

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

23rd Legislative Day

3/10/2009

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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 desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Keith Harrison, City (of) Lights Baptist Church, in Aurora.

PASTOR KEITH HARRISON:

(Prayer by Pastor Keith Harrison)

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Please remain standing for the Pledge of Allegiance. Senator Cronin, to lead in the Pledge, sir.

SENATOR CRONIN:

(Pledge of Allegiance, led by Senator Cronin)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY SHIPLEY:

Senate Journal of March 6, 2009.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter. Good afternoon, ma'am.

SENATOR HUNTER:

Good afternoon, Mr. President. I missed you last week. 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 very much. Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Senator John Jones, are you seeking recognition, sir?

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SENATOR J. JONES:

Yes, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR J. JONES:

Thank you very much. It's truly an honor and a privilege for me to rise up today for our newest Member of the Illinois Senate, Mr. -- Carl -- Kyle McCarter, and his lovely wife, Victoria. Would you help me in celebrating their twenty-fifth wedding anniversary today?

PRESIDING OFFICER: (SENATOR DeLEO)

Oh, congratulations. Congratulations. You must have been a child bride. Madam Secretary, Resolutions, please.

SECRETARY SHIPLEY:

Senate Resolution 134, offered by Senator Clayborne and all Members.

Senate Resolution 135, offered by Senator Dillard and all Members.

Senate Resolution 136, offered by Senator Radogno and all Members.

And Senate Resolutions 138 and 139, offered by Senator Harmon and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Resolutions Consent Calendar.

SECRETARY SHIPLEY:

And Senate Resolution 137, offered by Senator Hunter.
It is substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. Madam Secretary -- Madam Secretary, hold on one moment. One moment, please. Senator Haine, are you seeking recognition, sir?

SENATOR HAINE:

Yes, Mr. President, I am, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, I wanted to make this point and ask for a moment of silence while the pastor was here who gave us the opening prayer. I wish to call attention of the Senate to the horrific act of violence that occurred in Maryville, in my district, this past Sunday morning, when a clergyman, a member of the Baptist Church, Pastor...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, one moment, please. Ladies and Gentlemen, could I ask -- Senator, could I ask -- everybody give the attention. We ask -- we're going to have a moment of silence, so could I ask everybody's attention. Members please be at their desks. Staff please go to the rear of the Chamber for a moment, please. Don't leave the Floor, we're going to... Senator Haine, please continue, sir.

SENATOR HAINE:

Thank you, Mr. President. This recalls the horrific incident this past Sunday morning at a Baptist church in Maryville, Illinois, in my district, when the -- the pastor, Reverend Fred Winters, a twenty-two-year pastor of this church, was violently shot and murdered in full view of his people, and

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caused a tremendous distress to the people of his congregation and to the community. We ask that the Senate have a moment of silence for Fred Winters -- the Reverend Fred Winters, that we ask God to pray and to intercede for his family, for his congregation. We ask, especially, the blessing be upon those two members of the congregation, Mr. Keith Melton and Mr. Terry Bullard, who immediately rushed the attacker and overcame him before he could murder anyone else. This is a terrible act to occur, especially in a church, in the sanctuary of a church, during a Sunday morning service. We should recall our heritage and our toleration and respect for the many denominations that have brought the faith to our people. We ask the Lord's blessing on this dear pastor and we ask his intercession upon those who suffer today the grief and loss of his murder. We also ask that justice be swift and certain in response to this most horrible of crimes. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Could I ask all Members, please rise? Everybody please rise in the Chamber. And we'll have a moment of silence for this terrible tragedy. (Moment of silence observed) Thank you. Please be seated. Senator Bomke, for what purpose do you seek recognition, sir?

SENATOR BOMKE:

Thank you, Mr. President. I just simply wanted to introduce to the Illinois State Senate my Page for the Day, Aaron Mulvey. Aaron is from Rochester, Illinois, and he will be following me around for the day.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Bomke, did you instruct your Page --

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did you instruct your Page the tips are always higher on this side of the Chamber? Madam Secretary, Introduction of Bills, please.

SECRETARY SHIPLEY:

Senate Bill 2365, offered by Senator Demuzio.

(Secretary reads title of bill)

And Senate Bill 2366, offered by Senator Garrett.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, House Bills 1st Reading, please.

SECRETARY SHIPLEY:

House Bill 418, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 460, offered by Senator Bond.

(Secretary reads title of bill)

And House Bill 480, offered by Senator Demuzio.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, if I could have your attention, please, for purposes of an announcement. We're going to have a -- Committee on Assignments meet immediately in the President's Anteroom. So I'd ask all members of the Committee on Assignments, please come to the President's Anteroom immediately. The Senate will stand at ease for just a moment. The committee will just take a few moments. So we'll stand at ease. And ask all members, please come to the President's Anteroom immediately.

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(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter and Senator Dillard, please report to the President's Anteroom. Senator Righter and Senator Dillard, please report to the President's Anteroom immediately for Committee on Assignment meeting. Thank you.

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. Senator Althoff, for what purpose you seeking recognition, ma'am?

SENATOR ALTHOFF:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point. Senator Kotowski.

SENATOR ALTHOFF:

I think he's asking you to sit down.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

I have a very, very special guest with me today. I have Natalie O'Donnell-Wood, who is a Senior Policy Specialist for NCSL. And as many of you may know, I now serve on the Executive Committee for NCSL. She was here today to testify in front of the Joint Ethics Committee. So might we recognize her and give her a nice hello to Springfield, please?

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PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois State Senate. Welcome. My favorite place, NCSL - always has the best cities. Senator Clayborne, for what purpose do you rise, sir? Senator Clayborne.

SENATOR CLAYBORNE:

For the point of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement. Could you give the gentleman your attention, please? Senator Clayborne.

SENATOR CLAYBORNE:

I'm announcing room changes effectively. Financial Institutions will be meeting in Room 400. Financial Institutions will be meeting in Room 400. Energy will be meeting in Room 212. These committees are scheduled to meet this Thursday at 9:30. Again, Financial Institutions will meet at -- in Room 400 and Energy will meet in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Syverson, are you seeking recognition, sir?

SENATOR SYVERSON:

Yes, Mr. President, and good morning. We would like a brief caucus immediately upon adjournment, if that is okay with you.

PRESIDING OFFICER: (SENATOR DeLEO)

How long will you need, sir?

SENATOR SYVERSON:

About two or three hours. No, thirty minutes.

PRESIDING OFFICER: (SENATOR DeLEO)

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Fine.

SENATOR SYVERSON:

Thirty minutes will be good.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, that order is always in request {sic}. The Senate Republicans have asked for a thirty-minute caucus. So the Senate Republicans will caucus in Leader Radogno's Office to the hour of 1 o'clock. Please remind yourself -- Ladies and Gentlemen, we have noted room changes for committees and committees will start at the hour of 1 o'clock. So please try and be prompt. Chairmen, the -- the announced hour -- the committees will still go at the announced hour. So Senate Republicans will caucus. And seeing no further business... Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Committee Amendment No. 1 to Senate Bill 1835, Senate Resolution 127, and Committee Amendment No. 2 to Senate Bill 139; refer to Appropriations I Committee - Committee Amendment No. 1 to Senate Bill 1361; refer to Commerce Committee - Committee Amendment No. 1 to Senate Bill 328 and Committee Amendment No. 1 to Senate Bill 1852; refer to Criminal Law Committee - Committee Amendment No. 1 to Senate Bill 72, Committee Amendment No. 1 to Senate Bill 1688 and Committee Amendment No. 1 to Senate Bill 1657; refer to Education Committee - Committee Amendment No. 1 to Senate Bill 2071 and Committee Amendment No. 1 to Senate Bill 2220; refer to

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Elections Committee - Committee Amendment No. 1 to Senate Bill 600, Committee Amendment No. 1 to Senate Bill 1591 and Committee Amendment No. 2 to Senate Bill 1591; refer to Energy Committee - Committee Amendment No. 1 to Senate Bill 2150; refer to Environment Committee - Committee Amendment No. 1 to Senate Bill 1489, Committee Amendment No. 1 to Senate Bill 1603, Committee Amendment No. 1 to Senate Bill 1607, Committee Amendment No. 1 to Senate Bill 1897 and Committee Amendment No. 1 to Senate Bill 2104; refer to Executive Committee - Committee Amendment No. 1 to Senate Bill 206, Committee Amendment No. 1 to Senate Bill 1331 and Committee Amendment No. 1 to Senate Bill 1893; refer to Gaming Committee - Committee Amendment No. 1 to Senate Bill 1937 and Committee Amendment No. 1 to Senate Bill 2164; refer to Higher Education Committee - Committee Amendment No. 1 to Senate Bill 1373, Committee Amendment No. 1 to Senate Bill 1883 and Committee Amendment No. 1 to Senate Bill 1524; refer to Human Services Committee - Committee Amendment No. 1 to Senate Bill 1354, Committee Amendment No. 1 to Senate Bill 1515, Committee Amendment No. 1 to Senate Bill 1704, Committee Amendment No. 1 to Senate Bill 2093 and Committee Amendment No. 1 to Senate Bill 2226; refer to Insurance Committee - Committee Amendment No. 1 to Senate Bill 1683 and Committee Amendment No. 1 to Senate Bill 2019; refer to Judiciary Committee - Committee Amendment No. 1 to Senate Bill 1888, Committee Amendment No. 1 to Senate Bill 2151 and Committee Amendment No. 1 to Senate Bill 2178; refer to Labor Committee - Committee Amendment No. 1 to Senate Bill 1715; refer to Licensed Activities Committee - Committee Amendment No. 1 to Senate Bill 53; refer to Local Government Committee - Committee Amendment No. 2 to Senate Bill 1511, Committee

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Amendment No. 1 to Senate Bill 1980 and Committee Amendment No. 1 to Senate Bill 2057; refer to Pensions and Investments Committee - Committee Amendment No. 1 to Senate Bill 1416, Committee Amendment No. 1 to Senate Bill 1638, Committee Amendment No. 1 to Senate Bill 1642 and Committee Amendment No. 1 to Senate Bill 1705; refer to Public Health Committee - Committee Amendment No. 1 to Senate Bill 105, Committee Amendment No. 1 to Senate Bill 1455, Committee Amendment No. 2 to Senate Bill 1455, Committee Amendment No. 1 to Senate Bill 1494, Committee Amendment No. 1 to Senate Bill 1516, Committee Amendment No. 1 to Senate Bill 1855, Committee Amendment No. 1 to Senate Bill 1927, Committee Amendment No. 1 to Senate Bill 1959, Committee Amendment No. 1 to Senate Bill 1980 {sic} and Committee Amendment No. 1 to Senate Bill 2043; refer to Revenue Committee - Committee Amendment No. 2 to Senate Bill 88, Committee Amendment No. 4 to Senate Bill 317, Committee Amendment No. 1 to Senate Bill 1739, Committee Amendment No. 1 to Senate Bill 1749, Committee Amendment No. 1 to Senate Bill 1935 and Committee Amendment No. 1 to Senate Bill 1846; refer to State Government and Veterans Affairs Committee - Committee Amendment No. 1 to Senate Bill 1461, Committee Amendment No. 1 to Senate Bill 1929, Committee Amendment No. 1 to Senate Bill 1987 and Committee Amendment No. 1 to Senate Bill 2228; and refer to Transportation Committee - Committee Amendment No. 1 to Senate Bill 236, Committee Amendment No. 2 to Senate Bill 1341 and Committee Amendment No. 1 to Senate Bill 1944.

Senator James Clayborne, Chairman. March 10th, 2009.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Delgado, for what purpose do you rise,

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sir? Could we bring the noise level a little bit down? I know it's the first day back from school -- from the weekend. Could we bring the noise level down a little bit? Please give your attention to the speaker. Senator Delgado.

SENATOR DELGADO:

Thank -- thank -- thank you, Mr. President, for that -- for -- for bringing a little bit of order to the Chamber. I rise in -- for personal privilege. I just want to take a moment and introduce to the -- to the Senate -- with me today - be testifying on one of my pieces of legislation in the Education Committee at 6 p.m. in Room 409 - joining me on the -- in the gallery with me is the lead anchor for Telemundo Channel 44, Mr. Vicente Serrano, who you can see on your 5 and 10 o'clock news, I believe. In addition, joining him is Ms. Elena Herrada, from Detroit, Michigan, who is an oral historian. And in addition to one of Mr. Serrano's colleagues at the station, an editor, Ms. Morales, who's also joining us. Please give them a round of applause and welcome our good friends from Telemundo, witnesses to committee.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our -- will our guests rise and be recognized? Please rise and be recognized. Welcome to the Illinois State Senate. Welcome. Thank you for testifying here this morning. Okay, last person seeking recognition, and we can get the Republicans off to caucus. Senator Bomke, are you seeking recognition, sir?

SENATOR BOMKE:

I -- I am, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

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SENATOR BOMKE:

Job shadowing Scott Kaiser today is Ryan Anderson from Rochester. I would like you all to help me welcome him to the Illinois State Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome. Welcome, sir. Welcome to the Illinois State Senate today. Ladies and Gentlemen, there'll be no further business to come before the Senate. The Senate stands adjourned until the hour of 1:30 p.m. on March 11th, the year 2009. The Senate stands adjourned.