

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

| | | |
|----------------------------------|--------------------|----|
| HB0625 | Postponed | 6 |
| | Consideration | |
| HB2330 | Postponed | 9 |
| | Consideration | |
| HB3396 | Postponed | 11 |
| | Consideration | |
| HB3530 | Postponed | 13 |
| | Consideration | |
| HB3743 | Second Reading | 3 |
| HB3745 | Second Reading | 3 |
| HB3754 | Second Reading | 4 |
| HB3759 | Second Reading | 4 |
| HB3771 | Second Reading | 4 |
| HB3774 | Second Reading | 4 |
| HB3776 | Second Reading | 4 |
| HB3785 | Second Reading | 5 |
| HB3792 | Second Reading | 5 |
| HB3796 | Second Reading | 5 |
| SR0162 | Resolution Offered | 1 |
| SR0163 | Resolution Offered | 1 |
| SR0164 | Resolution Offered | 2 |
| | | |
| Senate to Order-Senator Viverito | | 1 |
| Prayer-Senator Woolard | | 1 |
| Pledge of Allegiance | | 1 |
| Journal-Approved | | 1 |
| Committee Reports | | 1 |
| Messages from the House | | 2 |
| Adjournment | | 15 |

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

PRESIDING OFFICER: (SENATOR VIVERITO)

Regular Session of the 93rd 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 Senator Woolard.

SENATOR WOOLARD:

(Prayer by Senator Woolard)

PRESIDING OFFICER: (SENATOR VIVERITO)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Haine. No, Madam Secretary, Reading and the Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of May 20, 2003.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President. I move that the Journal just read by the Secretary be approved, unless there is a Senator who has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR VIVERITO)

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

SECRETARY HAWKER:

Senator Welch, Chairperson of the Committee on Appropriations II, reports House Bills 3743, 3745, 3754, 3759, 3771, 3774, 3776, 3785, 3792 and 3796 Do Pass.

PRESIDING OFFICER: (SENATOR VIVERITO)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 162, offered by Senator Link and all Members.

Senate Resolution 163, offered by Senator Demuzio, President Jones and all Members. They're both death resolutions.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

PRESIDING OFFICER: (SENATOR VIVERITO)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 164, offered by Senator Demuzio.

It is substantive.

PRESIDING OFFICER: (SENATOR VIVERITO)

Madam Secretary, Messages from the House.

SECRETARY HAWKER:

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

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

Senate Bill 76, together with House Amendment No. 1.

Passed the House, as amended, May 20th, 2003.

I have like Messages on Senate Bill 154, with House Amendment 1; Senate Bill 199, with House Amendment 1; Senate Bill 257, with House Amendment 1; Senate Bill 267, with House Amendment 1; Senate Bill 354, with House Amendments 1 and 2; Senate Bill 371, with House Amendments 1 and 2; Senate Bill 385, with House Amendments 1 and 2; Senate Bill 386, with House Amendments 1 and 3; Senate Bill 460, with House Amendment 1; Senate Bill -- pardon me, 524, with House Amendment 1; Senate Bill 639, with House Amendments 1 and 2; Senate Bill 903, with House Amendment 1; and Senate Bill 1047, with House Amendment 1. All passed the House, as amended, May 20th, 2003.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR VIVERITO)

State your point.

SENATOR GEO-KARIS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In the balcony above you on the -- on my right, over there, are the principal from Grant Township {sic} (Community) High School, Marilyn Howell and her husband, who is Ray Howell, and he's the CEO of iPilot, Inc., and their daughter, Shannon,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

is our Page for today. And Shannon is eleven and she's in the fourth grade at Fremont Middle School and I believe it's in -- in Fremont Township in Senator Peterson's area. And I'd like us all to welcome them here.

PRESIDING OFFICER: (SENATOR VIVERITO)

Will our guests be recognized? Senator Geo-Karis.

SENATOR GEO-KARIS:

And standing beside me is none other than Elizabeth Kessler. Elizabeth is the President of the Illinois Park and Recreation Association, and she lives in Mundelein, so I believe she's also Senator Peterson's constituent. And we welcome her here.

PRESIDING OFFICER: (SENATOR VIVERITO)

Will we -- will we welcome her as well? Senator Silverstein.

SENATOR SILVERSTEIN:

I rise for personal privilege.

PRESIDING OFFICER: (SENATOR VIVERITO)

Your point?

SENATOR SILVERSTEIN:

I'd like to welcome Matt DeLort, one of the top election lawyers in Chicago and Illinois, to the Illinois Senate.

PRESIDING OFFICER: (SENATOR VIVERITO)

Will we welcome Matt DeLort? ...the Supplemental Calendar is the Order of House Bill 2nd Reading. House Bill 3743. Senator Welch. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3743.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 3745. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3745.

(Secretary reads title of bill)

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

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 3754. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3754.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 3759. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3759.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 3771. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3771.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 3774. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3774.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 3776. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3776.

(Secretary reads title of bill)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

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

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 3785. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3785.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 3792. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3792.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 3796. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3796.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. Squires Photograph {sic} (Photography) seeks leave to photograph the proceedings. Is there any objections? Leave is granted. Ladies and Gentlemen of the Senate, we will stand at ease for a few moments. Senator Obama, what purpose do you rise?

SENATOR OBAMA:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

State your point.

SENATOR OBAMA:

I have the pleasure of being accompanied today with a constituent and somebody who's going to have a very challenging

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

task ahead of her but one that I know that she is well equipped to perform, and that is the new Secretary for the Department of Human Services, my friend and constituent, Dr. Carol Adams. Could the Senate please give her a warm welcome?

PRESIDING OFFICER: (SENATOR VIVERITO)

Welcome to the Senate, Doctor. Senator Petka, what purpose do you rise?

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

State your point.

SENATOR PETKA:

Thank you very much, Mr. President. It was reported in -- back in a hometown newspaper this morning that one of the four Marines that was killed in central Iraq yesterday in a resupply mission was a -- a member of a family from my State Senate district. First Lieutenant Tim Ryan, who lived in North Aurora and a graduate of Aurora West High School of 1991, also a graduate of Illinois State University, while on an errand of mercy in central Iraq, unfortunately their plane -- or, their helicopter went down. All four Marines aboard were killed and I would hope that each and every Member of the Senate, all present here, would remember especially the family in -- in their thoughts and prayers, and once again reinforces that our freedoms are simply not free.

PRESIDING OFFICER: (SENATOR VIVERITO)

May we have a moment of silence? Thank you. Page 79 of the Calendar is the Order of Consideration Postponed. This is final action. As the bills on this order have already been presented and debated on the Floor, debate on each bill will be limited to one opponent and one opponent -- one proponent and one opponent, each speaking to the bill. House Bill 625. Senator Martinez. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 625.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Martinez.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. Last week we talked about this bill in great lengths, and this bill is the product of a lengthy negotiation with the Municipal League, the Northwest Municipal Conference, Metro Counties and other local government organization. It is designed to address the need for more workforce housing. In many communities, in Chicago regions and other regions throughout the State, teachers, nurses, police officers and firefighters cannot afford to live in or near their communities they serve. As a result, they face long commutes that reduce their quality of life. Also, some retirees cannot afford to remain in communities where they lived during their working years and raised their family. Most municipalities are exempt from this legislation because at least ten percent of their housing stock is affordable to moderate-income families earning below eighty percent of the county median income. This does not preempt home rule, and the housing -- and the legislation attempts to address, of course, the issue of affordable and moderate housing in counties and municipalities that don't have the minimum of ten percent affordable housing stock. There is no mandate - no mandate - that is -- that a non-exempt -- unit of local government must develop affordable housing within its jurisdiction. The intent is to simply have those areas that do not have ten percent affordable housing to examine the needs of their county or communities and to prevent discrimination towards a moderate or affordable housing developer. I -- as we -- as we go out during campaigning time, we talk about -- one of the issues that -- that -- that residents out there talk about is affordable housing. People cannot afford to live. We have a -- we have a crisis in housing -- affordable housing in the whole entire State of Illinois, and I think that this bill is a good bill in the sense that it at least starts looking, puts us putting a planning team in -- in place within the next year. And I think that it's important that -- that Members in the Senate understand that we're just trying to address a -- an issue that is becoming more and more, which is the -- issue -- housing issue. Thank you very much, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President and Members of the Senate. I'm sure that Senator Martinez's bill is very well-meaning and certainly all of us favor affordable housing. We used to call it low-income housing. We've changed the name to affordable housing. I guess it's similar to changing the name from expansion to modernization in other venues that we talk about. So, we change the names, but -- but the net effect is still the same, and with all due respect to Senator Martinez, she says this does not mandate anything. Let me, once again, read what I read just last week. This is the -- it's talking about the State Board of Appeals, which I don't think we've ever had in the State of Illinois. I served in local government for ten years, and we never had a State mandate telling us what we must do in zoning. It says, "The Board may affirm, reverse, or modify the conditions of, or add conditions to, a decision made by the approving authority." Now, the approving authority is the local government zoning board and village board. "The decision of the Board constitutes an order directed to the approving authority..." Ladies and Gentlemen of the Senate, it says "directed to the approving authority and is binding on the local government." Now, if that's what you want coming to your communities, then you need to vote for this bill, but if you -- if you don't want the State of Illinois involved in zoning matters in your local community, then you need to vote No and we'll go back to the drawing board with this legislation. I urge all people in this Chamber to vote No. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

The -- the question is, shall House Bill 625 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 the question, there are 31 Yeas, 25 Nays, none voting Present. On that -- having -- House Bill 625, having received the required constitutional majority, is declared passed. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. I request a verification of that roll call.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Roskam has -- requested a verification. Will all Members be in their seats? Secretary will read the -- affirmative votes.

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Demuzio, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Obama, Ronen, Sandoval, Schoenberg, Shadid, Silverstein, Trotter, Viverito, Walsh, Welch, Woolard, and Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Does Senator Roskam question the presence of any Member voting in the affirmative?

SENATOR ROSKAM:

Senator Crotty.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Crotty. Senator Crotty. Senator Crotty, for the last time. Is she in the Chamber? There she is. Does Senator Roskam question? No. On the verified roll call, there are 31 Yeas, 25 Nays, none voting Present. House Bill 625, having received the required constitutional majority, is declared passed. House Bill 1161. Madam Secretary, read the bill. Senator Brady. House Bill 2230 {sic}. Senator Harmon. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2330.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2330 was debated in depth a couple of weeks ago. The bill creates the Illinois Civil Rights Act of 2003. It does not break any new legal ground nor create any new rights. Rather, it creates a State right of action that has existed at the federal level for over thirty years. In the debate last week -- or, two weeks ago, opponents raised three issues, and I

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

think that none of them are -- are of concern at this point and I hope that none of them will stop folks from putting fifty-nine Aye votes up on the board. The -- the -- the three concerns in quick order: One, that the bill would be retroactive rather than prospective. I believe we dealt with that intensively during the legislative debate. It is clearly a prospective bill. It is not retroactive. Second, this bill does not mandate the creation of any affirmative action programs. That is simply not the intent of the bill. And third - and this issue does go to the heart - there was a concern raised that if a government policy were discriminating against a racial group, folks could sue the government. That is, in fact, the case. It's been the case for the last thirty years. There is no new exposure for the State, simply a new venue - State court rather than federal court. For those reasons, I'd ask everyone in this Chamber to vote Aye, and let's -- let's create a -- a substantial improvement in our Civil Rights Act.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly, to the bill. You know, this order of business is the order of business where we come around and have to ramp up for the ones that didn't get over the hump the first time. And the ones that didn't get over the hump the first time are here for a reason and that's because enough of us had a sense of pause and anxiety about these things that we didn't want to throw all the red votes up -- or, all the green votes up the first time. Here's the concerns: Concern number one, it uses the language "affirmative action". Affirmative action, in the bill, can become a buzz phrase. It has taken on a whole new meaning in a whole lot of other contexts. I've used this argument on other bills and I'm -- and I'm reintroducing this argument and urging a No vote today, and that is simply, what we say in terms of legislative intent is wonderful. It's a great conversation that we all have between and among ourselves, but when the statute passes, the men and women in Illinois, the eleven million people that we're burdening with these statutes, they aren't the beneficiaries of these conversations we have in this Chamber when the plain

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

language of the bill is unambiguous. So, as it relates to that language of affirmative action, it's a buzz phrase. I -- I raised it before. We can improve this bill if we vote this down and bring it up again. The second point is simply this notion of prospective and how it's supposed to be used. The language in the bill, I argue, is ambiguous. And again, notwithstanding these conversations and these expressions -- in -- expressions of intent that we have on the Senate Floor, it's ambiguous. We can do better. We can easily take away all of the ambiguity. And finally is this notion of disparate impact, which I would suggest has not been really vigorously and rigorously discussed in this Senate Chamber. This is the notion that -- that a group gets standing to come in. If they're not able to show that there was any intent to have a poor impact on a particular community or a -- a more aggressive impact on a particular community, they have standing just to be able to argue, statistically, this has a bigger impact on this group than that group. And I would venture to say that's not a way that we should go. So, I would -- I would just remind the Membership, we're here on this order of business for a reason. These are the bills that we all collectively said, "I don't think so. I think we can do better." We can get this bill, this concept, out of here in the framework that I think fifty-nine people can agree on. I urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill -- 2230 {sic} pass. All those in -- 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 33 Ayes, 22 Nays, none voting Present. Received the required constitutional majority, is declared passed. House Bill 3396. Senator Sandoval. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3396.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Sandoval.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. House Bill 3396 is all about the card check -- the new card check policy supported by the AFL-CIO. Under current law, workers must go through a difficult process to form a union. Workers must first sign union authorization cards stating that they want a union. Then, even though they've already said they want a union, they must file for a labor run election -- Labor Board-run election. The election process can be lengthy and cumbersome, as we all know, during which time the employer has control of the employers {sic} and can interfere with the employees' decision. And, in fact, employers routinely use this time to scare workers into voting against a union even if the workers want a union. Solution to this problem for public employees is to allow them -- allow workers who are covered by the Illinois Public -- Labor Relations Act and the Illinois Educational Labor Relations Act to vote for a union through a process called card check. Both New York and California require recognition after a card check for workers covered under the Labor Relations Act. In other states and in other private sector, card check is not required but is routinely used through agreements between management and the workers. Under the National Labor Relations Act, card check was the original process for verifying majority support for a union. It has only been more recently that employers began insisting on Labor Board elections. In fact, most collective bargaining relationships in the U.S. have been established through a card check process, not a Labor Board election. This measure is supported by the Illinois AFL-CIO, and I ask Members in support of House Bill 3396 and I ask a favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill. First a correction a little bit, if you will, or a clarification about the comment that right now in order to organize, that employees have to go through a difficult process. What the employees have to do is first sign a card saying that they have an interest in organizing, and if thirty percent - not fifty percent, not forty percent, but less than a third - say they're interested in doing

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

so, then they get an election and then they have to go vote in a secret ballot. That's the process right now, and I don't know it's accurate to call that a difficult process. What does this bill do? It takes away the secret ballot. It takes away the right of the person to make a vote whether or not they want to organize, a decision of their own conscious, a decision for themselves, a decision for their families, free of pressure. They go in there and they vote and no one else knows how they're voting, and that's the way it should be. Under this bill, you sign a card. Everyone knows what card you signed. The person who's pushing to organize, the person who's pushing to keep you from organizing knows what card you're signing. That's not the way we're supposed to do things. If we're going to do that, then in elections for the General Assembly, let's not go have a secret ballot. Let's send the precinct captains out and the precinct committeemen and put a card in front of 'em saying "Are you for this person or are you for that person?" That's what this bill is tantamount to. Right now there is a balance in the process. The people who are deciding whether or not to organize get to go in there and make their own decision. This bill would strip that away, and I think that's a very, very bad thing to do for Illinois, especially in a struggling economy like we have. I would urge a No vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 3396 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Who -- who -- have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Yeas, 26 Nays, 1 voting Present. Having received the required constitutionally {sic} majority, is declared passed. House Bill 3530. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3530.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Sandoval.

SENATOR SANDOVAL:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

Thank you, Mr. President, Members of the Senate. House Bill 3530, as indicated earlier, is a bill which increases the threshold amount from five thousand to twenty-five thousand for competitive billing {sic} for the Chicago Public Building Commission, and I reiterate, only the Chicago Building Commission. This threshold from five thousand was established way back to the early 1950s. As a result of the number of projects and the complexities and the volume of projects in the City of Chicago, the Chicago Public Building Commission is asking for an increase of the threshold for efficiencies. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill, briefly. You know, yesterday Governor Blagojevich gave a speech up in Chicago, and the backdrop of his speech was a banner that's a good banner. I love that banner. It's a banner I would love to have behind me at every speech that I give. And the Governor's banner says "Reform and Renewal", and it's beautiful. It's right here. It's blue. It's got the State of Illinois. It's two-toned. It's white letters. It looks good. Reform and renewal. Change. A fresh wind. A bright light. Sunshine. Wonderful things happening in the Illinois General Assembly under this Governor. Well, here we go. This is counterintuitive. This is not reform and renewal. This is not sunshine and happiness. This is the old way of doing business. This says that on a -- on a contract that's not five thousand dollars now, but now it's -- it's not even ten thousand. We're not even doubling it. We're not even tripling it. We're not even quadrupling it, but now five times, a five-hundred-percent increase. Now, for any contract up to twenty-five thousand dollars, the accountability level, in terms of public contracting, under this bill, is zero. So you can call up -- you can have somebody on the public payroll who all of a sudden says, "Hey, I've got a deal. I want you to go and give this deal to my brother-in-law." or "I want you to give it to him, or to him." And you know why? Because if this bill passes, if 3530 becomes the law, that is totally acceptable. Let's move away from this. Let's -- let's -- go with your

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

50th Legislative Day

5/21/2003

instincts, those of you who way down deep did the right thing the other day and either walked off or voted No. You know the right thing to do. And let's send a message and let's encourage the Governor that he can be the reform Governor and let's not embarrass him by putting this on his desk and making him veto it. I ask that you vote No. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

The -- the question is, shall House Bill 3530 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 24 Yeas, 34 Nays, 1 voting Present. House Bill 3530, having received the required constitutional -- failed to receive the required constitutional majority, is declared failed. Senate Bill 474. Senator DeLeo. Senate Bill 682. Senator Lightford. Senator Silverstein, what do you rise for?

SENATOR SILVERSTEIN:

A point of -- for an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Announce.

SENATOR SILVERSTEIN:

The Senate Executive Committee will meet immediately upon adjournment in Room 212.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. The Education Committee will meet at 2:30 in Room 212.

PRESIDING OFFICER: (SENATOR VIVERITO)

There being no further business to come before the Senate, the Senate stands adjourned until the hour of noon on Thursday, May 22nd, 2003. The Senate stands adjourned.