

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

6/24/2009

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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? And will our guests in the galleries please rise? The invocation today will be given by Rabbi Datz, of the Temple Sholom {sic} (Temple B'rith Sholom), here in Springfield. Rabbi.

RABBI MICHAEL DATZ:

(Prayer by Rabbi Michael Datz)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Senate Journal of Sunday, May 31st, 2009.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter, good morning. Nice to see you, ma'am.

SENATOR HUNTER:

Good morning, Mr. President. So wonderful to -- seeing you as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you.

SENATOR HUNTER:

I move to postpone the reading and approval of the Journal

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just read by the Secretary, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter moves to approve {sic} the Journals just read by the Secretary. Being no objection, so ordered. We have a request to -- to videotape the proceedings, leave of the Body: Terry Martin of the Illinois Channel. Seeing no objection, leave is granted. Madam Secretary, Resolutions, please.

SECRETARY ROCK:

Senate Resolution 316, offered by Senator Haine and all Members.

Senate Resolution 317, offered by Senator Althoff and all Members.

Senate Resolution 318, offered by Senator Link and all Members.

Senate Resolution 319, offered by Senator Dillard and all Members.

Senate Resolution 320, offered by Senator Dillard and all Members.

Senate Resolution 321, offered by Senator Dillard and all Members.

Senate Resolution 322, offered by Senator Dillard and all Members.

Senate Resolution 323, offered by Senator Dillard and all Members.

Senate Resolution 324, offered by Senator Haine and all Members.

Senate Resolution 325, offered by Senator Haine and all

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Members.

Senate Resolution 326, offered by Senator Clayborne and all Members.

Senate Resolution 327, offered by Senator Hunter and all Members.

Senate Resolution 328, offered by Senator Cullerton and all Members.

Senate Resolution 329, offered by Senator Koehler and all Members.

Senate Resolution 330, offered by Senator Koehler and all Members.

Senate Resolution 331, offered by Senator Hunter and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Consent Calendar. Messages from the House, Madam Secretary.

SECRETARY ROCK:

A Message from the House by Mr. Mahoney, Clerk.

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

House Joint Resolution 45.

Adopted by the House, May 28th, 2009. Mark Mahoney, Clerk of the House.

It is offered by Senator Frerichs and it is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Madam Secretary. Did we receive any Messages from the Governor, Madam Secretary?

SECRETARY ROCK:

A Message from the Governor by Sean Vinck, Chief -- Chief Legislative Counsel to the Governor.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 96th General Assembly - I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

Signed Pat Quinn, Governor. Received June 22nd, 2009.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Purposes of an announcement. May I have your attention, please. The -- the Committee on Assignments will meet immediately in the President's Anteroom. I'd ask all members of the Committee on Assignments to report immediately to the President's Anteroom. And ask all Members to report to the Floor. We'll be doing substantive action. And we'll just stand at ease for just a moment while the Committee on Assignments meet. So all members please report to the Anteroom immediately. Thank you.

(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR DeLEO)

Purposes of an announcement. Would all members of the Committee on Assignments please report to the President's

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Anteroom immediately? All members of the -- please report to the President's Anteroom immediately.

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 321 and Motion to Concur with House Amendment 1 to Senate Bill 397.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Luechtefeld, are you seeking recognition, sir?

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR LUECHTEFELD:

I -- I would hope that the Body can recognize a young man from my district who is the Mayor of the largest community in my district, Carbondale. If you would give him a warm welcome. Brad Cole, here by my desk.

PRESIDING OFFICER: (SENATOR DeLEO)

Mayor, welcome to the Illinois State Senate. Good to see

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you, sir. Senator Demuzio, for what purpose you seeking recognition, ma'am?

SENATOR DEMUZIO:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR DEMUZIO:

Yes. I have with me today, up in the President's Gallery, the Class 1A Lincolnwood Lancers State Baseball Champions - Raymond Lincolnwood School. And they are the champions because they had thirty-four wins, only two losses, and they outscored their opponents four hundred and twenty to sixty-six. That makes them the outstanding champions. And it's my privilege to have the Head Coach, Chris Paproth, and his teams {sic}, the Lincolnwood Lancers, from Raymond Lincolnwood High School. Stand up, be recognized. Give 'em a great big...

PRESIDING OFFICER: (SENATOR DeLEO)

Would our champions up in the President's Gallery please rise and be recognized? And welcome to the Illinois State Senate. Congratulations. Senator Steans, how are you this morning? For what purpose do you rise, ma'am?

SENATOR STEANS:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR STEANS:

I'd like to introduce the Senate to my Page for the Day, Sophie Elder. She's a fifth grader who lives in my district,

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goes to North Park Elementary School. And while this is her first time being a Page for the Day, she has spent much time in Springfield really advocating for legislation on the Care of Students with Diabetes Act. She -- and her mom, Suzanne Elder, who's in the gallery above the President, is here as well, and she's worked tirelessly on this issue. And we're happy to have her in Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Would -- would our guest in the galleries please -- please rise and be recognized? And, Sophie, welcome to the Illinois State Senate, and congratulations on all the good work you do. Leave of the Body, we have requests. Seth Perlman of the Associated Press requests to take still photos of the proceedings. Seeing no objection, leave is granted. Okay, Ladies and Gentlemen, I'd ask you to turn to your printed Calendars. Page 54 of the printed Calendar. On the bottom of page 54 is Senate -- Secretary's Desk, Resolutions. We'll go to Senate Resolution 179. Senator Cullerton. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's resolution.

SECRETARY ROCK:

Senate Resolution 179, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to the resolution, please.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Senate Resolution 179 reaffirms the State of Illinois' sister-state relationship with Taiwan and determines that the Senate supports exchanges of all kinds that are mutually beneficial to both

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sides. This relationship was originally established in 1992 in an agreement signed by Governor Edgar and Governor Lien Chan. And the community is an important contributor to our economy. And I would move for its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, President Cullerton, to close, sir.

SENATOR CULLERTON:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall Senate Resolution 179 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary -- Madam Secretary, take the record. On that question, there are 52 Ayes, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the resolution is adopted. Okay, Ladies and Gentlemen, could I have your attention, please? Could we go to page 56 of your printed Calendar? Page 56, on a motion to concur - Concurrences, Senate Bills - Senate Bill 2115. Senator Harmon, do you wish to proceed with your motion, sir? He indicates he does. Madam Secretary, please read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2115.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Harmon, to your motion, sir.

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SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2115 started out here in the Senate as a different bill but was amended in the House to pick up another bill the Senate already passed. It's -- amends the Illinois Estate and Generation-Skipping Transfer Tax Act. It's preventative legislation, offered by the State Bar Association, to minimize the tax effects caused by the differences in exemptions for federal and State -- estate taxes, for 2009 only. If we adopt this motion, we would continue a twenty-five-year practice in Illinois of deferring the Illinois estate taxes until the death of the surviving spouse. It's colloquially referred to as the QTIP bill, the qualified terminable interest property election bill. I'm not aware of any opposition. And I move to concur in the House's amendments {sic}.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment -- the Senate concur in House Amendment No. 1 to Senate Bill 2115. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 53 Ayes, 0 voting Nay, 0 voting Present. The Senate does -- having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2115, and the bill is declared passed. Senator Muñoz, for what purpose do you rise, sir?

SENATOR MUÑOZ:

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Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Muñoz.

SENATOR MUÑOZ:

Purpose of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, sir.

SENATOR MUÑOZ:

Senate Democrats requesting a caucus immediately upon recess.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, that request is in order. Senator Syverson, for what purpose do you seek recognition, sir?

SENATOR SYVERSON:

Thank you, Mr. President. We would like -- follow Senator Muñoz' idea and Senate Republicans would like a caucus immediately upon adjournment. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, that request is always in order. Ladies and Gentlemen, there's been a request by both caucuses to have a Democrat and Republican Caucus immediately. The Senate will stand at -- will recess to the call of the Chair. So we'd ask all Senate Democratic Members to report to the President's Office immediately for a Senate Democratic Caucus. All Republican Members will go immediately to Leader Radogno's Office. And the Senate will stand in recess to call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR DeLEO)

The Senate will come to order. Ladies and Gentlemen, for purposes of an announcement. All Members within the sound of my voice, all Members here on the Senate Floor, we will be taking up no further Senate action, no voting today. There'll be no Senate action. So, at this time, the regular Session of the Senate will stand in recess to call of the Chair. The regular Session of the Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 96th General Assembly will please come to order. The regular Session is back in session. The Chair recognizes President Cullerton for an announcement. President Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President. The -- we are going to reconvene the Special Session at noon next Tuesday, June 30th. We are going to reconvene the regular Session at 11:45 next Tuesday, June 30th.

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton, are you seeking recognition, sir?

SENATOR CULLERTON:

Yes. Just for those who are here and within the sound of my voice, we are reconvening next week. The House is currently meeting. They are voting on very important measures that we will take up and we will have some very significant votes on

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those bills next Tuesday. And that's why we are coming back next Tuesday at 11:45 for the regular Session, noon for the Special Session.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Mr. President. Okay, Ladies and Gentlemen, we will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, has there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ROCK:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Any discussion? Is there any discussion? Seeing none, the -- if not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the motion carries. And the resolutions are adopted. Madam Secretary, we'll now move to the Order of Resolutions. On the Order of Resolutions is Senate -- Joint Resolution No. 73. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Joint Resolution 73, offered by President Cullerton.

(Secretary reads SJR No. 73)

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Ladies and Gentlemen, Senator Cullerton moves to suspend the rules for the purpose of immediate consideration and the adoption of Senate Joint Resolution 73. Those in favor will say Aye. Those opposed will

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say Nay. It's the opinion of the Chair, the Ayes have it, and the rules are suspended. Now Senator Cullerton moves the adoption of Senate Joint Resolution No. 73. All those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the resolution is adopted. Ladies and Gentlemen, you heard President Cullerton's announcement for the times and schedules of next Tuesday. I know this will bring a lot of dismay to a lot of your faces, but, Ladies and Gentlemen, there being no further business to come before the regular Session, the regular Session of the Senate stands adjourned until the call of the Chair. Thank you very much. Have a great weekend.