

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

85th Legislative Day

2/18/2010

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

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 gallery please rise? The invocation today will be given by Pastor Bob Armstrong of the Living Water Church, here in Springfield, Illinois. Pastor Armstrong.

PASTOR BOB ARMSTRONG:

(Prayer by Pastor Bob Armstrong)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Wednesday, February 17th, 2010.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, Committee Reports.

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SECRETARY ROCK:

Senator Kotowski, Chairperson of the Committee on Commerce, reports Senate Bill 2534 Do Pass.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 645, offered by Senator Kotowski and all Members.

Senate Resolution 646, offered by Senator Wilhelmi and all Members.

Senate Resolution 647, offered by Senator Hunter and all Members.

Senate Resolution 648, offered by Senator Hunter and all Members.

Senate Resolution 649, offered by Senator Haine and all Members.

Senate Resolution 650, offered by Senator Emil Jones and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Resolutions Consent Calendar.

SECRETARY ROCK:

Senate Resolution 651, offered by Senator Lightford.

Senate Resolution 652, offered by Senator Collins.

Senate Joint Resolution, Constitutional Amendment, 103, offered by Senators Luechtefeld, Brady, Dillard, Hultgren, McCarter and Syverson.

Senate Joint Resolution, Constitutional Amendment, 104, offered by Senators Radogno and Righter.

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Senate Joint Resolution 105, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

House Bills 1st Reading.

SECRETARY ROCK:

House -- House Bill 4775, offered by Senator Silverstein.

(Secretary reads title of bill)

House Bill 4675, offered by Senator Link.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Rutherford, for what reason do you seek recognition, sir?

SENATOR RUTHERFORD:

Mr. President, thank you. For a point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR RUTHERFORD:

All of us in the Senate work very hard, but the part that really makes us look good and -- and perform what we do for the constituents in our area is our staff. And I am pleased that today I have two people from my district staff visiting us at the State Capitol. And if the Illinois Senate would please welcome Fran Siders and Barb Frobish, who are with the Senator Rutherford staff out of Pontiac, Illinois, that are getting their chance to visit the Senate in action for the first time.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Let's give our guests a warm Senate greeting. Thank you. Senator Hutchinson, for what reason do you seek recognition?

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SENATOR HUTCHINSON:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

State your point.

SENATOR HUTCHINSON:

I would like to introduce a Page for the Day. I have with me Miss Taylor Martin. She's an eighth grader at St. Joe's School in Homewood and she's thirteen and her favorite subject is social studies. Right? Well, she's visiting the Capitol today. Her father is up in the gallery, Mr. Steven Martin. And if you could just all join me in welcoming Miss Taylor to Springfield.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Let's give Taylor and her father a warm Senate greeting. Senator Althoff, for what reason do you seek recognition?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR ALTHOFF:

I, too, have a very important guest with me today. His name is Robert Routzahn. He is a school board member in District 47, which is Crystal Lake, in my district. And although he is my guest today, he really is a constituent of Senator Dan Duffy. So may we give him a warm welcome, please?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Let's welcome our guest to the Senate. Senator Bivins, for what reason do you seek recognition, sir?

SENATOR BIVINS:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

State your point.

SENATOR BIVINS:

I'd like to introduce to you my Page for the Day. His name is Luke Ramage. He's from Davis, Illinois, and he attends Dakota, where he's in eighth grade. And his mother, Anita, is in the gallery above the President's Chair. Please welcome them.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Let's have a hand for our guests. Welcome to the Illinois Senate. We'll now proceed to the Order of Senate Bills 2nd Reading. Page 2 of your printed Calendar, top of the page. Senate Bill 1346. Senator Wilhelmi. Senate Bill 2350. Senator Garrett. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2350.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2476. Senator Hendon. Out of the record. Senate Bill 2488. Senator Bomke. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2488.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2504. Senator Haine. Senator Haine. 2504. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2504.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2505. Senator Frerichs. Senator Frerichs. Out of the record. Senate Bill 2507. Senator Wilhelmi. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2507.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2508. Senator Dillard. Senator Dillard. 2508. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2508.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2509. Senator Dillard. Senator Dillard. 2509. Madam Secretary, please read the bill.

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Senate Bill 2509.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2514. Senator Silverstein. Senator Silverstein. Out of the record. 2520. Senator Haine. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2520.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2523. Majority Leader Clayborne. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2523.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2527. Senator Kotowski. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2527.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2529. Senator Forby. Senator Forby. 2529. Out of the record. 2533. Senator Clayborne. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2533.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. We'll now go to the top of page 3 of your printed Calendar. Senate Bills 2nd Reading. Senate Bill 2537. Senator Maloney. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2537.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Maloney. Senator Maloney, on Floor Amendment No. 2.

SENATOR MALONEY:

Thank you -- thank you, Mr. President. This -- this amendment was actually adopted in committee but there was a paperwork technicality and we'd like to adopt it on the Floor.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Seeing no discussion, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2538. Senator Maloney. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2538.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2540. Senator Wilhelmi. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2540.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2545. Senator Hunter. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2545.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2551. Senator Kotowski. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2551.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. President Cullerton, for what purpose do you seek recognition?

SENATOR CULLERTON:

Yes, a point of personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

State your point.

SENATOR CULLERTON:

In the gallery, I'd like to introduce a visitor to Springfield. Dr. Bhairab Hamal is a Brigadier General with the Nepalese Army Medical Hospital and formerly served with the United Nations in Darfur, Africa, as the Chief of Medical Support Systems, coordinating the work of troops from fifty-four participating countries. I'd like to thank Dr. Hamal for his service and would ask the Members of the Senate to welcome him, his family and guests to the Chamber.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Welcome to the Illinois Senate. And thank you for your

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service. Senator Demuzio, for what reason do you seek recognition?

SENATOR DEMUZIO:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

State your point.

SENATOR DEMUZIO:

I have with me today visiting the Senate my grandson, Blake Demuzio, and would like to -- for all of you to give him a big hand. It's his first time here for a while.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Let's welcome the future Senator Demuzio to the Illinois Senate. Senator Crotty, for what reason do you seek recognition?

SENATOR CROTTY:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR CROTTY:

Again, I'd like to have you wish Tony Muñoz, Senator Muñoz, a happy birthday. So, thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Happy birthday, Senator Muñoz. We'll now proceed with the Calendar on page 3. Senate Bill 2553. Senate Bills 2nd Reading. Senator Martinez. Senator Iris Martinez. Out of the record. Senate Bill 2556. Senator Haine. Madam Secretary, please read the bill.

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Senate Bill 2556.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted Committee Amendment 1.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2566. Senator Sullivan. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2566.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Are there any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate Bill 2570. Senator Righter. Senate Bill 2566, Senator Sullivan, 3rd Reading. Senate Bill 2570. Senator Righter. Senator Righter. Senate Bill 2578. Senator Bivins. Senator Bivins. Out of the record. Senate Bill 2579. Senator Koehler. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2579.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2581. Senator Jacqui Collins. Out of the record. ...out of the record. Senate Bill 2589. Senator Luechtefeld. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2589.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2602. Senator Steans. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2602.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2603. Senator Althoff. Madam Secretary, please read the bill.

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Senate Bill 2603.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2604. Senator Althoff. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2604.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. We'll now proceed to the top of page 4 on your printed Senate Calendar. Senate Bill -- Senate Bills 2nd Reading. Senate Bill 2606. Senator Raoul. Out of the record. Senate Bill 2614. Senator Koehler. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2614.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2622. Senator Hunter. Senator Mattie Hunter. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2622.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2800. Senator Martinez. Out of the record. Senate Bill 2801. Senator Burzynski. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2801.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2802. Senator Lightford. Senator Lightford. 2802. Out of the record. Senate Bill 2804. Senator Viverito. Senator Viverito. Out of the record. Senate Bill 2807. Senator Haine. Senator Haine. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2807.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. With leave of the Body, we'll return to Senate Bill 2804. Senator Viverito. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2804.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2814. Senator Lightford. Out of the record. 28 -- 2927. Senator Sandoval. Senator Sandoval. Out of the record. Senate Bill 2952. Senator Sullivan. Senator John Sullivan. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2952.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senate Bill 2994. Senator Sullivan. Madam Secretary, please read the bill. Out of the record.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the Senate will come to order. Senator DeLeo in the Chair. To fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on appointments set forth in the Messages from the Governor dated September 2nd, November 13th, November 16th, December 3rd and December 8th, 2009.

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PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, you -- the -- the gentleman requests that the Senate moves -- resolves itself into Executive Session for the purpose of acting on appointments set forth in the Messages from the Governor dated September 2, November 13th, November 16th, December 3rd and December 8th of the year 2009. Madam Secretary, Committee Reports, please.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of September 2nd, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of September 2, 2009, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent to the correct terms:

To be members of the Educational Labor Relations Board, for terms commencing June 1, 2004, and ending June 1, 2008: Ronald Ettinger, Michael Prueter and Jamie {sic} (Jimmie) Robinson.

To be a member of the Educational Labor Relations Board, for a term commencing June 1, 2004, and ending June 1, 2010: Bridget Lamont.

To be member and Chair of the Educational Labor Relations Board, for a term commencing June 1, 2004, ending June 1, 2010: Lynne Sered.

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Mr. President, having read the corrected terms for the salaried appointments from the Governor's Message of September 2, 2009, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, is there any discussion. Is there any discussion? Senator Luechtefeld, for what purpose do you rise, sir?

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. To sort of clarify why we're doing this again, these people were approved earlier for the -- for the -- for this particular committee. I understand that these are Blagojevich appointees and that there is a date problem, I think, from the Governor's Office, a date problem on the term of their -- or, the terms of their -- of their term in -- in office. I also asked the Governor's Office in the meeting today whether these people had been vetted properly, because they're holdovers from the Blagojevich -- Blagojevich administration. I -- I felt like when -- when it was over that I really didn't get a good answer. I -- I'm not real sure that he -- I'm not real sure he knew exactly how they had been vetted or even if they had been. So, you know, again, I -- I -- I -- disappointed in that. Just wanted to bring this to the -- to the attention. You know, this is something that we've been embarrassed about over -- over the last while and -- and I think there was a lot made of -- of the fact, by the Governor, that these -- these things would be fumigated. But, again, I don't think they really answered the

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question. The reason we're here today is, I think, more to change the date than to -- to approve these people. But I was disappointed in their answer. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there further discussion? Further discussion? Senator Cronin, for what purpose do you rise, sir?

SENATOR CRONIN:

Just point of inquiry, if I may, of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

State your -- state your inquiry, sir.

SENATOR CRONIN:

I -- I don't -- I just -- I'm just concerned about the process right now, frankly. There's some good people on this list that I think would serve honorably and have served honorably. The nature of my inquiry has to do with the -- the fact that we're considering advise -- advice and consent, our constitutional obligations, for appointments that have since passed. So, I mean, I don't understand what the legal consequences of this action is, if it just -- I mean, other than the fact that it makes us look silly. But what is the status of the appointments for the current period of time and the -- you know, the terms that will end four years hence? What -- I mean, can't we consider those appointments instead of these that are rather meaningless, because it only appoints these people to a period of time that has since elapsed?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Muñoz.

SENATOR MUÑOZ:

Yes, Senator. The Senate can only correct the Senate's

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actions and that's why we did it. As one of your colleagues has stated, this is just a correction on it -- on the dates for the terms.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Cronin.

SENATOR CRONIN:

And -- and not to belabor this, I know some of these folks are concerned about their future and whether or not they will continue to serve. Does anybody in this Chamber know whether or not these folks on this board -- I mean, all of their terms -- I guess we have somebody in -- two people in June of '10. Well -- but, I mean, there's three others here. I mean, what is the future of these appointments or these people or this board? Does anybody -- can anybody answer that question?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Muñoz.

SENATOR MUÑOZ:

Senator, we haven't heard any other information from the Governor's Office, other than that -- what was given to us to fix the terms and to make the corrections. That's all the information that was given to us.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Duffy, for what purpose do you rise, sir?

SENATOR DUFFY:

Comments to the consent, Mr. Chairman {sic}.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your comments, sir.

SENATOR DUFFY:

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You know, I -- I understand that this is -- what we're voting on here would be to correct a misstated term, but since I wasn't here when we voted on the original appointment, I think, for transparency's sake, I -- I'd just like to comment that I understand that we're voting on a person to chair the Educational Labor Relations Board. And I'd like to say that I -- I hold Senator Schoenberg in the -- in the greatest regards. He's an esteemed colleague that I've learned a lot from my first year in office. But I think it's important to note that his wife would be receiving a salary of a hundred and four thousand dollars for this appointment, and I think under the environment that the State of Illinois is in right now, I don't know if it's a good idea to send a message that elected officials and Members of the General Assembly are appointing their spouses and friends to positions that are receiving over a hundred thousand dollars. So, considering that, I definitely encourage a No vote on this and I'm going to vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg. Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President. My name was used in debate. I -- I'd like to make a brief response to the prior comments. There has been no lack of transparency. There -- and I have not appointed my spouse or anybody else's spouse to a position. And, frankly, I think that the comments that were made in the Executive Appointments Committee not only crossed the line for the Senate rules in being personal, but they were also particularly demeaning to women. And Mr. Duffy is certainly within his right to take any course of action that he wishes.

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However, our rules preclude us from personalizing attacks on individuals. And if Mr. Duffy wishes to exercise his right as a Member to vote anyway he wishes on somebody's qualifications or lack thereof, that's any Member's prerogative here. But to make a gratuitous statement at the expense of my wife, Lynne Sered, who has had a long career on both the labor and management side, dating back to her tenure at the National Labor Relations Board in a Republican White House, those comments are demeaning and insulting to all women and they're demeaning and insulting to me, my wife and our family. So, Mr. President, I just want to point out as well that, consistent with my practice throughout my public career, I'm going to continue to recuse myself on all matters relating to not just my wife's public service, but also any statutory matters regarding the Educational Labor Relations Board. And I just want to close in saying, Mr. President, that it's a very sorry state of affairs when, in order to score political points, the integrity and qualifications of an incredibly honest and effective professional woman are under question. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, the Chair would like to remind the Members of this Body, under the Rules of the Illinois Senate, the 96th General Assembly, on page 36, Senate Rule No. 7-3, it's about decorum and debate in this Chamber. And under 7-3(a), when any Senator is about to speak or deliver any matter to the Senate, he or she shall rise, address the Presiding Officer as "Mister President" or "Madam President", and {sic} (as) the case may be. Upon being recognized by the Chair, the latter will address the Senator by name and

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thereupon, not until then, the engineer in charge of the -- operating the microphones in the Senate will give the use of the microphone to the Senator who has been recognized. The Senator in speaking shall confine himself or herself to the subject matter under discussion and avoid personalities. So, nobody's new in this Chamber. We know the right and wrong things. So, once in a while we have to go back to the Rules of the Illinois Senate and enforce decorum in this Chamber. Further discussion? Senator Luechtefeld, are you seeking recognition for a second time, sir?

SENATOR LUECHTEFELD:

Yes, I am. Yes, I am, Mr. President, Members of the Senate. Just to set the...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. Just to set the record straight, there was nothing said in the meeting demeaning women, nor in -- in any way was it -- it -- it to demean women. I -- I -- if you heard that, I didn't hear that, nor did I hear anything on this Floor presently that -- that did that. You know, whether anybody stepped over the line, I don't know that, but I can tell you this, there was nothing that demeaned women or demeaned actually the spouse of -- of any of the Senators in this room. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Our last person seeking recognition, Senator Brady, for what purpose do you rise, sir?

SENATOR BRADY:

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To the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR BRADY:

Thank you, Mr. President. Ladies and Gentlemen, in committee, I had asked that it be requested of the Governor's Office if the individuals here mentioned were properly vetted. In which an indication was made by the Governor's Office they had been vetted. After that discussion, we later asked what vetting process took place, and they indicated that they really didn't vet these individuals in terms of that, they just checked to see if they were doing their job. I think we all realize that there were a number of people, part of the Blagojevich administration, that were put in front of us to be approved that were not necessarily proud of the process Governor Blagojevich used in that process. For that reason and for my disappointment that these people weren't vetted, I'm going to vote No on this motion. I don't want to, in any way, shape or form, make that a statement against any of the individuals. I know many of these people; they're good people. But the process has to be cleaned up, which is why I think it would be so important that we call Speaker Madigan's bill for the fumigation of the Blagojevich appointees, something Governor Quinn's failed to do. And I would just ask you to join me in asking the Senate President to release that from the Committee on Assignments to let us call for the fumigation of the Blagojevich appointees so they could be re-vetted and be able to remove this stain and the cloud of - of corruption that has so darkened the...

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Brady. Senator Brady. Is -- are you finished, sir? I just read a rule four minutes ago. And let me repeat that. Well, maybe -- maybe people weren't listening to it. And it says that the Senate -- Senator in speaking shall confine himself or herself to the subject matter under discussion. We're discussing -- discussion of this Chamber right now is advise and consent of the Governor's Messages, not House bills. Okay, Ladies and Gentlemen, seeing no further discussion, the question is, does the Senate advise and consent to the corrected terms for the appointments just read by -- the Governor's Message of September 2nd. 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 38 Ayes, 13 Nays, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the correction of the terms for the appointments just read. ...Secretary, further Committee Reports, please.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of December 3rd, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of December 3rd, 2009, I will read the salaried appointment of

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which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Assistant Director of the Department of Public Health, for a term commencing December 7th, 2009, ending January 17th, 2011: Teresa Garate.

Mr. President, having read the salaried appointment from the Governor's Message of December 3rd, 2009, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, is there any discussion? Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of December 3rd. 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. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. ...Secretary, continuing on Committee Reports, please.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of November 13th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Madam Secretary. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of November 13th, 2009, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the State Board of Health, for a term commencing November 6th, 2009, ending November 1, 2010: Mohammed Sahloul.

To be a member of the State Board of Health, for terms commencing November 6, 2009, ending November 1, 2011: Caswell Evans, Kevin Hutchinson, David McCurdy.

To be members of the State Board of Health, for terms commencing November 6, 2009, and ending November 1, 2012: Victor Forsys, Jane Jackman, Jerry Kruse, Tim Vega, Herbert Whiteley.

Mr. President, having read the non-salaried appointments from the Governor's Message of November 13, 2009, I now will seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, Senator Muñoz. Ladies and Gentlemen, is there any discussion? Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointments just read from the Governor's Message of November 13th. 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 54

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Ayes, 0 voting Nay, 0 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Reports. Before you do that, Madam Secretary, Senator Schoenberg in the Chair.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of November 16th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of November 16th, 2009, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be members of the State Board of Health, for terms commencing November 6, 2009, ending November 1, 2010: Jorge Girotti and Karen Phelan.

To be a member of the State Board of Health, for a term commencing November 6, 2009, ending November 1, 2011: Ann O'Sullivan.

To be a member of the State Board of Health, for a term commencing November 6th, 2009, ending November 1, 2012: Javette Orgain.

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Mr. President, having read the non-salaried appointments from the Governor's Message of November 16th, 2009, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Duffy, is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of November 16th. 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? Madam Secretary, please take the record. On that question, there are 45 voting Aye, 7 voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of December 8th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of December 8th, 2009, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

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To be members of the Illinois Finance Authority, for terms commencing December 7, 2009, and ending July 16, 2010: Roderick Bashir and Joseph McInerney.

To be a member of the Illinois Finance Authority, for a term commencing December 7, 2009, ending July 21, 2011: John Durburg.

To be a member of the Illinois Finance Authority, for a term commencing December 7th, 2009, and ending July 17th, 2012: Roger Poole.

Mr. President, having read the non-salaried appointments from the Governor's Message of December 8th, 2009, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? The question is, does the Senate advise and -- consent to the appointments just read from the Governor's Message of December 8th. 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? Madam Secretary, please take the record. On that question, there are 52 voting Aye, none voting Nay, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Muñoz moves that the Senate arise from Executive

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Session. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The motion carries. The Senate has risen from Executive Session. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will the members of the Committee on Assignments please come to the President's Anteroom immediately? The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Executive Committee - Senate Bill 3155; re-referred to the Committee on Assignments - Senate Bill 365; refer to the Executive Subcommittee on Legislative Tuition Waivers - Senate Bill 365; Be Approved for Consideration - Senate Bill 1219, Senate Bill 1223, Senate Bill 1224, Senate Bill 1227, Senate Bill 1235, Senate Bill 1237, Senate Bill 1247, Senate Bill 1248, Senate Bill 1251 and Senate Bill 1253.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Thank you, Mr. President. I move to waive all notice and posting requirements so that Senate Bill 365 can be heard on

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Tuesday, February 23rd, at 11 a.m. in the Senate Executive Committee and its Subcommittee on Legislative Scholarships {sic} (Tuition Waivers). And I move to waive all notice and posting requirements so that Senate Bill 365 can be heard on Tuesday, February 23rd, at 11 a.m. in the Senate Executive Committee and its Subcommittee on Legislative Scholarships.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton moves to waive all notice and posting requirements so that Senate Bill 365 can be heard on Tuesday, February 23rd, at 11 a.m. in the Senate Executive Committee and its Subcommittee on Legislative Scholarships. All those in favor will say Aye. Opposed, Nay. The Ayes have it. And all notice and posting requirements have been waived. We'll now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those -- oh! All those resolutions read in -- 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 ROCK:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? 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. Motion carries. The resolutions are adopted. On the Order of Resolutions is Senate Joint Resolution 106. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Joint Resolution 106, offered by Senator Harmon.

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(Secretary reads SJR No. 106)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution 106. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Harmon moves for the adoption of Senate Joint Resolution 106. All those in favor will 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 now stands adjourned until the hour of 12 p.m. on February 23rd, 2010. The Senate stands adjourned.