

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/6/2009

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

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 will be -- today will be given by Pastor Denver Bitner, of Lutheran Social Services of Illinois, in -- in Des Plaines, Illinois.

PASTOR DENVER BITNER:

(Prayer by Pastor Denver Bitner)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of May 5th, 2009.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal of Tuesday, May -- May 5th, 2009, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator... Senator Hunter moves to -- to approve the Journal just read by the Secretary. I'm sorry. Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection,

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so ordered. Senator Dahl, for what purpose do you seek recognition?

SENATOR DAHL:

Moment of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR DAHL:

Thank you very much, Ladies and Gentlemen. I have with me today Tricia Smith, a sophomore at Morris Community High School, is down here today as my Page for a Day. And -- and in the galley {sic} up here, we have her grandparents, Bill and Mary Smith, from Morris. Give 'em a good welcome, would you, please?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. We'd like to welcome you to the Senate. Thanks for coming. Senator John Jones, for what purpose do you seek recognition?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR J. JONES:

Well, our good friend is not on the Floor with me right now, but Senator Frank Watson is in the building today, visiting around. Actually, I think he may be lobbying with the IEA. So he -- he may be twisting your arm, Mr. President. But he's going to be around today in -- in the Capitol Building. He's also going to be out at the receptions tonight, COWL and the -- and the others. So, if you get a chance, say hi to Frank today. Thank you.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator Jones. Senator Bomke, for what purpose do you seek recognition?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR BOMKE:

With me today is Katherine Grant. She's an honorary Page today. And would ask that you, along with everyone else, would help me welcome her here today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to the Senate. Thanks for being here. Let's -- let's recognize her. We -- we also have former -- one of our former Members, Kay Wojcik, here today with us. Senator Wojcik, we're glad that you're here today and you're looking good as usual. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, reports House Bills 36, 4030 and 4036 Do Pass.

Senator Delgado, Chairperson of the Committee on Public Health, reports House Bills 9, 208, 277, 497, 542, 838, 1033, 2244, 3649, 3994 and 4318 Do Pass; and House Bills 404, 746, 921, 3767, 3878 and 3922 Do Pass, as Amended.

Senator Crotty, Chairperson of the Committee on Elections, reports House Bills 477 and 3972 Do Pass; and House Bill 85 Do Pass, as Amended.

Senator Hunter, Chairperson of the Committee on Human

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Services, reports House Bills 745, 2279 and 3641 Do Pass; House Bills 917, 2280, 3642, 3981 and 4054 Do Pass, as Amended; and Senate Joint Resolution 54 Be Adopted.

Senator Wilhelmi, Chairperson of the Committee on Judiciary, reports House Bills 155, 574, 821, 1202, 2290, 2424 and 4212 Do Pass; and House Bills 236, 271, 2335, 3863 and 3950 Do Pass, as Amended.

Senator Maloney, Chairperson of the Committee on Higher Education, reports House Bills 168, 1035, 3600 and 4039 Do Pass; House Bills 437, 1143 and 2573 Do Pass, as Amended; and Senate Resolution 190 Be Adopted.

Senator Sandoval, Chairperson of the Committee on Transportation, reports House Bills 43, 52, 641, 669, 797, 942, 2592, 3787 and -- 4048 Do Pass; House Bills 72, 853, 2296 and 3832 Do Pass, as Amended; and Senate Joint Resolution 51 Be Adopted.

Senator Meeks, Chairperson of the Committee on Education, reports House Bills 272, 363, 628, 809, 979, 1335, 2530, 2619 and 3673 Do Pass; House Bills 2448, 2675, 3245 Do Pass, as Amended; Senate Resolution 231 Be Adopted; and Senate Joint Resolution 55 Be Adopted.

Senator Garrett, Chairperson of the Committee on Environment, reports House Bills 170 and 4021 Do Pass; and House Bill 2491 Do Pass, as Amended.

Senator Koehler, Chairperson of the Committee on Local Government, reports House Bills 460, 564, 667, 1003, 3729 and 3971 Do Pass; and House Bill 793 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Resolutions.

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SECRETARY ROCK:

Senate Resolution 258, offered by Senator Haine and all Members.

Senate Resolution 259, offered by Senator Haine and all Members.

They're both death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Resolutions Consent Calendar.

SECRETARY ROCK:

Senate Resolution 260, offered by Senator Delgado.

And Senate Resolution 261, offered by Senator Hunter.

They are substantive.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs in the Chair for an introduction.

SENATOR FRERICHS:

All right. I want to have -- welcome the Class 3A Boys State Basketball Champions, the Centennial Chargers. Figure there wasn't enough height in this Chamber so I thought I'd bring a few people to up the average. They won the Class 3A Basketball Tournament this year. From Champaign, Illinois, Centennial High School, Centennial Chargers. You might recognize their coach. He might look familiar. He's got a brother, Jack Lavin, who's here today. This is Centennial Chargers Basketball Team. And...

COACH TIM LAVIN:

(Remarks by Coach Tim Lavin)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Congratulations, guys. I -- I -- I attended the game. Congratulations to you all. Senator Holmes, for what purpose do

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you seek recognition?

SENATOR HOLMES:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR HOLMES:

I would just like the -- take the time and have the Senate of the 96th General Assembly acknowledge a very special day for an Aurora resident. Marie Wilkinson is a truly remarkable woman who's been a community activist in Aurora for a number of years, fighting for equality and against injustice. She has founded actually more than sixty charitable organizations in her lifetime. So I'd like all us -- all of us to celebrate along with her on this very, very special day in which Marie Wilkinson turns one hundred years old.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. Congratulations to Marie Wilkinson on her 100th birthday. The Committee on Assignments will meet immediately in the President's Anteroom. Senator Hendon in the Chair. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

The Chair would like to welcome all of our guests who are in the gallery. Welcome to Springfield. Let's give our guests a hand that are in the gallery from the schools, the Girl Scouts, whatever, whatever. I wasn't in the Chamber, but I see Leader Watson in the room. The Chair would like to acknowledge

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Leader Frank Watson. Just in time for the softball game, Frank. We're going to beat the House in your name this year, forty-eight to nothing. Leader Watson, welcome. Leader Clayborne in the Chair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Energy Committee - Committee Amendment 1 to House Bill 3854; refer to the Executive Committee - Committee Amendment 1 to House Bill 47, Committee Amendment 2 to House Bill 80, Committee Amendment 1 to House Bill 470, Committee Amendment 2 to House Bill 1322, Floor Amendment 1 to House Bill 4236, and House Bill 344; refer to the Financial Institutions Committee - Committee Amendment 1 to House Bill 4011, Committee Amendment 2 to House Bill 4011; refer to the Higher Education Committee - House Bill 2352; refer to the Insurance Committee - Committee Amendment 1 to House Bill 152, Committee Amendment 1 to House Bill 650, Committee Amendment 1 to House Bill 2325; refer to Licensed Activities Committee - Committee Amendment 1 to House Bill 496; refer to the Pensions and Investments Committee - Committee Amendment 1 to House Bill 519, Committee Amendment 2 to House Bill 2557, Committee Amendment 1 to House Bill 3840 and Committee Amendment 1 to House Bill 923; refer to the State Government and Veterans Affairs {sic} (Affairs) Committee - Committee Amendment 2 to House Bill 177, Committee Amendment 1 to House Bill 2369, Committee Amendment 1 to House Bill 4099, Committee Amendment 1

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to House Bill 4237 and Floor Amendment 2 to Senate Bill 2167.
Senator James F. Clayborne, Chairman. May 6, 2009.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

There being no further business to... Senator Munoz, for what purpose do you seek recognition?

SENATOR MUNOZ:

Thank you, Mr. President. Purpose of announcement.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your announcement.

SENATOR MUNOZ:

Requesting a Democratic Caucus in the President's Office.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That request is always in order. There will be a Democratic Caucus in the President's Office immediately upon -- upon adjournment. Senator Silverstein, for what purpose do you seek recognition?

SENATOR SILVERSTEIN:

Purpose for personal announcement or personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your -- your -- your announcement.

SENATOR SILVERSTEIN:

Yeah. I just want to introduce two people: one from my district, Jane Tufts, and my cousin, Abby Sloan, who is a die-hard Cub fan, Senator Clayborne. A die-hard Cub fan, Senator Clayborne. Even though you're up -- you're a Sox fan? Well, anyways... My family goes both ways here.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, ladies. And welcome to the Senate. Thanks for being here. There being no further business to come... Senator

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Kotowski, for what purpose do you seek recognition?

SENATOR KOTOWSKI:

Thank you, Mr. President. How are you today?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your -- your announcement.

SENATOR KOTOWSKI:

I'm here today and it gives me great pleasure to announce the arrival to Springfield of Oley Yager. Oley is fourteen years old. He goes to Lincoln Middle School in Park Ridge. He plays sports. He plays -- he's part of the Park Ridge Falcons. He's a -- he's a great guy. He came here to Springfield to be a Page for a Day. Would you please give him a warm Springfield welcome? Oley Yager.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Let's welcome Oley. Thanks for being here today. Thank you. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Thank you, Mr. President. The Senate Republicans would request a caucus in Leader Radogno's Office immediately upon adjournment. And second, inquiry of the Chair if I might. It's my understanding the schedule calls for committees to begin at 12:30. Is it the President's expectation that those committees will actually start at 12:30, considering there's a caucus going to commence soon?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Yes. Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

For two points of personal privilege, Mr. President. My...

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please -- please state your points.

SENATOR HAINE:

My first point of personal privilege, Ladies and Gentlemen of the Senate, I would ask that you welcome Troop 71 of the Girl Scouts of America from St. Mary's School in Alton, Illinois. They're right behind me in the press area there.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Thanks for coming.

SENATOR HAINE:

Mr. President, my second point is this: Today we are blessed to celebrate a birthday of one of our senior Senators, a leader for many years in his community and in this august Chamber. He's celebrating his eighty-ninth -- oh, I'm -- I'm sorry. I'm not sure what the years are that he's celebrating. He won't tell anyone. Ladies and Gentlemen, Senator Lou Viverito is having a birthday today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Happy birthday, Senator Viverito. Happy birthday. Senator Schoenberg, for what purpose do you seek recognition?

SENATOR SCHOENBERG:

Thank you, Mr. President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR SCHOENBERG:

Mr. President, I want to talk about Senator Viverito's birthday for a moment. You know, Senator Viverito went to the triple-overtime Bulls game last week and I was very concerned,

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Mr. President, that he wouldn't make it to this birthday watching that game, that it might be too stressful. But we all know how hearty he is. And we all know how strong he is. So I'm especially grateful that Senator Viverito is here to celebrate his birthday with us. I would also, Mr. President, like to introduce my Page for the Day. Her name is Amy Stolz. Amy is a fourth grader at the Lincoln Elementary School in Oak Park. Oak Park is in Senator Harmon's district. Oak Park aspires to be like Evanston, but it really isn't. But in any event, her interests include the violin, gymnastics, tennis and swimming. She also likes to take care of dogs and loves to read. And please give her and her family a warm Senate greeting.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you for being here, Amy. Thank you. Good luck in the future. Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR JACOBS:

I would just like to welcome all the Girl Scouts that are in the building today. They're here to push their cause, but they're also here to make sure we get some good Girl Scout cookies.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. Welcome to all the Girl Scouts. Senator Harmon, for what purpose do you seek recognition?

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SENATOR HARMON:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR HARMON:

I just want to correct the record for Senator Schoenberg. Oak Park does not aspire to be Evanston. We do not suffer from lake envy of any kind. And we're quite comfortable in our own skins. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. There being no further business to come before the Senate, the Senate stands adjourned until 12 p.m. on Thursday, May 7th, 2009.