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96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

9th Legislative Day

2/4/2009

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PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 96th 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 Martin Woulfe from the Abraham Lincoln Congregation here in Springfield, Illinois.

THE REVEREND MARTIN WOULFE:

(Prayer by the Reverend Martin Woulfe)

PRESIDING OFFICER: (SENATOR DeLEO)

Please remain standing for the Pledge of Allegiance. Senator Jacobs, to lead us in the Pledge, sir.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR DeLEO)

Please be seated. Madam Secretary, Reading and Approval of the Journal, please.

SECRETARY SHIPLEY:

Senate Journals of January 29th and 30th and February 3rd, 2009.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Good afternoon, Senator Hunter. Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter moves to approve the Journal just read by the Secretary. There being no objection, so

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ordered. Madam Secretary, Resolutions, please.

SECRETARY SHIPLEY:

Senate Resolution 51, offered by Senator Koehler and all Members.

Senate Resolutions 52 and 53, offered by Senator Haine and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Consent Calendar.

SECRETARY SHIPLEY:

And Senate Resolution 50, offered by Senator Millner.

And Senate Resolution 54, offered by Senator Frerichs.

They're both substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. ...Secretary, Introduction of Bills.

SECRETARY SHIPLEY:

Senate Bill 225, offered by Senator Martinez.

(Secretary reads title of bill)

Senate Bill 226, offered by Senator Martinez.

(Secretary reads title of bill)

Senate Bill 227, offered by Senator Bomke.

(Secretary reads title of bill)

Senate Bill 228, offered by Senator Althoff.

(Secretary reads title of bill)

Senate Bill 229, offered by Senator Pankau.

(Secretary reads title of bill)

Senate Bill 230, offered by Senator John Jones.

(Secretary reads title of bill)

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Senate Bill 231, offered by Senator Raoul.

(Secretary reads title of bill)

Senate Bill 232, offered by Senator Harmon.

(Secretary reads title of bill)

Senate Bill 233, offered by Senator Harmon.

(Secretary reads title of bill)

Senate Bill 234, offered by Senator Frerichs.

(Secretary reads title of bill)

Senate Bill 235, offered by Senator Lightford.

(Secretary reads title of bill)

Senate Bill 236, offered by Senator Steans.

(Secretary reads title of bill)

Senate Bill 237, offered by Senator Steans.

(Secretary reads title of bill)

Senate Bill 238, offered by Senator Steans.

(Secretary reads title of bill)

Senate Bill 239, offered by Senator Steans.

(Secretary reads title of bill)

Senate Bill 241, offered by Senator Raoul.

(Secretary reads title of bill)

Senate Bill 240, offered by Senator Haine.

(Secretary reads title of bill)

Senate Bill 241, offered by Senator Raoul.

(Secretary reads title of bill)

Senate Bill 242, offered by Senator Sullivan.

(Secretary reads title of bill)

Senate Bill 243, offered by Senator Munoz.

(Secretary reads title of bill)

Senate Bill 244, offered by Senator Kotowski.

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(Secretary reads title of bill)

Senate Bill 245, offered by Senator Steans.

(Secretary reads title of bill)

Senate Bill 246, offered by Senator Sandoval.

(Secretary reads title of bill)

Senate Bill 247, offered by Senator Delgado.

(Secretary reads title of bill)

Senate Bill 248, offered by Senators Trotter, Schoenberg,
Clayborne and Althoff.

(Secretary reads title of bill)

Senate Bill 249, offered by Senator Delgado.

(Secretary reads title of bill)

Senate Bill 250, offered by Senator Lightford.

(Secretary reads title of bill)

Senate Bill 251, offered by Senator Link.

(Secretary reads title of bill)

Senate Bill 252, offered by Senator Link.

(Secretary reads title of bill)

Senate Bill 253, offered by Senator Link.

(Secretary reads title of bill)

Senate Bill 254, offered by Senator Link.

(Secretary reads title of bill)

Senate Bill 255, offered by Senator Noland.

(Secretary reads title of bill)

Senate Bill 256, offered by Senator Noland.

(Secretary reads title of bill)

Senate Bill 257, offered by Senator Noland.

(Secretary reads title of bill)

Senate Bill 258, offered by -- Senate Bill 258, offered by

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Senator Noland.

(Secretary reads title of bill)

Senate Bill 259, offered by Senator Clayborne.

(Secretary reads title of bill)

Senate Bill 260, offered by Senator Frerichs.

(Secretary reads title of bill)

Senate Bill 261, offered by Senator Noland.

(Secretary reads title of bill)

Senate Bill 262, offered by Senator Noland.

(Secretary reads title of bill)

Senate Bill 263, offered by Senator Frerichs.

(Secretary reads title of bill)

Senate Bill 264, offered by Senator Frerichs.

(Secretary reads title of bill)

Senate Bill 265, offered by Senator Schoenberg.

(Secretary reads title of bill)

Senate Bill 266, offered by Senator Schoenberg.

(Secretary reads title of bill)

Senate Bill 267, offered by Senator Collins.

(Secretary reads title of bill)

Senate Bill 268, offered by Senator Collins.

(Secretary reads title of bill)

Senate Bill 269, offered by Senator Demuzio.

(Secretary reads title of bill)

And Senate Bill 270, offered by Senator Demuzio.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, can I have your attention,

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please. At this time, I would ask that all Members of the Senate stand at ease for a few minutes to allow the Committee on Assignments to meet. So I'd ask all members of the Committee on Assignment, please come to the President's Anteroom immediately. And the Senate will stand at ease for just a very -- couple short minutes while the Committee on Assignment meets. So all members please -- on the Committee on Assignments please report to the President's Anteroom immediately. We'll stand at ease for just a moment.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY SHIPLEY:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Senate Bills 38 and 139; refer to Appropriations I Committee - Senate Bill 121; refer to Consumer Protection Committee - Senate Bill 83; refer to Criminal Law Committee - Senate Bills 31, 42, 48, 62, 64, 100, 101, 104, 140, 141, 142, 145, 156, 171 and 172...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Madam Secretary, continuing on Committee Reports.

SECRETARY SHIPLEY:

Refer to Education Committee - Senate Bills 35, 79, 102, 123, 144, 152 and 153; refer to Elections Committee - Senate

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Bill 146; refer to Energy Committee - Senate Bill 82; refer to Environment Committee - Senate Bill 99; refer to Executive Committee - Senate Bills 1, 2, 3, 54, 63 and 103; refer to Higher Education Committee - Senate Bills 37 and 77; refer to Human Services Committee - Senate Bills 71, 90 and 135; refer to Insurance Committee - Senate Bills 68 and 131; refer to Judiciary Committee - Senate Bills 55, 65, 84, 85, 154 and 174; refer to Labor Committee - Senate Bill 43; refer to Licensed Activities Committee - Senate Bills 32 and 53; refer to Pensions and Investments Committee - Senate Bill 39; refer to Public Health Committee - Senate Bills 56, 97, 105 and 178; refer to Revenue Committee - Senate Bills 51, 81 and 89; refer to State Government and Veterans Affairs Committee - Senate Bills 27, 40, 47, 52 and 124; refer to Telecommunications and Information Technology Committee - Senate Bill 74; refer to Transportation Committee - Senate Bills 30, 34, 67, 75 and 148; and Be Approved for Consideration - Senate Joint Resolution 1.

Senator James F. Clayborne, Chairman. February 4th, 2009.

And one correction: It's refer to Human Services Committee - Senate Bill 135.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Senator Maloney, for what purpose are you seeking recognition? Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. Just a point of personal privilege. Since...

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR MALONEY:

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Since Senator Frerichs has moved his seat to directly in front of me, it has obstructed my view of the President. I wonder if I could put in for a booster chair back here.

PRESIDING OFFICER: (SENATOR DeLEO)

We'll take that request under consideration, sir. Senator Althoff, for what purpose you seek recognition, ma'am?

SENATOR ALTHOFF:

Point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, ma'am.

SENATOR ALTHOFF:

Thank you. I would just like the Body to know -- thank -- thank you, Mr. President. I would like to make the following announcement for all the Members: to remind you that the formerly Environmental, now Green Caucus has a meeting this afternoon. And if you're interested at all in hearing from John Cross from the EPA about potential programs that may be available to the State of Illinois from the federal stimulus bill that ultimately may pass, he's giving a brief synopsis of those types of programs. It's in Room 115, here in the Capitol, and is being hosted by Representative Karen May. We encourage all of you to attend. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Syverson, for what purpose do you seek recognition, sir?

SENATOR SYVERSON:

Thank you, Mr. President. Two points: Randy Hultgren is in Washington today and will not be here; and Dave Luechtefeld is at a funeral and unable to attend today as well. For the

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record.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The record will so reflect the two absences. Thank you, sir. Okay, Ladies and Gentlemen, I'd like to call your attention to Supplemental Calendar No. 1. Supplemental Calendar No. 1 has been printed and is currently being distributed on the Members' desks. On the Order of Supplemental Calendar No. 1 comes Senate Joint Resolution No. 1. So on the Order of Resolutions is Resolution -- Senate Joint Resolution No. 1. Madam Secretary, please read the gentleman's resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 1, offered by Senator Cullerton. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. President Cullerton, to explain the resolution, sir.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. I think it's appropriate for us to have as our first order of business this Senate Joint Resolution 1, which creates the Joint Committee on Government Reform. It would be a new -- currently it would be -- consist of a sixteen-member advisory panel to recommend legislation to strengthen existing ethics laws and increase government transparency. Now, I've spoken to Senator Radogno about the makeup. As you know, this is a Senate joint resolution. It has to pass both the House and the Senate. And the makeup was recommended by the Speaker. And we obviously have to pass this out of the House as well. And I understand Senator Radogno may have spoken to the Speaker about changing

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the makeup. Right now, it's four appointed by the Senate President and two by the Senate Minority Leader. So I'd be in favor of making an adjustment to that, but obviously we have to get the approval of the -- of the -- the House. The resolution, if you get a chance to read it, does talk about the -- the recent impeachment trial. And, obviously, we want to respond to Governor Quinn's decision to create the Reform Commission. And we want to do so, however, with a legislative response, that's why we need legislators on this committee, working with the House, to make sure that we make various recommendations. So, be happy to answer any questions and ask for all of us to please vote for it.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Senator Cullerton has moved the adoption of Senate Joint Resolution No. 1. Is there any discussion? Is there any discussion? Leader Radogno, are you seeking recognition, ma'am?

SENATOR RADOGNO:

Yes, I am. Thank you, Mr. President. Just want to thank President Cullerton for noting my concern regarding the makeup of the committee. I am going to vote in favor of this and hope everyone does. I will be participating in any committees, commissions, groups that want to look at reforming State government in additional ethics legislation. That's something important to do. As you noted, I have a concern about the partisan makeup, because if we're really serious about reform, it makes sense to go forward in a bipartisan manner. You don't want to run the risk, I don't think, of -- of the Democrats being in a position of -- of folks being able to say, well, you know, the mess for the last six years - I'll contain it to that

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- was a Democratic mess, and, yet, they're controlling the ethics reform. We want to be partners in that, and we are going to participate. And I sincerely appreciate the fact that the Speaker's indicated possibly a willingness to adjust the number as well. So, I would encourage everyone to vote in favor of the adoption. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, Senator. Is there any further discussion? Is there any further discussion? Senator Hendon, are you seeking recognition on this resolution, sir?

SENATOR HENDON:

Just briefly. I think it's a wonderful idea what the Senate President is proposing. And I spoke with him. As -- as long as the commission is not used in any kind of way to stop reforms, I think it's a wonderful idea and I'll be voting for it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Ladies and Gentlemen, Senator Cullerton, to close.

SENATOR CULLERTON:

Yes, I would just simply ask for an Aye vote. And -- and obviously if we can work out a -- a new makeup of the -- of the committee, perhaps that can be amended over in the -- in the House. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, the question is, shall Senate adopt Senate Joint Resolution No. 1. All those in favor will signify by voting Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Joint Resolution No. 1, having received the required constitutional majority, is declared adopted. Senator -- or, President Cullerton, for purposes -- what purpose do you arise, sir?

SENATOR CULLERTON:

Yes, thank you, Mr. President. For the purposes of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement.

SENATOR CULLERTON:

First of all, I understand that..

PRESIDING OFFICER: (SENATOR DeLEO)

Can we have your attention, please?

SENATOR CULLERTON:

I understand that both caucuses will be having dinner tonight and get to know the staff better. At least, that's what we're going to do on the -- on the -- on the Democratic side. Also, I have to make a -- another announcement. You know, the other day during the impeachment trial, I was presiding and my mind -- my memory was triggered when Senator Duffy actually was speaking - because Senator Duffy is the -- the youngest Member on the Republican side - that we made a mistake when we assigned the parking spaces for the -- for the Senators. And what happened was - just to explain it - we went Democrat, Republican, Democrat, Republican, and then, of course, after we assigned Senator Duffy - he was the last one - we had thirteen more -- fourteen more Democrats, who then got spaces further

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away than Senator Duffy. So what we're going to do is redo it based on the seniority and leadership of all fifty-nine of us. And I think that would result in -- for example, in the case of Senator Duffy, he'll have a different parking space than he has assigned to him right now - might be a little bit further down the -- the driveway. But it'll be done in a fair way based on seniority and leadership. So, just wanted to warn you that that's -- we're going to be correcting that mistake we made. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Mr. President. Ladies and Gentlemen, there being no further business to come before the Senate, the Senate will stand adjourned until the hour of 9 a.m. on February 5th, the year 2009. The Senate stands adjourned.