

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

135th Legislative Day

3/11/2008

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PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the regular Session of the 95th General Assembly will please come to order. We've already -- have had our prayer for the day. We've already done our Pledge of Allegiance. So at this time, we will go right to, Madam Secretary, Reading and Approval of the Journal.

SECRETARY SHIPLEY:

Senate Journal of March 6, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Hunter.

SENATOR HUNTER:

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 ordered. Okay. Senator Risinger, I'm sorry. For what purpose do you seek recognition, sir?

SENATOR RISINGER:

Thank you, Mr. President. For an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement. Please give the gentleman your attention. Ladies and Gentlemen. Senator Risinger.

SENATOR RISINGER:

Just want the record to show that Senator Lauzen won't be on the Floor today due to illness. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The record will so reflect. Senator Pankau.

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Good afternoon, ma'am.

SENATOR PANKAU:

Good afternoon.

PRESIDING OFFICER: (SENATOR DeLEO)

Are you seeking recognition?

SENATOR PANKAU:

I do. A matter of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR PANKAU:

I would like the Senate to welcome my Page for a Day. His name is Matt Motosian and he's from Wheaton. He is a sophomore at Wheaton North High School. He's in advanced placement history and government studies. So -- which means he probably knows much more than we all do here. So, please would you welcome to the Illinois Senate Matt Motosian?

PRESIDING OFFICER: (SENATOR DeLEO)

Matt, welcome to the Illinois State Senate. Senator Burzynski, are you seeking recognition, sir? ...purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. For the purposes of two announcements, if I might. First of all, I think that today is a day that shall live on in infamy. Today is one of my colleagues' birthdays. I don't see him here right now. I don't know what happened to him. Oh, here he is. Matt Murphy. And I -- I think we ought to extend him congratulations on his birthday today.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Murphy, congratulations on your twenty-ninth birthday.

SENATOR BURZYNSKI:

Thank...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator...

SENATOR BURZYNSKI:

Mr. President...

PRESIDING OFFICER: (SENATOR DeLEO)

...Burzynski.

SENATOR BURZYNSKI:

Thank you. Another announcement -- and -- and I regret to inform my colleagues that Senator Murphy did not bring special treats today, but he wanted to make sure that we pointed out, everybody, that the Sullivan Caucus is this evening. But, secondly, we also have a new Member of the Illinois Senate. So if I can have everybody's attention for just a second.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. For those of you that recall, a couple of weeks ago we had Senator Todd Sieben present his last bill in the Illinois General Assembly, and Todd's resignation took effect last Thursday evening at midnight. We have his replacement here today. I think it'd be great if we all welcome him into the Illinois Senate. Senator Tim Bivins.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome, Senator Bivins. Senator Maloney, for what purpose do you rise, sir?

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SENATOR MALONEY:

For the purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR MALONEY:

Thank you. First of all, we missed you at the South Side Parade, but we went ahead and had it anyway, but...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you.

SENATOR MALONEY:

All right. I would like to announce, Mr. President, that last year the Illinois General Assembly authorized some funding for a master plan in higher education, a Higher Education Task Force. This is going to be a very important step toward looking at what higher ed can provide for the State of Illinois in the future. The consultant on this master planning, along with the Illinois Board of Higher Education, and along with my co-host, Senator Hunter, will be hosting a breakfast tomorrow morning at 8 o'clock in the Down Under Bistro, formerly known as the Rathskeller. All Members are invited to attend this. Thank you, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator John Sullivan, for what purpose do you rise, sir?

SENATOR SULLIVAN:

Thank you, Mr. President. I have an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SULLIVAN:

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As Senator Burzynski just mentioned, I did want to remind my colleagues and staffs of the 6th Annual St. Patrick's Day Celebration with the Sullivan Caucus this evening. It's from 5 until 9 p.m. at Sammy's Sports Bar and Grill - that's on South Fifth Street - food, refreshments, entertainment. Would like to welcome everybody to that event.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Leader Watson, for what purpose do you seek recognition, sir?

SENATOR WATSON:

Yes, thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen.

SENATOR WATSON:

Thank you, Mr. President. I -- I was going to announce the arrival of our new Member, Senator Tim Bivins, who is a former sheriff of Lee County, from Dixon, home of Ronald Reagan. And we're glad to have him here and welcome him, obviously, to the Senate. Brad -- Senator Burzynski did a wonderful job of doing that for me, so now I'm just going to introduce the replacement for Todd Sieben. As all of you know, Todd Sieben was a leader in our caucus...

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen. The Minority Leader is speaking. May we have your attention, please?

SENATOR WATSON:

Thank you. Anyway, Todd Sieben was one of our leaders and -- in our caucus here and did a wonderful job for a -- for a long period of time and we're obviously going to miss him. But

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we have replaced him in our leadership with Senator Dale Risinger, who now will become our Caucus Chair. And want to welcome him to the leadership position and obviously look forward to working with him as he works with all of us to do the bidding of the people of this State. So, Senator Risinger. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger, congratulations on your elevation. Not only congratulations on your elevation to leadership, sir, on your pay increase. Madam Secretary, Communications, please.

SECRETARY SHIPLEY:

I have a letter dated March 7th, 2008.

To the Secretary of the Senate:

Dear Ms. Shipley - This office is forwarding herewith a copy of the Notice of Vacancy from the Legislative Committee of the Republican Party of the 45th Legislative District declaring the existence of a vacancy in the Office of Senator in the 95th General Assembly in the 45th Legislative District, as a result of the resignation of Senator Todd Sieben, effective March 6, 2008. Also enclosed is a copy of the Legislative Committee's Certificate of Appointment for Tim Bivins, -- I'm sorry, 416 Squires Avenue, Dixon, Illinois, who was appointed to fill the vacancy in the Office of Senator, in the 95th General Assembly for the 45th Legislative District, along with his Oath of Office.

Yours truly, Jesse White, Secretary of State.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY SHIPLEY:

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Senate Resolution 575, offered by Senator Dillard and all -
- all Members.

Senate Resolutions 576 through 578, offered by Senator
Forby and all Members.

And Senate Resolution 579, offered by Senator Demuzio and
all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Consent Calendar, please.

SECRETARY SHIPLEY:

And Senate Resolution 580, offered by Senator Link.

Senate Resolution 581, offered by Senator Radogno.

And Senate Resolution 582, offered by Senator Dahl.

They are substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, thank you. Messages, please.

SECRETARY SHIPLEY:

I have a Message for the Governor by Larry O'Brien, Acting
Deputy Chief of Staff for Legislative Affairs, dated February
28th, 2008.

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

To the Honorable Members of the Senate of the
95th General Assembly - I have nominated and appointed the
following named persons to the offices enumerated below and
respectfully ask concurrence in and confirmation of these
appointments to your Honorable Body.

Rod Blagojevich, Governor.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay, Ladies and Gentlemen, for the purposes of announcement. Is this like the first day back from school? Would ask -- the Senate will sit -- stand at ease for just a moment. We'd ask all members of the Rules Committee to report immediately to the President's Anteroom. We'll have a Committee on Rules to meet immediately. So I'd ask all members please report to the President's Anteroom immediately. And we'll just stand at ease for just a moment.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Committee Amendment No. 1 to Senate Bill 2775, Committee Amendment No. 1 to Senate Bill 2861 and Committee Amendment No. 1 to Senate Bill 2906; refer to Education Committee - Committee Amendment No. 1 to Senate Bill 1956, Committee Amendment No. 1 to Senate Bill 2293, Committee Amendment No. 1 to Senate Bill 2402 and Committee Amendment No. 1 to Senate Bill 2379; refer to Environment and Energy Committee - Committee Amendment No. 1 to Senate Bill 1926, Committee Amendment No. 1 to Senate Bill 2025, Committee Amendment No. 1 to Senate Bill 2095, Committee Amendment No. 1 to Senate Bill 2105, Committee Amendment No. 1 to Senate Bill 2110, Committee Amendment No. 1 to Senate Bill 2157, Committee Amendment No. 1 to Senate Bill 2163, Committee

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Amendment No. 1 to Senate Bill 2220, Committee Amendment No. 1 to Senate Bill 2238, Committee Amendment No. 1 to Senate Bill 2313, Committee Amendment No. 1 to Senate Bill 2395, Committee Amendment No. 1 to Senate Bill 2567, Committee Amendment No. 1 to Senate Bill 2639 and Committee Amendment No. 1 to Senate Bill 2640; refer to Executive Committee - Committee -- Committee Amendment No. 2 to Senate Bill 2113, Committee Amendment No. 1 to House Bill 2482 and House Joint Resolution 111; refer to Housing and Community Affairs Committee - Committee Amendment No. 1 to Senate Bill 1988; refer to Human Services Committee - Committee Amendment No. 1 to Senate Bill 2403, Committee Amendment No. 1 to Senate Bill 1938, Committee Amendment No. 1 to Senate Bill 2165 and Committee Amendment No. 1 to Senate Bill 2879; refer to Insurance Committee - Committee Amendment No. 1 to Senate Bill 2358 and Committee Amendment No. 1 to Senate Bill 2380; refer to Judiciary-Civil Law Committee - Committee -- Committee Amendment No. 2 to Senate Bill 1941, Committee Amendment No. 1 to Senate Bill 2080, Committee Amendment No. 1 to Senate Bill 2138, Committee Amendment No. 1 to Senate Bill 2139, Committee Amendments {sic} 1 and Committee Amendment 2 to Senate Bill 2827; refer to Judiciary-Criminal Law Committee - Committee Amendment No. 1 to Senate Bill 1975, Committee Amendment No. 1 to Senate Bill 2051, Committee Amendment No. 1 to Senate Bill 2198, Committee Amendment No. 2 to Senate Bill 2254, Committee Amendment No. 1 to Senate Bill 2275, Committee Amendments 1 and 2 to Senate Bill 2354, Committee Amendment No. 2 to Senate Bill 2452 and Committee Amendment No. 1 to Senate Bill 2855; refer to Labor Committee - Committee Amendment No. 1 to Senate Joint Resolution 83; refer to Licensed Activities

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Committee - Committee Amendment No. 1 to Senate Bill 2028..

PRESIDING OFFICER: (SENATOR DeLEO)

Hold on a second. Could we bring the noise level down just a little bit, please? Hold your conversations to a -- a light roar. Madam Secretary, please continue on your Committee Report.

SECRETARY SHIPLEY:

Committee Amendment No. 2 to Senate Bill 2222 and Committee Amendment No. 1 to Senate Bill 2285; refer to Local Government Committee - Committee Amendment No. 1 to Senate Bill 2014, Committee Amendment No. 2 to Senate Bill 2052, Committee Amendment No. 1 to Senate Bill 2162, Committee Amendment No. 1 to Senate Bill 2175 and Committee Amendment No. 1 to Senate Bill 2214; refer to Pensions and Investments Committee - Committee Amendment No. 1 to Senate Bill 1985, Committee Amendment No. 1 to Senate Bill 2090, Committee Amendment No. 1 to Senate Bill 2362 and Committee Amendment No. 1 to Senate Bill 2558; refer to Public Health Committee - Committee Amendment No. 1 to Senate Bill 1900, Committee Amendment No. 1 to Senate Bill 2173, Committee Amendment No. 1 to Senate Bill 2348 and Committee Amendment No. 1 to Senate Bill 2468; refer to Revenue Committee - Committee Amendment No. 1 to Senate Bill 2227; refer to State Government and Veterans Affairs Committee - Committee -- Committee Amendment No. 1 to Senate Bill 1989, Committee Amendment No. 2 to Senate Bill 2074, Committee Amendment No. 1 to Senate Bill 2326, Committee Amendment No. 1 to Senate Bill 2344 and Committee Amendment No. 1 to Senate Bill 2378; re-refer to Rules Committee from Agriculture and Conservation - Senate Joint Resolution 64; and re-refer to Rules Committee from Public

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Health Committee - Senate Bill 2464 and Senate Bill 2468.

Senator Debbie Halvorson, Chairman. March 11th, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Watson, for what purpose you seek recognition for?
Senator Watson.

SENATOR WATSON:

Thank you very much, Mr. President. I just want to make a comment, if I could. The -- I think something unprecedented -- something unprecedented just happened in the Rules Committee and I think it ought to be brought to the -- the Members' attention. As you know, being in the minority, we have a difficult time getting legislation out of the Rules. It's somewhere in the neighborhood of eighteen percent of the bills on the Calendar are Republican pieces of legislation. Two bills that were sponsored by Senator Carole Pankau, which were to be heard in the committee at 1 o'clock today, were now re-referred to the Rules Committee. After being released, they were re-referred back to the Rules Committee. Those two pieces of legislation would have really tightened up the Medicaid issue that we see going on now, the proliferation -- the proliferation of the cost of Medicaid in this State and what the Governor has been doing. And what we ask simply - was what Senator Carole Pankau was asking - was, simply, let's put some income standards in here; let's do something that would be -- create the eligibility of people that would be available for the -- the Medicaid program. Sixty percent of the children that are in ALL KIDS are undocumented citizens. They may even be here illegally. She wanted to prohibit Medicaid eligibility from those individuals. Sixty percent of the people enrolled right now are -- here are

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illegal. That's -- that's outrageous. That's outrageous. She wanted to do something about it, Mr. President. I'm sorry that you're ignoring me. She wanted to do something about it. But, oh, no, bills were out in committee, be heard today, 1 o'clock, witnesses here, and they -- 1:10 you pull 'em right back into the Rules Committee. I think that's outrageous and unprecedented, unprecedented, and it shouldn't be -- should not be allowed in this Chamber, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Watson. And from what I understand, they were -- sent back to Rules for -- to look over for technical errors in the bill, sir. So, we'll -- we'll be -- we'll be back... Ladies and Gentlemen... Senator Hendon, are you seeking recognition, sir?

SENATOR HENDON:

Thank you, Mr. President. I -- as the champion for the Republican cause in the Rules Committee, who makes sure that Republican bills get out and get placed on Rules Committee probably more than any other Member, I just have to say, this is not unprecedented, Leader Watson. This has happened in the past and it doesn't stop Senator Pankau from passing her bill eventually or getting her hearing. So it's not unprecedented what we've done. We always said, be careful of the rules you make today 'cause you might have to live with them tomorrow, and this is another case of that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, you seeking recognition, sir?

SENATOR RIGHTER:

...you. Thank you, Mr. President. The -- the articulated

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reason for them being pulled back into the Senate Rules Committee, which you just stated, sir, was not stated by anyone in that room - in the Senate Rules Committee hearing we just had. In fact, it's my recollection, the Chairperson, the Majority Leader, said she didn't have any idea why this was happening. With regards to the self-described champion for Republican bills, that self-described champion is the one who agreed that all the Democrats would agree that Senator Pankau's bills would be sent back to Rules. So, with all due respect to that speaker - I appreciate what he believes himself to be - that's a little bit hard to sell on this side of the aisle right now. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, Ladies and Gentlemen, we're going to do committee announcements now. We have a number of committees meeting today. We'd like -- immediately upon adjournment committees will meet. We're running about twenty-five minutes - a little late. So -- and before we go to committee announcements, I'd like to recognize Senator Harmon for a motion. Senator Don Harmon, please.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to waive all posting requirements so that House Joint Resolution 111 can be heard in the Senate Committee on Executive on Wednesday, March 12th, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, you heard the gentleman's motion. Senator Harmon moves to waive all posting requirements so that HJR 111 can be heard in the Senate Committee on

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Executive on this Wednesday, March 12th, the year 2008. All in favor will say Aye. All opposed will say Nay. The Ayes have it, and the motion's adopted. Okay. Senator Trotter. Senator Trotter.

SENATOR TROTTER:

Yes. I rise today, sir, for purpose of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR TROTTER:

Yes. I'd like to announce that at 4 o'clock this afternoon in Room 212, Appropriations I will be meeting, and secondly, tomorrow morning at 9 a.m. in Room 212, Energy and Environment will be meeting.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. That's Appropriation I today at 4 o'clock and tomorrow Energy and Environment at 9 a.m. Is that correct, Senator? Thank you. Senator Crotty, for what reason you seek recognition, ma'am?

SENATOR CROTTY:

Point of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, ma'am.

SENATOR CROTTY:

Immediately following the adjournment today, Local Government will be meeting in Room 409. Also, tomorrow morning at 9 o'clock, Human Services will be meeting in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Senator Crotty. Local Government will meet in Room 409 immediate upon adjournment. And tomorrow morning,

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Wednesday, at 9 a.m. in Room 400, is Human Services. Thank you, Senator Crotty, for those two announcements. Senator Wilhelmi, for what purpose you seek recognition, sir?

SENATOR WILHELMI:

Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR WILHELMI:

Thank you, sir. Ladies and Gentlemen of the Senate, the Judiciary-Criminal Law Committee will meet today at 2:30 in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Susan Garrett. Senator Garrett, how are you this afternoon?

SENATOR GARRETT:

Couldn't be better, Mr. President. Missed you on the plane this morning. But I'm here to announce that Public Health will be meeting immediately after Session and that will be in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

That's immediate upon adjournment, Public Health in Room 400. Thank you, Madam Chairman. Senator Harmon, for what purpose you seek recognition, sir?

SENATOR HARMON:

For purposes of an announcement, although I..

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR HARMON:

I -- I see Senator Cullerton is back on the Floor, but I'll

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go ahead and announce that the Senate Judiciary Committee on Civil Law will meet immediately upon adjournment in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Civil Law in Room 212. Thank you, Senator. Senator Hunter. Senator Hunter, for what purpose you seek recognition, ma'am?

SENATOR HUNTER:

For the point of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, ma'am.

SENATOR HUNTER:

The Pensions and Investments Committee will meet at Room 4 o'clock -- in Room 4 o'clock -- in Room 400 at 4 o'clock p.m.

PRESIDING OFFICER: (SENATOR DeLEO)

That's today?

SENATOR HUNTER:

That's today.

PRESIDING OFFICER: (SENATOR DeLEO)

Pensions and Investment in -- in -- 4 p.m. in Room 400. Pensions and Investments Committee. Thank you. Senator John Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. I have an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SULLIVAN:

The Senate Ag and Conservation Committee will meet tomorrow morning at 9 a.m. in Room 409. Senate Ag and Conservation, tomorrow morning, Room 409 at 9 a.m.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. ...Collins, for what purpose you seek recognition, ma'am?

SENATOR COLLINS:

For the purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, ma'am.

SENATOR COLLINS:

Housing and Community Affairs will meet today in Room 409 at 2:30.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, that -- that completes our committee announcement list for today. Senator Lightford, for what purpose you seek recognition, ma'am?

SENATOR LIGHTFORD:

Thank you, Mr. President. A point of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR LIGHTFORD:

The Senate Education Committee will convene tomorrow at 2:30 in Room 212. Education, tomorrow at 2:30 in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Dahl, for what purpose you seek recognition, sir?

SENATOR DAHL:

For a personal announcement...

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen. Senator Dahl, please state your announcement, sir.

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SENATOR DAHL:

Thank you, Mr. President. In the galley {sic} behind me here today, we have two of the State's finest county sheriffs. County Sheriff Tom Templeton and -- LaSalle County, and John Thompson from Bureau County, here -- here visiting...

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized? And welcome to the Illinois State Senate. Welcome. Senator Garrett, are you seeking recognition? All right, Ladies and Gentlemen, committee announcements have been made. There being no further business to come before the Senate, the Senate will stand adjourned until the hour of 12 noon on Wednesday, March 12th, the year 2008. The Senate will stand adjourned.