

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

HB0338	First Reading	3
HB0348	First Reading	3
HB0364	First Reading	3
HB0394	First Reading	4
HB0404	First Reading	4
HB0445	First Reading	4
HB0461	First Reading	4
HB0477	First Reading	4
SR0049	Adopted	8
SR0094	Adopted	6
SR0130	Resolution Offered	3
SR0131	Resolution Offered	2
SR0132	Resolution Offered	2
SR0133	Resolution Offered	2
HJR0032	Adopted	14
HJR0032	Resolution Offered	13
SJR0002	Adopted	4
SJR0016	Adopted	11
SJR0020	Adopted	9
SJR0032	Adopted	10
SJR0047	Resolution Offered	3
Senate to Order-Senator Harmon		1
Prayer-The Reverend Jeff Chitwood		1
Pledge of Allegiance		1
Journal-Approved		1
Committee Reports		1
Messages from the House		3
Committee Reports		7
Resolutions Consent Calendar-Adopted		13
Message from the House		13
Adjournment		14

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

PRESIDING OFFICER: (SENATOR HARMON)

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 Reverend Jeff Chitwood from South Side Christian Church, in Springfield, Illinois.

THE REVEREND JEFF CHITWOOD:

(Prayer by the Reverend Jeff Chitwood)

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY SHIPLEY:

Senate Journal of March 5th, 2009.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter, for what purpose do you rise?

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 HARMON)

Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Raoul, Chairperson of the Committee on Pensions and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

Investments, reports Senate Bill 1510 Do Pass; Senate Bills 1401 and 1611 Do Pass, as Amended; and Senate Resolutions 54 and 75 Be Adopted.

Senator Forby, Chairperson of the Committee on Labor -- Senator Forby, Chairperson of the Committee on Labor, reports Senate Bills 257, 1369 and 1612 Do Pass.

Senator Silverstein, Chairman of the Committee on Executive, reports Senate Bills 1460, 1477 and 1587 Do Pass; and Senate Bill 138 Do Pass, as Amended.

Senator Viverito, Chairman -- Chairman of the Committee on Revenue, reports Senate Bills 271, 1434, 1490, 1522 and 1553 Do Pass; and Senate Bills -- Senate Bill 1544 Do Pass, as Amended.

Senator Martinez, Chairperson of the Committee on Licensed Activities, reports Senate Bill 1384, 1444 and 1486 Do Pass; and Senate Bills 122, 289 and 1383 Do Pass, as Amended.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Bills 47, 1333, 1471, 1472, 1481, 1482, 1549, 1592 and 1609 Do Pass; Senate Bill 262 Do Pass, as Amended; Senate Resolution 99 Be Adopted; Senate Joint Resolution 29 Be Adopted; and House Joint Resolution 4 Be Adopted.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Resolutions.

SECRETARY SHIPLEY:

Senate Resolution 131, offered by Senator Maloney and all Members.

And Senate Resolutions 132 and 133, offered by Senator Harmon and all Members.

They're all death resolutions, Mr. President.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Resolutions Consent Calendar.

SECRETARY SHIPLEY:

And Senate Resolution 130, offered by Senator Delgado.

And Senate Joint Resolution 47, offered by Senator Schoenberg.

They're both substantive.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Messages.

SECRETARY SHIPLEY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 415.

We've received like Messages on House Bills 418, 441, 445, 446, 457, 460, 461, 467, 473, 475, 476, 477, 480 and 483. All passed the House, March 5th, 2009. Mark -- Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, House Bills 1st Reading.

SECRETARY SHIPLEY:

House Bill 338, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 348, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 364, offered by Senator Frerichs.

(Secretary reads title of bill)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

House Bill 394, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 404, offered by Senator Steans.

(Secretary reads title of bill)

House Bill 445, offered by Senator Steans.

(Secretary reads title of bill)

House Bill 461, offered by Senator Frerichs.

(Secretary reads title of bill)

And House Bill 477, offered by Senator Burzynski.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen, we will -- will be turning to our Calendars to substantive business. Will all Senators within the sound of my voice come to the Floor? We will be turning to substantive business. If all Senators within the sound of my voice could come to the Floor. On page 12 of your Calendars, on the Order of Secretary's Desk, Resolutions. On page 12 of your Calendar, near the bottom of the page, Senate Joint Resolution No. 2. Senator Haine, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 2, offered by Senator Haine.

No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine, to explain your resolution.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a joint -- Senate joint resolution with --

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

which takes Highway 140/111 going through Madison County, traverses the northern part of the county from the City of Alton all the way to Alhambra and beyond, along an historic route, it changes the name of this thoroughfare to the American Veterans Memorial Parkway. There isn't a designation like this in my area. This is a -- a small token of appreciation to the many thousands of men and women who have served the United States in our many fights for freedom over the years. It's supported by the Alton American Legion, the VFW, the Marine Corps League and many other veterans groups. It's -- the genesis -- that's -- it's -- it's -- it was brought forward to me by a gentleman who is in the gallery behind the President's Dais today, Marion Ray, who was a Sergeant in the United States Army in Europe in World War II. He was in many horrific battles, and he was captured by the Nazis in January 1945 and suffered as a prisoner of war until his release and liberation by the Russian Army, the Red Army, in May of 1945. He also served in the Korean War. He is a dedicated American citizen who's raised a family and served his country in many other ways in civilian life. And I would ask the -- the Members of the -- of the Senate to pass this resolution to recognize him and all other veterans in a small way. And I would also ask, Mr. President, if Marion Ray would stand and be recognized and welcomed by this august Senate.

PRESIDING OFFICER: (SENATOR HARMON)

Let's welcome Mr. Ray to the Senate. Is there any discussion? Seeing none, in the opinion of the Chair, Senate Joint Resolution No. 2 requires the expenditure of State funds, and therefore requires a record vote. The question is, shall Senate Joint Resolution No. 2 pass. All those in favor will

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yea, none voting Nay, none voting Present. And having received the required constitutional majority, is declared adopted. Senator Clayborne, for what purpose do you seek recognition?

SENATOR CLAYBORNE:

Point of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your announcement, Senator.

SENATOR CLAYBORNE:

Yes. Senator Silverstein is away on legislative business.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. With leave of the Body, we will return to the Order of Secretary's Desk, Resolutions, the resolution immediately preceding the resolution we just considered, Senate Resolution 94. Senator Crotty, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Resolution 94, offered by Senator Crotty.

No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Crotty, to the resolution, ma'am.

SENATOR CROTTY:

Thank you, Mr. President. Senate Resolution 94 determines that the Department of Healthcare and Family Services is to identify the target resources to increase the capacity of home health care in order to meet the needs and the desires of the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

population who could benefit from it. The resolution also calls on the Department to prepare for future demands by building the capacity in the system now and into the future.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, in the opinion of the Chair, this resolution requires the expenditure of State funds, and therefore requires a record vote. The question is, shall Senate Resolution 94 pass. All in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, none voting Nay, none voting Present. And the resolution, having received the required constitutional majority, is declared adopted. Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Thank you, Mr. President. Point of an announcement. Might I have the record reflect that Senator Dillard is not here today, as he's actually at DePaul University receiving the Outstanding Service to DePaul University Award? And just as a point of personal information, there would be no Kirk Dillard if it wasn't for DePaul; it's where his parents met. So, just noting, maybe you can give him a congratulations when he returns on Tuesday. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Althoff. Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Jacobs, Chairperson of the Committee on Energy, reports Senate Bill 1357 Do Pass; Senate Bill 82 Do Pass, as

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

Amended; and Senate Joint Resolution 4 Be Adopted.

Senator Holmes, Chairperson of the -- on -- the Committee on Consumer Protection, reports Senate Bills 1278, 1408 and 1484 Do Pass.

Senator Collins, Chairperson of the Committee on Financial Institutions, reports Senate Bill 1620 Do Pass; and Senate Bill 1563 Do Pass, as Amended.

Senator Link, Chairman of the Committee on Gaming, reports Senate Bills 1595 and 1623 Do Pass; and Senate Bill 1298 Do Pass, as Amended.

And Senator Bond, Chairperson of the Committee on Telecommunications and Technology, reports Senate Bill 74 Do Pass.

PRESIDING OFFICER: (SENATOR HARMON)

With leave of the Body, we'll stay on the Order of Secretary's Desk, Resolutions. We'll start at the top and work our way through that list. Senate Resolution 49. Senator Haine, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Resolution 49, offered by Senator Haine.
No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine, to explain the resolution.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is something we have done for several years. It grew out of a case -- a terrible case in my county when I was State's Attorney and it brings the attention of the State to the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

problem of shaken baby death and injury. It's consistent with the National Child Abuse Prevention Month, which was established by former President Carter in 1979. It mentions several children in the resolution, including those from my jurisdiction, one of whom just died, as well as somebody from -- a -- a child from Danville. In fact, there was a terrible incident this morning in Springfield, same issue. So I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Resolution 49 pass. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Next on the Calendar, Senate Resolution No. 80. Senator Demuzio, do you wish to proceed? Senate Resolution 81. Senator Sullivan, do you wish to proceed? Senator Sullivan, Senate Resolution 81. Do you wish to proceed? Senate Joint Resolution A-3 {sic} (3). Senator Haine, do you wish to proceed? Senate Joint Resolution 16. Senator Demuzio, do you wish to proceed? Senate Joint Resolution 20. Senator Hunter, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 20, offered by Senator Hunter.
No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter, to explain your resolution.

SENATOR HUNTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 20 supports the local school

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

councils and commitment to hold subject matter hearings on their needs. This resolution determines that the Senate -- the Senate and House support the empowerment of local school councils as effective local, publicly elected decision-making bodies in the City of Chicago and will sponsor subject-matter-only hearings. The proponents are the -- the Federation of Teachers and the Chicago Teachers Union. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Joint Resolution 20 pass. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Next on the Calendar is Senate Joint Resolution 31. Senator Schoenberg. Senate Joint Resolution 32. Senator Hunter, do you wish to proceed? She indicates that she wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 32, offered by Senator Hunter.
No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter, to explain your resolution.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate joint resolution applauds and honors CommunityHealth in its more than fifty -- fifteen years of dedicated service to meeting the needs of the uninsured in Illinois. The resolution also urges the Department of Public Health, in cooperation with the Department of Healthcare and Family Services and -- and Department of Human Services, to indentify publicly -- public-private collaborative opportunities

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

with -- with CommunityHealth to determine {sic} (continue) its mission in serving the uninsured. This resolution further determines that the Department of Public Health is to issue a report of identified collaborative opportunities to the Governor and the General Assembly by January 20th {sic} (2), 2010. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, in the opinion of the Chair, the resolution requires the expenditure of State funds, and therefore requires a record vote. The question is, shall Senate Joint Resolution 32 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. And the resolution, having received the required constitutional majority, is declared adopted. With leave of the Body, we are going to return on the same order to Senate Joint Resolution 16. Senator Demuzio, you wish to proceed? She indicates that she does. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 16, offered by Senator Demuzio.
No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Demuzio, to explain the resolution.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Members of the Senate. Senate Joint Resolution No. 16 urges Congress and the National Guard Bureau to keep the Fire Department of the 183rd here in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

Springfield. We have had many comments and many discussions and have had the -- many newspaper articles about the 183rd, and the fact that the 183rd should remain located at the Abraham Lincoln Capital Airport in Springfield, Illinois, for the protection and preservation of the lives and property of the citizens of central Illinois. The removal of the Fire Department of the 183rd would have a substantial negative impact on the safety of the flying public, on the emergency-response capabilities of Springfield and the surrounding communities, and on those communities' ability to respond to natural disasters and to homeland security. We urge the United States Congress and the Nation Guard Bureau to take all necessary steps to ensure that the Fire Department of the 183rd remains located at the Abraham Lincoln Capital Airport in Springfield for the protection and preservation of lives and property of the citizens of central Illinois. And I urge a favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong support of Senator Demuzio's resolution. It's imperative that we keep the 183rd firefighters here, as she indicated, for not only the -- the safety of Springfield, but the safety of Capital Airport. And I believe this might be the only airport that does not have a firefighting unit on it, of the same capacity as the Springfield airport. So I rise in strong support and encourage a Yes vote.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

Is there any further discussion? Seeing none, the question is, shall Senate Joint Resolution 16 pass. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. 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, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY SHIPLEY:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the resolutions are adopted. On the Order of Resolutions is House Joint Resolution No. 32. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

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 32.

Offered by Senator Clayborne.

(Secretary reads HJR No. 32)

Adopted by the House, March 5th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/6/2009

Senator Clayborne moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 32. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Clayborne now moves for the adoption of House Joint Resolution 32. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. There being no further business to come before the Senate, the Senate stands adjourned until the hour of noon on Tuesday, March 10th, 2009. The Senate stands adjourned.