin votes Radogno. Crotty. Crotty votes Cullerton. Dahl. Dahl votes Radogno. Cullerton. Cullerton votes Radogno. DeLeo. DeLeo votes Cullerton. Delgado. Delgado votes Cullerton. Demuzio. Demuzio votes Cullerton. Dillard. Dillard votes Radogno. Duffy. Duffy votes Radogno. Forby. Forby votes Cullerton. Frerichs. Frerichs votes Cullerton. Garrett. Garrett votes Cullerton. Haine. Haine votes Cullerton. Harmon. Harmon votes Cullerton. Hendon. Hendon votes Cullerton. Holmes. Holmes votes Cullerton. Hultgren. Hultgren votes Radogno. Hunter. Hunter votes Cullerton. Hutchinson. Hutchinson votes Cullerton. Jacobs. Jacobs votes Cullerton. Emil Jones. Emil

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Jones votes Cullerton. John Jones. John Jones votes Radogno. Koehler. Koehler votes Cullerton. Kotowski. Kotowski votes Cullerton. Lauzen. Lauzen votes Radogno. Lightford. Lightford votes Cullerton. Link. Link votes Cullerton. Luechtefeld. Luechtefeld votes Radogno. Maloney. Maloney votes Cullerton. Martinez. Martinez votes Cullerton. Meeks. Meeks votes Cullerton. Millner. Millner votes Radogno. Munoz. Munoz votes Cullerton. Murphy. Murphy votes Radogno. Noland. Noland votes Cullerton. Pankau. Pankau votes Radogno. Radogno. Radogno votes Cullerton. Raoul. Raoul votes Cullerton. Righter. Righter votes Radogno. Risinger. Risinger votes Radogno. Rutherford. Rutherford votes Radogno. Sandoval. Sandoval votes Cullerton. Schoenberg. Schoenberg votes Cullerton. Silverstein. Silverstein votes Cullerton. Steans. Steans votes Cullerton. Sullivan. Sullivan votes Cullerton. Syverson. Syverson votes Radogno. Trotter. Trotter votes Cullerton. Viverito. Viverito votes Cullerton. Watson. And Wilhelmi. Wilhelmi votes Cullerton.

GOVERNOR ROD BLAGOJEVICH:

The results of the roll call are as follows: Senator Cullerton, thirty-seven votes; Senator Radogno, twenty-one votes. Senator John Cullerton, having received the constitutionally required number of votes, is hereby declared elected President of the Senate of the 96th General Assembly. As Senator Cullerton makes his way up, let me take a moment to congratulate all of you on being elected to the State Senate and reelected to the State Senate. To your families who are here, congratulations. To the children who are watching their dads and moms become Senators, congratulations to you. To the

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spouses who are seeing their husbands and wives become Senators and reelected Senators, congratulations to you. These are challenging times, hard economic times facing the people of Illinois. I hope we can find a way, as we deal with other issues, to find the truth and sort things out, to put the business of the people first, to make sure we find solutions for the problems confronting the people, to do the best we can to ease their burdens and try to help people build better lives. In another week, Senator Barack Obama will make history again and become our next President. So many of you have served with him here in the Illinois State Senate and I hope you join me in saying a prayer for him and wishing him the best of success. In less than a month, we here in Illinois and across the nation will enjoy and celebrate and acknowledge the bicentennial of Abraham Lincoln's birth. On February 12th, 1809, he was born in a tiny, little log cabin in Hodgenville, Kentucky. Yet, it was here in Springfield that he raised his boys, built his law practice and developed his political career. Let us be inspired by him, by Senator -- President-elect Obama, and I hope we can find some inspiration in Abraham Lincoln's words - with malice toward none and charity for all. Let us come together and get the business of the people done. Senator Cullerton, congratulations on your historic day. Pam, congratulations, and the entire Cullerton family. Come on up here so I can pass the gavel over. Congratulations.

JUSTICE MARY JANE THEIS:

...leaders from Abraham Lincoln, whose birthday, of course, we will celebrate -- his two hundredth birthday we will celebrate in just a few weeks, to Barack Obama, who served in

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this Chamber and who next week will become the 44th President of the United States. The good people of the State of Illinois desire and deserve excellence in their leaders. Senator Cullerton, if you are prepared to take on this leadership role for which you have been chosen, please raise your right hand.

I, John Cullerton,

SENATOR CULLERTON:

I, John Cullerton

JUSTICE MARY JANE THEIS:

Do solemnly swear

SENATOR CULLERTON:

Do solemnly swear

JUSTICE MARY JANE THEIS:

That I will support the Constitution of the United States

SENATOR CULLERTON:

That I will support the Constitution of the United States

JUSTICE MARY JANE THEIS:

And the Constitution of the State of Illinois

SENATOR CULLERTON:

And the Constitution of the State of Illinois

JUSTICE MARY JANE THEIS:

And that I will faithfully discharge the duties

SENATOR CULLERTON:

And that I will faithfully discharge the duties

JUSTICE MARY JANE THEIS:

Of the Office of Senate President

SENATOR CULLERTON:

Of the Office of Senate President

JUSTICE MARY JANE THEIS:

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According to the best of my ability.

SENATOR CULLERTON:

According to the best of my ability.

JUSTICE MARY JANE THEIS:

Congratulations.

PRESIDENT CULLERTON:

Good afternoon and thank you. Before I begin, I would like to acknowledge -- re-acknowledge in this new General Assembly the dignitaries who were earlier introduced by the Governor. Let me first present to you our Supreme Court Justices: Chief Justice Thomas Fitzgerald, Robert Thomas, Charles Freeman and Thomas Kilbride. Thank you very much. And, of course, on behalf of her husband, United States Senator Richard Durbin, I'm honored that his wife, a good and longtime friend, Loretta Durbin, is here to represent him. Thank you very much, Loretta. Special thanks to our statewide officials: Lieutenant Governor Patrick Quinn; Comptroller Dan Hynes; Alexi Giannoulis, our State Treasurer; our State Auditor General William Holland. Thank you very much for coming. And, of course, it's an honor for me to have with us three former Presidents of the Illinois Senate. Senator Tom Hynes served as President from 1977 to 1979. And, as you know, President Hynes was our inspiration for our caucus to elect the Senate President on one ballot. And -- and next, please, I want to welcome Senator Philip Rock, who was the Senate President from 1979 to 1993 and was my President when I was first appointed to the Senate. I see Senator Rock is here with his wife, Sheila. And I want to welcome Sheila as well. Thank you very much for coming. And finally, let me welcome our newest former President of the Illinois Senate, Emil Jones.

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Emil, I know you're very proud that your son has just been sworn in to the Illinois State Senate today, but you should also be proud of the thirty-six years of service you've given our State. You leave a lasting mark due to your commitment to education and your wisdom in supporting one of our former members, Barack Obama, to run for the United States Senate and President of the United States. And on a personal note, Emil, I want to thank you for not running for reelection. You left at the top of your game and the Senate's pleased to have you with us. I would also like to -- you to help give a warm Senate welcome to a man who spent many years as the chief executive of our State. Please welcome former Governor James R. Thompson. And former Congressman and Southern Illinois University President Glenn Poshard. And our Mayor, Springfield Mayor Tim Davlin. Welcome to the Senate, Mayor. Thank you for being with us and hosting us in the capital city. Now, please be patient as I now introduce the members of my family. Eighteen years ago I was sworn in as a State Senator. My father was present for that ceremony, but he died two weeks later. My eighty-two-year-old mother was not able to join me today, but she is, however, watching at home. Hi, mom. Even -- even though I'm the President of the Senate, my wife is the speaker of my house. Would you please welcome Pam Cullerton? This year we will celebrate our thirtieth wedding anniversary. Recently Pam was asked, "So what is your secret to such a long and happy marriage?" She said, "Well, the reason for our success is that we're both in love with the same man." It's not that funny. Pam and I have our five funny, fabulous and fantastic children here with us today: Maggie, John III, Garritt, Kyle and

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Josephine. Now, my wife and I both have five sisters and three brothers. But don't worry, I'm only going to introduce the ones who are here. Help me welcome my sisters, Peggy Hosty and Mary Carroll Durand; my sister, Alice, and her husband, Jim Corcoran; my brother, Tom Cullerton; my sister, Trish Lynch; my brother, Patrick, and his wife, Faith Cullerton; my sister, Maureen, and her husband, Jim Lefler; my brother, Michael, and his wife, Kai Cullerton; my brother-in-law, Zack Wilson; and finally, my sisters-in-law, Valarie Jackson and Deborah Hecht. Thank you all for joining me today and having the chance to meet my Senate family. A lot of you know I have many other family members here, but we just don't have the time to introduce them all. I have other people to thank, though. Justice Mary Jane Theis swore me in eighteen years ago, and I'm very proud that she has sworn us in today. She's the daughter of a former State Representative and Judge Kenneth Wendt and is a distinguished Appellate Court Justice. Father John Canary is the Vicar General of the Archdiocese of Chicago. He baptized our son John, and is a lifelong family friend and White Sox fan. There's some -- there's some very famous White Sox fans that you've heard about. I would like to thank our caucus' new Majority Leader, Senator James Clayborne, for his kind nomination. And also thank you, Senator Viverito and Senator Steans, for your seconds to the motion. I want you to know that I look forward to working with you this year. And I agree with all the nice things you said about me. I really do. Thank you. I have special thanks to deliver to Senator Frank Watson, who is recuperating at home, where I know he is watching. Senator Watson, you and I were sworn in on the same day, January 10th,

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1979, just over thirty years ago. Though you are not a candidate to lead your party, you are the Dean of the Senate. We know you will continue to serve as long as you wish. We need your institutional wisdom and memory. But more importantly, Frank, I'm not ready to be the Dean of the Senate. So, stick around, please. Senator Radogno, I wish to congratulate you for being selected by your caucus to be the Senate Minority Leader. Obviously, this marks the first time in State history that a female has led her caucus. And let me say, on behalf of all the Democrats in this Chamber, and I mean this with the utmost sincerity, we hope you will keep the job of Minority Leader for many years to come. All right? Finally, I'd like to thank my fellow Democrats for coming together in November and choosing me to be your nominee for President of the Senate. We avoided a long and protracted fight that would have kept us from tackling the many tough issues we face. I look forward to your work together in the days ahead. There are two former Members of this Illinois State Senate who could not be here today, but whom I would like to acknowledge. Both of them, after serving here, were elected to the United States Senate. Peter Fitzgerald, a Republican, was elected a decade ago and rightfully earned a reputation as a fiscal conservative and a man of integrity. Barack Obama sat in this Chamber, in the back row, just four years ago and is about to become the next President of the United States. At a -- at a time when our State has come under scrutiny and people question our ethics and commitment to public service, I think it is worth noting that we in Illinois, more specifically in the Illinois Senate, have produced great statesmen and public servants that we can be, and the nation

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should be, very proud of. Lately there's been a lot of talk about change. President-elect Obama ran his campaign with a pledge of change, and over the past year, this has been uppermost in the minds of the electorate as well. When things are going well, when times are good, we don't hear the demand for change. But things today are not going well. Times are not so good. And the demand for change is a mandate that we must address. I think at the State Capitol the Senate can lead the charge for real change. The people of Illinois want solutions. We will work with and not fight with this State's executive branch. We have to work together to bring consensus and put an end to the politics of personality. To our friends in the House, we should all recognize this is a bicameral Legislature and that neither Chamber can pass legislation alone. We must reach agreement rather than trying to one-up each other by passing bills that will never be enacted. I say to the Republicans, I am not just leader of my caucus, but the President of the entire Senate. We all represent the same number of Illinoisans. The atmosphere here has deteriorated. We have lost a sense of camaraderie that we can and must restore. My hope is to invite you into the process to help solve our very difficult, but mutual, problems. We Democrats are not jeopardized by your being at the table. You know, it's not like you're going to out vote us. And, with all due respect, it's not as if you're on the verge of regaining control of this place. So, we have nothing to fear. In a few weeks, we will host a dinner of all the Senators and their spouses. This event will not be just symbolic, but rather a chance to bring more civility to the Senate, where we can work together for a

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better future. In this vein, a positive step will be to review changes in the Senate rules so that all Members gain a sense of purpose and accountability and increase the spirit of cooperation within our Chamber. We begin this General Assembly at a time when our State faces historic challenges. Illinois is living with an economy in peril. We do not pay our bills on time. The recession has caused us to collect less money this year than the year before, a rare but drastic occurrence in State history. As Comptroller Hynes has said and made clear, our State sits with over four billion dollars in outstanding bills. In recent years, we have seen all the gimmicks and listened to all the quick-fix promises, but we know they won't solve our problems. Instead, we need a cooperative partnership - and that requires sacrifice. Our problems are too overwhelming to ignore and our options for solutions are limited. If you think you can just cut waste out of State government, keep in mind that currently we have the lowest ratio of State employees to population in the nation by far. We have nearly the same number of State employees that we had in 1972. If you think we can cut funds for education, keep in mind that we already rank forty-ninth in the nation in State support of our elementary and secondary schools. And if you think we can cut health care costs - the largest expenditure of State government, then what do you say to those families who would no longer be eligible? Or what do you say to the newly unemployed who have just lost their health care? What are the steps we must take to start solving our problems? First thing first - we must pay our bills and we must pay them on time. By not doing so is irresponsible and we have jeopardized the economic

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viability of many State service providers. We must pass a comprehensive capital plan. We -- we must invest in Illinois' infrastructure to create jobs, jobs that can include the new demand for environmentally friendly business opportunities. While a consensus recognizes the need, we now have the chance to work together to ensure its passage. And just as spending on infrastructure is viewed as an investment that puts people back to work, so too should be spending money on education. We should view it as an investment in our business climate and our children's future. As long as we focus on reforms and accountability, we will achieve our goal of dramatic improvements. I look forward to bringing cohesiveness and camaraderie to our Body. Ultimately, we will be measured by our ability to break the gridlock of the past to achieve concrete results. We will be judged by our ability to address historic, complex and difficult challenges - all in a very short amount of time. I am honored to have the chance to bring us together to restore integrity and confidence in our great State. I know we can do it. By working together, we will share a new vision for Illinois. Thank you. Please be seated. The next order of business is the election of the Minority Leader of the Senate. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. And, by the way, congratulations, President Cullerton. I move that Senate -- Senator Christine Radogno of Lemont be declared Minority Leader of the Senate by acclamation with unanimous consent of the Body. Thank you.

PRESIDENT CULLERTON:

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Senator Burzynski requests unanimous consent, on behalf of the Republican Members of the Senate, to declare Senator Christine Radogno Minority Leader of the Senate of the 96th General Assembly. Is leave granted? Leave is granted. Senator Christine Radogno is declared Minority Leader.

SENATOR RADOGNO:

Thank you, Mr. President. And congratulations, John. I really appreciate your support. And I certainly appreciate the support of all my colleagues in this Body. You know, it's a profound honor to be elected a leader by your peers, especially when each and every one of you is a strong leader in your own right. But like Senator Cullerton, I recognize that nobody gets here alone, and I ask that you will indulge me for a moment while I recognize my family as well. And I probably have almost as many as you, John. So... I'd like to start with -- my mom is here today. My parents - my father's deceased - raised four very successful girls. In fact, I may even be the slacker amongst them. Two of my sisters are here today. Cindy and Colleen, and Colleen's husband, Jeff. So, I appreciate them making the trip. And my husband is here today. He doesn't get here very often because he -- Nunzio, stand up. My husband, Nunzio. He doesn't get to Springfield very often because, in fact, he works. But I have to tell you, I would not -- he has sent me instead. He actually has been extraordinarily supportive of my public service career from day one. In fact, he's the one that encouraged me to run for public office in the first instance, when I thought that I had absolutely no thought of ever doing that. He ran my local campaigns. He ran my first campaign for the Illinois Senate - even knowing that if I was

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successful, he would be left home alone with the trauma and the drama of raising three teenage girls when I was in Springfield having a wonderful time. So -- so, speaking of those girls, two of my three girls are here today. My third daughter is a graduate student in Arizona. But my daughter Rebecca and Lisa are both here today, and Rebecca's fiancé, Brian. I also have a -- many extended family members here today and I really appreciate the fact that they all made the trip. You know, it is truly an honor to -- to lead the Senate Republican Caucus. And although it's already been pointed out that I am the first woman to lead a legislative caucus, I do feel a bit of additional responsibility in -- in that area. I do feel a sense of responsibility in that I have had the opportunity to crack a little bit of a glass ceiling, and I want to extend some additional thanks to a couple of our members, one former and one current. Many of you recall Steve Rauschenberger. Steve Rauschenberger took me under his wing, even before I got to the Senate - wrote me a letter after he met me, while I was still a village trustee, told me I ought to think about running. And he spent hours and hours and hours with me, tutoring me in the budget, in the ways of the Senate and politics. He was a true mentor in every sense. The other individual I want to mention is Senator Frank Watson, who - as already been pointed out - is watching us. He's recovering from his stroke. But, without Frank, I wouldn't be here. He gave me an opportunity to be on his leadership team. And not just be there in name only, but to really include me in the decision making and show me what it's like and what needs to be done as a leader. So, I am very grateful to them. Ironically though, you'll note, that it's two

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of the most conservative GOP men that we know who put that hammer in my hand that allowed me to break this glass ceiling. So, thank you very much to both of them. Well, now I have the opportunity to put all that I've learned into action as the Republican Leader of our caucus. Senator Cullerton, I truly hope we can be partners in setting this path on a brighter future. And, quite frankly, our interaction thus far bodes very well for that - not just the fun we had today, but the interaction that we've had leading up to today. So, I really look forward to working with you. In the coming weeks, we'll face an immense challenge. I know each and every one of us are bracing for this historic experience. And while there's strong public sentiment to move quickly, we also have a responsibility to complete the process fairly and thoughtfully. What we do here will serve as a model for the future. And while it's undeniably exciting to be part of history in the making, it's truly regrettable that this chapter has to be written. But that's only the beginning of the 96th General Assembly. There are tremendous challenges facing the State and for us as leaders as we look to the future. We must get our arms around the severe financial problems that determine how Illinois handles its priorities and serves its residents. It's our financial position that determines how we fund our children's education, how we pay for health care services for the most needy, and whether or not we fix our roads, our bridges, our mass transit systems and our schools. We must recognize that we have to restore the citizens' faith in their government. It's not news to anyone in this Chamber that Illinois residents are sick and tired of partisan gamesmanship and petty politics. We need to

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shine a bright light on Illinois government and adopt significant reforms that make the operation of State government more open and transparent. Secret budget bargains, hidden appropriations, insider contracts, backroom deal making, must end. We -- we must come together to solve the problems instead of battling to gridlock. I look forward to working with each and every one of you on those goals. And I won't be doing that alone. I'm proud to share with you today my leadership team for the 96th General Assembly. Senator Dale Righter will serve as Deputy Republican Leader. His honesty, experience and insight are invaluable to me, the caucus and the Body. Assistant Minority Leaders will be Brad Burzynski, John O. Jones, Dave Luechtefeld and Dan Rutherford. Together, they bring valuable experience and tremendous energy to this team. Our Caucus Chair will be Senator Dave Syverson, and Senator Carole Pankau will serve as the Minority Whip. So, to all of them, congratulations. Now, to Senator Cullerton and my Democratic colleagues, Republicans represent over five million citizens in this State and we will be vocal. We will definitely make our voices heard and the voices of our constituents heard. We will definitely disagree, but I can commit to you that those disagreements will be neither petty nor personal, but principled. We look forward to working with you to find solutions. And I thank you for the opportunity to be a part of this chapter in history, as we write it. Thanks.

PRESIDENT CULLERTON:

It is now my pleasure to invite Molly Durand to return to the Rostrum to present a musical selection.

MOLLY DURAND:

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("A Change is Gonna Come" sung by Molly Durand)

PRESIDENT CULLERTON:

We did a nationwide search to find Molly Durand. We found her in Los Angeles, California, performing - and she also happens to be my niece. Thank you, Molly. The Benediction will be offered by Rabbi Zev Shandalov, of Congregation KJBS of Chicago. Rabbi Shandalov.

RABBI ZEV SHANDALOV:

(Benediction by Rabbi Zev Shandalov)

PRESIDENT CULLERTON:

The following Senators are appointed to the Committee to Escort the members of the Judiciary from the Chamber: Senators Haine, Harmon, Raoul, Bivins and Duffy. Will those Senators please come forward to escort the distinguished members of the Judiciary from the Chamber. Please be seated. Earlier I recognized former Senators who are with us and I'd like to add one more to the list. Our former colleague Senator Earlean Collins is here. Thank you very much, Senator. It's the intention of the Chair to begin organizing the 96th General Assembly under the Rules of the 95th General Assembly until new rules are adopted as part of the organization of the newly constituted General Assembly. Madam Secretary, Communications.

SECRETARY SHIPLEY:

I have a letter dated January 14th, 2009.

Dear Madam Secretary - Pursuant to Senate Rule 3-5, please be advised that I have appointed the following Senators to serve on the Senate Rules Committee: Senator Clayborne, Chairman, and Senators Viverito and Harmon. These appointments are effective January 14th, 2009.

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Sincerely, John J. Cullerton, Senate President.

And a second letter, dated January 14th, 2009.

Dear Madam Secretary - Pursuant to the temporary rules of the 96th General Assembly, I hereby appoint Senator Dale Righter to serve as Minority Spokesperson of the Senate Rules Committee and Senator Kirk Dillard to serve as a member of the Committee. These appointments are effective immediately.

Sincerely, Christine Radogno, Senate Republican Leader.

PRESIDENT CULLERTON:

Madam Secretary, Resolutions.

SECRETARY SHIPLEY:

I have Senate Resolution 1, offered by Senators Harmon, Clayborne and Viverito.

And Senate Resolution 2, offered by Senators Harmon, Clayborne and Viverito.

PRESIDENT CULLERTON:

The Senate will stand at ease to allow time for our guests to exit the Chamber. The Rules Committee will meet immediately in the President's Anteroom. Members are asked to remain in their seats. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDENT CULLERTON:

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

SECRETARY SHIPLEY:

Senator Clayborne, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned:

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Be Approved for Consideration - Senate Resolution 1 and Senate Resolution 2.

Senator James Clayborne, Chairman. January 14th, 2009.

PRESIDENT CULLERTON:

The Calendar has been distributed. On the Calendar is Senate Resolution No. 1. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Resolution 1, offered by Senators Harmon, Clayborne and Viverito.

(Secretary reads SR No. 1)

PRESIDENT CULLERTON:

Senator Harmon, to explain the resolution.

SENATOR HARMON:

Thank you, Mr. President. As the Secretary mentioned, Senate Resolution 1 is the first of our organizing resolutions and provides for the election of the officers that Secretary Shipley listed: Deborah Shipley as Secretary of the Senate, Scott Kaiser as the Assistant Secretary, Joe Agans-Dominguez as the Sergeant-at-Arms, and Tracey Sidles as the Assistant Sergeant-at-Arms. I ask for its adoption.

PRESIDENT CULLERTON:

Senator Harmon has moved the adoption of Senate Resolution No. 1. Is there any discussion? If not, the question is, shall the Senate adopt Senate Resolution No. 1. All those in favor will signify by voting 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, please take the record. On that question, there are 58 voting Yea, none

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voting No, none voting Present. Senate Resolution No. 1, having received the required constitutional majority, is hereby declared adopted. On the Order of Resolutions is Senate Resolution No. 2. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Resolution 2, offered by Senators Harmon, Clayborne and Viverito.

(Secretary reads SR No. 2)

PRESIDENT CULLERTON:

Senator Harmon, to explain the resolution.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution No. 2 is the second of our organizing resolutions and provides for the adoption of standing rules for the Senate of the 96th General Assembly. The rules before us are essentially the same as the rules of the 95th General Assembly with the following changes. First, we are replacing the Senate Rules Committee with the Committee on Assignments. Second, we are restricting the power of leaders to temporarily replace committee members in the event of an unforeseen absence by clarifying that that is an unforeseen absence from the Capitol Building itself. It codifies our current practice of allowing the officers of a committee to move pieces of legislation in the absence of the principal sponsor so long as the permission of the principal sponsor is given. And we are increasing the number of our standing committees by a total of five, including the Committees on Consumer Protection, Elections, Environment, Gaming, Redistricting, and Telecommunications and Information Technology. I move for the

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adoption of Senate Resolution No. 2.

PRESIDENT CULLERTON:

Senator -- Senator Harmon has moved the adoption of Senate Resolution No. 2. Is there any discussion? If not, the question is, shall the Senate adopt Senate Resolution No. 2. All those in favor will signify by voting 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, please take the record. On that question, the -- there are 58 voting Yea, none voting No, none voting Present. Senate Resolution No. 2, having received the required constitutional majority, is hereby declared adopted. We are now operating under the Rules of the 96th General Assembly. Madam Secretary, Communications.

SECRETARY SHIPLEY:

Yes. I have a letter dated January 14th, 2009.

Dear Madam Secretary - Pursuant to Senate Rule 3-5, please be advised that I have appointed the following Senators to serve on the Committee on Assignments: Senator Clayborne, Chairman, and Senators Viverito and Harmon. These appointments are effective January 14th, 2009.

Sincerely, John J. Cullerton, Senate President.

And a second letter, dated January 14th, 2009.

Dear Madam Secretary - Pursuant to the Senate Rules adopted on January 14th, 2009, I hereby appoint Senator Dale Righter to serve as Minority Spokesperson for the Senate Committee on Assignments of bills and Senator Kirk Dillard to serve as a member of the Committee. These appointments are effective immediately.

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Sincerely, Christine Radogno, Senate Republican Leader.

PRESIDENT CULLERTON:

Madam Secretary, Resolutions.

SECRETARY SHIPLEY:

Senate Resolution 3, offered by Senator Harmon, Clayborne and Viverito.

Senate Resolution 4, offered by Senators Harmon, Clayborne and Viverito.

And Senate Resolution 5, offered by Senators Harmon, Clayborne and Viverito.

PRESIDENT CULLERTON:

The Senate will stand at ease for just a minute, as the Committee on Assignments will meet immediately in the President's anteroom. Members please remain in their seats. This will not take long. The Senate will stand at ease until the Committee on Assignments issues their report, and we'll be right back.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDENT CULLERTON:

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

SECRETARY SHIPLEY:

Senator Clayborne, Chairman of the Committee on Rules, reports -- I'm sorry, Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Senate Resolutions 3, 4 and 5.

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Senator James Clayborne, Chairman. January 14th, 2009.

PRESIDENT CULLERTON:

Supplemental Calendar No. 1 has been distributed. On Supplemental Calendar No. 1 is Senate Resolution No. 3. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Resolution 3, offered by Senators Harmon, Clayborne and Viverito.

(Secretary reads SR No. 3)

PRESIDENT CULLERTON:

Senator Harmon, to explain the resolution.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As the Secretary said, Senate Resolution No. 3 directs the Secretary to inform the House that the Senate is organized and ready to proceed with the business of the Session. I move for its adoption.

PRESIDENT CULLERTON:

Senator Harmon has moved the adoption of Senate Resolution No. 3. Is there any discussion? If not, the question is, shall the Senate adopt Senate Resolution No. 3. All those in favor will signify by voting Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 voting Yes, none voting No, none voting Present. Senate Resolution No. 3, having received the required constitutional majority, is declared adopted. On the Order of Resolutions is Senate Resolution No. 4. Madam

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Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Resolution 4, offered by Senators Harmon, Clayborne and Viverito.

(Secretary reads SR No. 4)

PRESIDENT CULLERTON:

Senator Harmon, to explain the resolution.

SENATOR HARMON:

Thank you, Mr. President. Senate Resolution No. 4 directs the Secretary to prepare and print an exact transcript of the Journal each day. I move for its adoption.

PRESIDENT CULLERTON:

Senator Harmon has moved the adoption of Senate Resolution No. 4. Is there any discussion? If not, the question is, shall the Senate adopt Senate Resolution No. 4. All those in favor will signify by voting Aye. Those -- will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 voting Aye, none voting No, none voting Present. Senate Resolution No. 4, having received the required constitutional majority, is hereby declared adopted. On the Order of Resolutions is Senate Resolution No. 5. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Resolution 5, offered by Senators Harmon, Clayborne and Viverito.

(Secretary reads SR No. 5)

PRESIDENT CULLERTON:

Senator Harmon, to explain the resolution.

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SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 5 is the last of our organizing resolutions. As the Secretary stated, it appoints the Standing Committee of Correspondents and appoints the -- the reporters named by the Secretary to the Committee. I move for its adoption.

PRESIDENT CULLERTON:

Senator Harmon has moved the adoption of Senate Resolution No. 5. Is there any discussion? If not, the question is, shall the Senate adopt Senate Resolution No. 5. All those in favor will signify by voting Aye. Those will -- opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 voting Yea, none voting No, none voting Present. Senate Resolution No. 5, having received the required constitutional majority, is hereby declared adopted. Madam Secretary, Communications.

SECRETARY SHIPLEY:

I have a letter dated January 14th, 2009.

Dear Madam Secretary - Enclosed please find the Senate Session Schedule for the 96th General Assembly.
Sincerely, John J. Cullerton, Senate President.

PRESIDENT CULLERTON:

Madam Secretary, Resolutions.

SECRETARY SHIPLEY:

Yes. Senate Resolution 6, offered by Senator Cullerton.

PRESIDENT CULLERTON:

The Senate will once again ask the Committee on Assignments

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to meet behind the President's anteroom. Members please remain in your seats. This will not take long. The Senate will stand at ease. And I would ask Senator DeLeo to be in the Chair. Committee on Assignment please come forward.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY SHIPLEY:

Senator Clayborne, Chairman of the Committee on Rules -- I'm sorry, Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Senate Resolution 6.

Senator James Clayborne, Chairman. January 14th, 2009.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Ladies and Gentlemen, Supplemental Calendar No. 2 has been printed and distributed. It should be on all Members' desks. On Supplemental Calendar No. 2 is Senate Resolution No. 6. Madam Secretary, could you be so kind and read the resolution?

SECRETARY SHIPLEY:

Senate Resolution 6, offered by Senator Cullerton.

(Secretary reads SR No. 6 in part)

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Cullerton, to explain the resolution.

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SENATOR CULLERTON:

Thank you, Mr. President. Senate resolution sets forth the rules and procedures governing the Senate impeachment trial of Governor Blagojevich. The rules represent a bipartisan effort and an agreement of the members of the Senate Special Committee on Impeachment Trial Procedures that was established pursuant to the 95th General Assembly after the House of Representatives initiated its investigation to determine if cause existed to impeach the Governor. The rules are modeled after those used by the U.S. Senate in the impeachment trial of President Clinton. The Chief Justice of the Supreme Court will preside over the impeachment trial. And the rules will detail the roles of the Senators, the Governor or his counsel, and the House Prosecutor. And their -- I would just highlight some of the rules. Rule 3 states that the counsel to the House Special Investigative Committee will serve as the House Prosecutor. Rule 8 governs the admissibility of evidence and the right of the House Prosecutor and the Governor to make evidentiary objections. Rule 9 requires the Senate Sergeant-at-Arms to serve the Governor with a summons and a copy of the Article of Impeachment. Rule 11 requires the Governor, or his counsel on his behalf, to file a written appearance and answer to the impeachment articles on a date specified by the Senate. Rule 13 addresses attendance and the Senator conduct during the trial. And this specifically deals with ex parte communications regarding the impeachment proceeding with Members of the House, with the House Prosecutor, with the Governor or his counsel. And this language was approved and negotiated by both parties. Rule 14 permits the Governor to file a motion to dismiss or to

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challenge the sufficiency of the House impeachment article. Rule 15 permits the Governor or the House Prosecutor to request subpoenas for witness testimony, documents, or other materials, and/or the admissibility of additional evidence into the record. Rule 16 allows the parties to make opening statements and closing arguments. Rule 22 allows each party to cross-examine each others witnesses, and the Senator to pose witness questions in writing. Rule 23 requires the Senate to -- to remain in open session, unless the Senate decides to hold a closed session by a two-thirds vote, including deliberations. And Rule 24 governs the procedure for voting on the impeachment article after the closing arguments.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Cullerton has moved the adoption of Senate Resolution No. 6. Is there any discussion? Is there any discussion? Senator Lauzen, are you seeking recognition on the resolution, sir?

SENATOR LAUZEN:

Yes. Yes, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Please proceed.

SENATOR LAUZEN:

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Mr. President, thank you very much for your recognition of what a -- a grave responsibility this is. And many of us appreciate the approach that the majority -- the ruling majority

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has taken in making this, naturally, bipartisan. As I look in the -- the electronic record - we don't have a copy of those rules - I have reviewed one set of those rules. But is that part of the electronic record, or is it being distributed today?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Senator, the previous General Assembly had a committee and we agreed on rules. Those rules were posted on a website. And to my knowledge, those identical rules are found in the resolution that we -- have -- are about to vote on here. So they are identical and they've been on the Web for a couple days.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

To the resolution, sir.

SENATOR RIGHTER:

Thank you. I simply join the Senate President in urging the adoption of Senate Resolution 6. Obviously, as both the Senate President and Senator Lauzen have noted, we embark today upon a extraordinarily serious endeavor, one that we've not faced before here in the Illinois State -- in the Illinois Senate and the State's history. I want to commend both the Democrats and Republicans who served on this committee. The rules are a good set of rules, and they will provide for, most importantly, a fair process to both sides and an open and

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transparent process, so that the public can see and hear the proceedings and the trial of the impeachment of the Governor. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Righter. Okay, Ladies and Gentlemen, since there's no further discussion, Senator Cullerton has moved the adoption of Senate Resolution No. 6. So, the question is, shall the Senate adopt Senate Resolution No. 6. All those in favor will signify by voting Aye. All those opposed will signify by voting Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Resolution No. 6, having received the required constitutional majority, is declared adopted. Senator Cullerton in the Chair.

PRESIDENT CULLERTON:

The Senate will come to order. Madam Secretary, Messages.

SECRETARY SHIPLEY:

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 adopted the following resolution, in the adoption of which I am instructed to inform the Senate, to wit:

House Resolution 5.

Adopted by the House, January 14th, 2009. Mark Mahoney, Clerk of the House.

PRESIDENT CULLERTON:

The following Senators are appointed to the Committee to Escort the House Prosecutor into the Chamber: Senators Trotter,

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Link, Viverito, Righter, Murphy and Brady. So if you would please go to the rear of the Chamber, momentarily the House Prosecutor will be available. The House Prosecutor will exhibit the Article of Impeachment.

HOUSE PROSECUTOR ELLIS:

Mr. President, I am directed by the Speaker of the House of Representatives to exhibit the Article of Impeachment which has been preferred by the House of Representatives against Rod R. Blagojevich, Governor of the State of Illinois. With the permission of the Senate, I will now read the Article of Impeachment adopted by the House of Representatives, House Resolution 5.

(House Prosecutor Ellis reads Article of Impeachment, contained in House Resolution No. 5)

Mr. President, that completes the exhibition of the Article of Impeachment against Rod R. Blagojevich, Governor of the State of Illinois. I am directed by the House of Representatives to request that the Senate take order for the trial. I would also request leave to withdraw.

PRESIDENT CULLERTON:

Will the Committee of Escort please come forward to escort the House Prosecutor from the Chamber? The Senate will notify the House Prosecutor when it is ready to proceed. The following Senators are appointed to the Committee to Escort the Chief Justice of the Supreme Court into the Chambers: Senators Silverstein, Kotowski, Koehler, Lauzen, Dillard, and Cronin. Will the Committee of Escort please report to the rear of the Chamber to escort the Chief Justice into the Chamber? Will the Members and our guests please rise? On behalf of the Senate, I

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am pleased to welcome you to the Chamber.

CHIEF JUSTICE FITZGERALD:

Mr. President, I attend the Senate in accordance with the notice, in fulfillment of my responsibilities under Article IV, Section 14, of the Illinois Constitution, for the purpose of joining with the Senate in the trial of the impeachment of Rod R. Blagojevich, Governor of the State of Illinois, and I am now prepared to take the Oath.

PRESIDENT CULLERTON:

Please raise your right hand. Do you solemnly swear that, in all things pertaining to the trial of the impeachment of Governor Rod R. Blagojevich, now pending, you will do justice according to law?

CHIEF JUSTICE FITZGERALD:

I do. In conformance with Article IV, Section 14, of the Illinois Constitution, the Senate's Impeachment Rules, the Secretary will administer the Oath to all Senators present -- present in the Chamber. Will all Senators please rise and raise your right hand? Madam Secretary, please administer the Oath.

SECRETARY SHIPLEY:

Do you solemnly swear that, in all things pertaining to the trial of the impeachment of Governor Rod R. Blagojevich, now pending, you will do justice according to the law?

CHIEF JUSTICE FITZGERALD:

Senators, when the Secretary calls your name, please answer "I do" to indicate for the record your assent to the Oath which you have just taken. Madam Secretary, please call the names of each Senator and record their responses.

SECRETARY SHIPLEY:

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Althoff. Althoff responds "I do". Bivins. Bivins responds "I do". Bomke. Bomke responds "I do". Bond. Bond responds "I do". Brady. Brady responds "I do". Burzynski. Burzynski responds "I do". Clayborne. Clayborne responds "I do". Collins. Collins responds "I do". Cronin. Cronin responds "I do". Crotty. Crotty responds "I do". Dahl. Dahl responds "I do". DeLeo. DeLeo responds "I do". Delgado. Delgado responds "I do". Demuzio. Demuzio responds "I do". Dillard. Dillard responds "I do". Duffy. Duffy responds "I do". Forby. Forby responds "I do". Frerichs. Frerichs responds "I do". Garrett. Garrett responds "I do". Haine. Haine responds "I do". Harmon. Harmon responds "I do". Hendon. Hendon responds "I do". Holmes. Holmes responds "I do". Hultgren. Hultgren responds "I do". Hunter. Hunter responds "I do". Hutchinson. Hutchinson responds "I do". Jacobs. Jacobs responds "I do". Emil Jones. Emil Jones responds "I do". John Jones. John Jones responds "I do". Koehler. Koehler responds "I do". Kotowski. Kotowski responds "I do". Lauzen. Lauzen responds "I do". Lightford. Lightford responds "I do". Link. Link responds "I do". Luechtefeld. Luechtefeld responds "I do". Maloney. Maloney responds "I do". Martinez. Martinez responds "I do". Meeks. Meeks responds "I do". Millner. Millner responds "I do". Munoz. Munoz responds "I do". Murphy. Murphy responds "I do". Noland. Noland responds "I do". Pankau. Pankau responds "I do". Radogno. Radogno responds "I do". Raoul. Raoul responds "I do". Righter. Righter responds "I do". Risinger. Risinger responds "I do". Rutherford. Rutherford responds "I do". Sandoval. Sandoval responds "I do". Schoenberg. Schoenberg responds "I

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do". Silverstein. Silverstein responds "I do". Steans. Steans responds "I do". Sullivan. Sullivan responds "I do". Syverson. Syverson responds "I do". Trotter. Trotter responds "I do". Viverito. Viverito responds "I do". Watson. Wilhelmi. Wilhelmi responds "I do". And Mr. President. Mr. President responds "I do".

CHIEF JUSTICE FITZGERALD:

Please be seated. Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. Chief Justice. Pursuant to the Impeachment Rules adopted under Senate Resolution No. 6, I move that the Senate resolve itself into an impeachment tribunal, for the purpose of ordering itself for the trial now pending of the impeachment of the Governor.

CHIEF JUSTICE FITZGERALD:

Senator Cullerton moves that the Senate resolve itself into an impeachment tribunal for the purpose of ordering itself for the trial now pending of the impeachment of the Governor. It is so ordered. The Senate is now resolved in an impeachment tribunal. Madam Secretary, are there any resolutions on file?

SECRETARY SHIPLEY:

Senator Resolution 7, offered by Senator Cullerton.

CHIEF JUSTICE FITZGERALD:

Senate resolution has been distributed. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Resolution 7, offered by Senator Cullerton.

(Secretary reads SR No. 7.)

CHIEF JUSTICE FITZGERALD:

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Senator Cullerton, if you wish, you may explain the resolution.

SENATOR CULLERTON:

Mr. Chief Justice, I move for the adoption of Senate Resolution No. 7.

CHIEF JUSTICE FITZGERALD:

Senator Cullerton has moved the adoption of Senate Resolution No. 7. Is there any discussion? If not, the question is, shall the Senate adopt Senate Resolution No. 7. All those in favor, signify by voting Aye. Those opposed will vote Nay. The voting is -- is open. Have all voted who wish? Have all who -- voted who wish? Have all voted who wish? Madam Secretary, take a record. On the question, there are 58 Ayes, 0 Nays, and 0 voting Present. Senate Resolution No. 7, having received the constitutional majority, is declared adopted. Pursuant to the Senate Impeachment Rules, I direct the Sergeant-at-Arms to make service upon the Governor of the writ of summons which shall issue hereafter, together with copies of the Article of Impeachment, and Senate Resolutions 6 and 7, and to make a return of such summons at the time and date provided under Senate Resolution 7. Pursuant to the schedule set forth in the Senate Resolution No. 7, when the Senate arises from sitting as an impeachment tribunal today, the impeachment tribunal will stand adjourned until the hour of twelve o'clock noon on Monday, January 26, 2009. And Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. Chief Justice. I move that the Senate arise from sitting as an impeachment tribunal.

CHIEF JUSTICE FITZGERALD:

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Senator Cullerton moves that the Senate arise from sitting as an impeachment tribunal. All those in favor will say Aye. All those opposed, Nay. The Ayes have it, and the motion carries. The Senate has arisen from sitting as an impeachment tribunal.

PRESIDENT CULLERTON:

I wish to appoint my leadership team. Senator Clayborne will be the Majority Leader; Senator DeLeo, Assistant Majority Leader; Rickey Hendon, Assistant Majority Leader; Don Harmon, Assistant Majority Leader; Kim Lightford, Assistant Majority Leader; Jeff Schoenberg, Assistant Majority Leader; Tony Munoz, Caucus Chair; Donnie Trotter, Majority Appropriations Chair; John Sullivan, Majority Appropriations Chair; Susan Garrett, Majority Caucus Whip; Ira Silverstein, Majority Caucus Whip; Lou Viverito, Majority Caucus Whip; Terry Link, Majority Caucus Whip. There being no further business to come before the Senate, Senator Jacobs moves the Senate stand adjourned until the hour of 10 o'clock on Thursday, January 15th. The Senate stands adjourned.