

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

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PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arrived, the Senate will come to order. Our Members will be at their seats. Our guests in the gallery will please rise. Our prayer today will be -- our invocation today will be offered by Reverend Michael Pflieger, St. Sabina's Catholic Church, of Chicago -- and Springfield, Illinois? Father Pflieger.

THE REVEREND MICHAEL PFLEGER:

(Prayer by the Reverend Michael Pflieger)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, Father. The reading -- I'm sorry. The Pledge of Allegiance, by Senator Link. Senator Link.

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

I would like to have Pastor Pflieger join me at my desk for an announcement. Mr. President and the Members of the Body, I was hoping to see Senator Dave Sullivan, but I would like to welcome my pastor, Father Pflieger, to the Senate Chambers and also extend my congratulatory words, for today is his birthday, and he can think of no better place to spend his birthday than with the Members of the General Assembly. So, please join with me in welcoming him to the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome. Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Wednesday, May 21, 2003.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woolard.

SENATOR WOOLARD:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some gentleman has opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Woolard has moved to approve the Journals just read by the Secretary. Being no objections, so ordered. Madam Secretary, Committee Reports.

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SECRETARY HAWKER:

Senator Silverstein, Chairperson of the Committee on Executive, reports House Joint Resolution 19 Be Adopted.

Senator del Valle, Chairperson of the Senate -- Chairperson, Committee on Education, reports Senate Resolution 130, Senate Amendment No. 1 to House Bill 757 and Senate Amendment No. 1 to Senate Joint Resolution 33, all Be Adopted.

Senator Trotter, Chairperson of the Committee on Appropriations I, reports House Bills 2289, 3749, 3750, 3758, 3763, 3778, 3779 and 3790 Do Pass.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY HAWKER:

Senate Resolution 165, offered by Senator Clayborne and all Members.

Senate Resolution 166, also offered by Senator Clayborne and all Members.

Senate Resolution 167, offered by Senator Clayborne and all Members.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 168, offered by Senators Shadid and Munoz.

It is substantive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Madam Secretary, Messages.

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 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 21.

Adopted by the House, May 21, 2003. And that House Joint Resolution is being sponsored in the Senate by Senator Sandoval.

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

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Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in passage of bill of the following title, to wit:

Senate Bill 61, together with House Amendment 1.
Passed the House, as amended, May 21, 2003.

I have like Messages with respect to Senate Bill 133, with House Amendment 1; 155, with House Amendment 1; 252, with House Amendment 1; 361, with House Amendment 1; 408, with House Amendment 1; 679, with House Amendment 1; 729, with House Amendment 1; 813, with House Amendment 1; 1066, with House Amendments 1 and 2; 1069, with House Amendment 1; 1102, with House Amendment 1 (and 2); 1124, with House Amendment 2; 1149, with House Amendment 1; 1156, with House Amendment 2; 1210 with House Amendment 1; 1342, with House Amendment 1; 1364, with House Amendment 2; 1379, with House Amendments 1 and 3; 1401, with House Amendment 1; 1414, with House Amendment 1; 1440, with House Amendment 1; and 1457, with House Amendment 1.
All passed the House, as amended, May 21, 2003.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2088, offered by Senator Cullerton.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, could I have some order, please? Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

Thank you, Mr. President. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR CROTTY:

Thank you. I would ask my colleagues in the Senate to help me welcome Luke, Jordan and Ross, along with Bill, from Troop 185 in Park Forest. The three of them are working on their Citizen in Nation Badge and they're all working on their Eagle Scout status. So, this is their first time to Springfield. Help me welcome them.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome to Springfield. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise on a point of privilege -- personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir. State your point.

SENATOR SCHOENBERG:

I would ask the Members of the Senate to join me in welcoming my Pages for today: Michael and Kevin Ferran and -- and William Lawrence and Megan Sullivan. They're here for the first time visiting the State Capitol, seeing how we do our business. And please extend your warmest welcome. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. Welcome to Springfield. Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR MEEKS:

I also would like for you guys to join me in welcoming my Page for the Day, brother Anthony Williams, who's in the back working with the other Pages. He'll be a Page for the Day. Anthony?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Anthony? There. Welcome.

SENATOR MEEKS:

This is my Page for the Day.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR TROTTER:

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Thank you very much. I, too, have some wonderful guests with me here today. Last week and the week before, I -- for the past two weeks I had Dasha Heineman, who is a -- a student out UIS, work as my intern. She's originally from Russia, and she, believe me, really wants -- had to learn this system. She had fun while she was here, and she has taken the opportunity today to bring her daughter, who's with us here as well, and that's Megan Heineman. And would you please welcome them to the Illinois Senate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome to Springfield. Senator Wojcik, what purpose do you rise?

SENATOR WOJCIK:

Thank you, Mr. President. I rise for point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR WOJCIK:

I have next to me two of my Pages for the Day. We have Kayla Renee Westman and we have Tyler David Westman. They're from Naperville. Their parents are in the gallery. We have Lori and David, and David, their father, was a former legislative intern for Governor Thompson twenty years ago. So, they've been kind enough to purchase a Page for the Day through the Twinbrook Y. We're happy that they're here and I'd like to have them welcomed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our two Pages will rise and our guests in the gallery will please rise. Welcome to Springfield. All right. Ladies and Gentlemen, a number of media outlets have requested permission to -- to videotape. Is leave granted? Leave is granted. If you want to know what the list is, it'll be filed with the Secretary. Senator Woolard, for what purpose do -- pardon me, just a moment. Ladies and Gentlemen, could we take our conferences off the Floor? Senator Woolard, for what purpose do you rise?

SENATOR WOOLARD:

For the purpose of an announcement. I think that everyone recognizes, it seems as though every day this month we've had a

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-- a cake for someone. And down in the Well today we're going to be celebrating by once again eating cake for my seatmate and probably not the oldest but certainly the newest to have a birthday, Senator Ed Maloney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Happy birthday, Senator. Ladies and Gentlemen, it's my understanding that a Supplemental Calendar has been distributed. Ladies and Gentlemen, a Supplemental. With leave of the Body, we will go to the Order of Supplemental Calendar No. 1. These are House Bills 2nd Reading, Ladies and Gentlemen. House Bills 2nd Reading. First bill is House Bill 2289. Senator Trotter, do you -- Senator Trotter. Hold on till we get the machine programmed here. Madam Secretary, House Bill 2289, please.

SECRETARY HAWKER:

House Bill 2289.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 3749. Senator Trotter. Madam Secretary, 3749, please.

SECRETARY HAWKER:

House Bill 3749.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. On the Order of House Bills 2nd Reading is House Bill 3750, Madam Secretary. Read the bill.

SECRETARY HAWKER:

House Bill 3750.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bills 2nd Reading is House Bill 3758, Madam Secretary.

SECRETARY HAWKER:

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House Bill 3758.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 3763, Madam Secretary. Read the bill.

SECRETARY HAWKER:

House Bill 3763.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 3778. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3778.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. On the Order of House Bills 2nd Reading is House Bill 3779, Madam Secretary.

SECRETARY HAWKER:

House Bill 3779.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bills 2nd Reading is House Bill 3790, Madam Secretary.

SECRETARY HAWKER:

House Bill 3790.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Ladies and Gentlemen, we have completed Supplemental Calendar No. 1. Let's continue to move with some

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dispatch here. If you'll go back to your regular Calendar, on page 77. Your regular Calendar on page 77. With leave of the Body. Leave is granted. On the Order of -- Secretary's Desk, Resolutions, is Senate Joint Resolution 33. Madam Secretary. Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution 33, offered by Senator del Valle. There are no committee amendments reports.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are there any Floor amendments?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President and Members of the Senate. The amendment becomes the resolution. This is the -- the waiver resolution. There were a total of eighty-five waiver applications that were transmitted to the General Assembly. Out of the eighty-five, we have six that are included in this resolution that we will be denying upon joint action of the Illinois General Assembly. Two of the districts had applied for a waiver for the listing on the Academic Watch List - St. Anne Community High School District and Madison Community Unit District 12. Three waiver regarding the use of substitutes over ninety days - Midlothian, Waukegan and Sandridge. And the last school district, Norridge, sought a waiver to allow for the use of aides without supervision in the classroom. These are the waivers that we are denying, and I'll -- I'll be glad to answer any questions regarding these waivers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Let's -- Senator Roskam, why don't we let him put it on and we can talk about it. All right. Senator -- Senator del Valle has moved the adoption of Amendment No. 1 to Senate Resolution -- Senate Joint Resolution 33. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Now on the Order of -- of Resolutions, Madam Secretary, is -- Senate Joint Resolution 33. Mr. -- Senator del Valle.

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SENATOR DEL VALLE:

I'll be glad to respond to -- to questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator -- Senator Roskam.

SENATOR ROSKAM

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Roskam.

SENATOR ROSKAM:

Senator, I think just for everybody's benefit, could you go through those again? Senator Cronin's not on the Floor. I -- I think he's meeting with some constituents outside the..

PRESIDING OFFICER: (SENATOR DEMUZIO)

He's standing right in front of you, sir.

SENATOR ROSKAM:

...the Chamber, and he usually kind of..

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cronin is standing..

SENATOR ROSKAM:

Oh, there he is. Sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Right in front of his desk.

SENATOR ROSKAM:

Just for everybody's benefit, Senator, could you walk through these for us?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

Yes. We have six waivers in this resolution that we would be denying upon adoption of Senate Joint Resolution 33: St. Anne Community High School District's waiver regarding their listing on the Academic Watch List; Madison Community Unit District, Academic Watch List; Midlothian, regarding the use of substitute teachers over ninety days, as allowed by law; Waukegan Community Unit District, the use of substitute teachers over ninety days, as allowed by law; Sandridge School District, the use of substitute teachers over ninety days; and the last, Norridge School District, the use of -- of teachers' aides without supervision of -- of a teacher. Those are the six that are

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included, and those are six out of eighty-five that were forwarded to the General Assembly. So, the difference between six and eighty-five are those that will be allowed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Luechtefeld.

SENATOR LUECHTEFELD:

On the -- on the waiver with regard to the aide, the teachers' aides, as you might remember in -- in -- when that was being discussed in committee, one of the questions I asked is -- they wanted supervision. Did they -- did we ever get any clarification of what -- what does supervision mean?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

The -- the waiver indicated that they were seeking renewal of a waiver request to allow the district to employ instructional aides without their being under the direct supervision of a certified teacher. We did not get additional information beyond what this indicated, and the district did not appear before our Education Committee to talk about this particular waiver request and I have not heard from anyone else since then.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

So you've not -- you've not heard any -- any further explanation of what they meant by direct supervision?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

No additional explanation other than the one that we received in the request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Garrett.

SENATOR GARRETT:

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Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Garrett.

SENATOR GARRETT:

The question I have about this is really the process, Senator. Can you tell me when the posting for this hearing was communicated and how it was communicated?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

The Floor amendment was posted yesterday morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

So -- thank you. So, the Floor amendment, which basically gave notice that we would be hearing about these waivers in the Education Committee, was posted yesterday morning. When we, in fact, went in at 2:30, did any of the school districts who are being asked to be denied their waiver, did they have any notice so they could come to Springfield to at least explain why they were asking for a waiver?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

The -- the amendment was filed last week, and so it was a matter of record. People were well aware of it and there were other school districts who -- who participated. So, the information was there for them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett. Senator del Valle.

SENATOR DEL VALLE:

Senator Garrett, you know, we're -- we've had this information out there for some time. I -- I think school districts and the Board, the State Board, everyone keeps track of these things. So, I -- I think there -- there was sufficient time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

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Well, I -- I've been following this myself because I really wanted to become educated on these waivers, and as early as yesterday morning, it wasn't posted either in our -- our book or on the schedule. So, I heard that it was posted on -- on -- on the door of the committee room. But my concern is - and I know this is going to pass out of here - that while we have done what we need to do legally, that some of the school districts probably should have been notified. If I couldn't get that information -- and maybe other school districts just have decided to give up. I think if they had had that information, they would have made that trip to Springfield, even with short notice. And it's just my worry that we have denied them that opportunity. So, we can all vote to agree with this resolution. I personally will vote No, but I -- I -- I believe that the school districts should have that opportunity. Maybe that will happen in the House, but I just wanted to make this part of the record. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator del Valle may close.

SENATOR DEL VALLE:

Well, Senator Garrett, you're implying with your statement that I did not allow sufficient time and that the process for informing the school -- the schools that we were conducting a hearing was a flawed process. We conducted a hearing. It was open to all. We had a number of school districts that came in. Every school district, every school district that was there, was given an opportunity to testify. We didn't even limit the time of their testimony. And so, I -- I'm the last one to accuse of not allowing sufficient time for the participation of the public in a hearing. And so I -- I would ask the -- the Body to allow this process to keep going and -- and for us to continue to use the waiver process as one that has flexibility built into it, but one that allows us to be able to ensure that things like the Academic Watch List, where we want to make sure that the accountability measures that we put into place are actually operating and applied equally throughout the State. That's what this waiver resolution does, and so I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Question is, shall Senate -- Senate Joint Resolution 33 pass. Those in favor will vote Aye. Those 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, the Ayes are 52, the Nays are 5, none voting Present. Senate Joint Resolution 33 is adopted. Ladies and Gentlemen, if you'll turn to page 76. Page 76, in the middle there. We'll go -- with leave, we'll go to the Order of House Bills 3rd Reading. Page 76 is House Bill 3743. This is on the Order of 3rd Reading, final passage. 3743, Madam Secretary. Senator Burzynski, for what...

SECRETARY HAWKER:

House Bill -- 3743.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. Let me attempt to indicate to you where we are, Senator Roskam. We are on the Order of House Bills 3rd Reading, page 76. There are - oh, I don't know - several bills there that are in Appropriations. It was our intention to run those this morning -- this afternoon and then have a Rules Committee meeting, at which time there would be further appropriation amendments, have those journalized so that there could be hearings later this afternoon, and then we were planning on a caucus and I think you were planning on a caucus as well, or at least that was the intention, I guess. We were hoping that the amendments that we would be able to have in Rules would be able to be distributed to both sides so that we could have them for our respective meetings and, therefore, that the afternoon would go a little -- little faster, with some dispatch. It is now, apparently, that these -- these bills here you wish to have considered with respect to -- to your entire caucus meeting when we meet. So it seems to me where we are at this moment is that we will have a Rules Committee momentarily - we're waiting for a couple more amendments - so that we can, you know, finish our business here in some orderly fashion. So if you'll all just stand at ease for just a -- a few minutes, once those amendments are filed, we'll have the Rules Committee and

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then, at that particular point, I suspect we will be breaking for our respective caucuses. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Mr. President, could you tell us -- I heard a rumor that we -- we're not going to be in here tomorrow. Is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, it is neither the intent of the Chair to confirm or deny that we will be here tomorrow. The fact of the matter, as I understand it, from what I know, we are, in fact, here tomorrow. I don't know where that rumor comes from, but you know this place as well as I do. It could be from the shoe shine guy or something, I don't know. Could -- yeah -- Senator Geo-Karis.

SENATOR GEO-KARIS:

The reason -- the reason that I'm asking, because tomorrow -- sometime tomorrow, we're going to have a little memorial service for Memorial Day. We have five veterans who are Democrats and five Democrats {sic} who are Republicans. And they're -- each going to be asked to speak. So, we got 'em even. But anyway, that's why I'm concerned about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's -- it is -- it is -- to my knowledge, it is our intentions to be here. And contrary to whatever else is out there, that's -- that's what I -- that's what the Chair knows at this moment. Senator Maloney, for what purpose do you rise?

SENATOR MALONEY:

For purpose of announcement. I would just like to -- as long as we'll be at ease, Mr. President, just like to invite people to have a piece of cake that I baked last night -- so, to enjoy it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Maloney, if -- if -- if it's a cake that you baked last night, I'm not sure we'll get many takers, but -- cake is over here in the Well for Senator Maloney's birthday. So, let's just stand at ease for a moment until we get -- paperwork catches up. Stand at ease. Don't go anywhere.

(SENATE STANDS AT EASE/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and Gentlemen, Senate will reconvene. We have a special guest with us. We are still waiting for paperwork, but Senator Sandoval has -- excuse me. Ladies and Gentlemen, could we have some order, please? Senator {sic} Hoffman, can you take your conversation off the Floor, please? We have a special guest Senator Sandoval wishes to introduce.

SENATOR SANDOVAL:

Mr. President and Members of the Senate, I have the dubious distinction and honor and privilege of welcoming Miss America 2003, Miss Erika Holder -- Harold, to the Senate of the State of Illinois. Miss -- she has been a longtime promoter of abstinence education and Project Reality spokeswoman and she was crowned Miss America 2003 on September 21st in Atlantic City, New Jersey. She is a twenty-two-year-old graduate of the University of Illinois - one of our own - from Champaign-Urbana and who -- who will -- who is currently attending Harvard Law School to fulfill her duties. Erika gasped and smiled as Miss America 2002 -- as Katie Harmon crowned her while thousand cheered. Erika, who has distinguished herself as a role model to thousands of students she has addressed on abstinence, will continue her work with teens advocating the platform of the youth violence prevention. Erika has emphasized the importance of making healthy choices as the best way to prevent violence. I also would like to thank her for visiting the heart of the Mexican community in the State of Illinois. Over the last six months she has visited the 12th Legislative District. She has been at Morton East High School to speak on the issues as the results to prevention. And so, without further ado, I'd like to introduce Miss America 2003, Miss Holder {sic}, to the Senate.

MISS AMERICA 2003 ERIKA HAROLD:

(Miss America 2003 Erika Harold addresses the Senate)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and Gentlemen, the Rules Committee will be meeting shortly, within -- could we hold it down over there? So, if Senator Roskam or the -- Senator Petka or John Cullerton and -- and Lou's here, are in the sound of my voice, please assemble.

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All right. The -- we have some housekeeping. Senate will come to order. Message 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 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 46, together with -- oh.

Passed the House, May 22nd, 2003.

I have a Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1506, together with House Amendment No. 1.

Passed the House, as amended, May 22nd, 2003.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 46, offered by Senator Walsh.

(Secretary reads title of bill)

3rd Reading of the bill -- 1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolution.

SECRETARY HAWKER:

Senate Resolution 169, offered by Senators Emil Jones, Cullerton and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will stand in recess in order for the Rules Committee to meet. Stay put.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will come to order. Let me try to give you some idea as to where we're at. We are... Committee Reports.

SECRETARY HAWKER:

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Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - House Bill 46 and a Motion to Concur with House Amendment No. 1 to Senate Bill 257; refer to Appropriations I Committee - House Bill 3738, Floor Amendment to House Bill 2663, Floor Amendment No. 1 to House Bill 2671, Floor Amendment 1 to House Bill 2700 and Floor Amendment 1 to House Bill 2716; refer to Education Committee - Floor Amendments 2 and 3 to House Bill 495, Motion to Concur with House Amendment 1 to Senate Bill 566 and a Motion to Concur with House Amendment 1 to Senate Bill 903; refer to Environment and Energy Committee - House Joint Resolution 12 and a Motion to Concur with House Amendment No. 1 to Senate Bill 1098; refer to Executive Committee - Committee {sic} Amendment No. 1 to Senate Resolution 139, Floor Amendment 1 to House Bill 920, Floor Amendment 1 to House Bill 1023, Floor Amendment 1 to House Bill 1043, Floor Amendment 1 {sic} (2) to House Bill 2345 and Floor Amendment 1 to House Bill 3640; refer to Health and Human Services Committee - Floor Amendment 1 to House Bill 687, Floor Amendment 1 to House Bill 1038, Motion to Concur with House Amendment 1 to Senate Bill 59, Motion to Concur with House Amendment 1 to Senate Bill 199, Motion to Concur with House Amendment 1 to Senate Bill 263 and a Motion to Concur with House Amendment 1 and 2 to Senate Bill 319; refer to Judiciary Committee - Floor Amendment 1 to House Bill 1017, Floor Amendment 1 to House Bill 2902, Motion to Concur with House Amendment 1 to Senate Bill 125, Motion to Concur with House Amendment 1 to Senate Bill 329, Motion to Concur with House Amendment 1 to Senate Bill 686, Motion to Concur with House Amendment 1 to Senate Bill 690, Motion to Concur with House Amendment 1 to Senate Bill 729, Motion to Concur with House Amendment 1 to Senate Bill 922 and Motion to Concur with House Amendment 1 to Senate Bill 1053; refer to Labor and Commerce Committee - Motion to Concur with House Amendment 1 to Senate Bill 228; refer to Licensed Activities Committee - Floor Amendments 2 and 3 to House Bill 1482, Motion to Concur with House Amendment 1 to Senate Bill -- pardon me, 105; Motion to Concur with House Amendment 1 to Senate Bill 190, Motion to Concur with House Amendment 1 to Senate Bill 332, Motion to

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Concur with House Amendment 1 and House Amendment 2 to Senate Bill 385, Motion to Concur with House Amendments 1 and 3 to Senate Bill 386, Motion to Concur with House Amendment 1 to Senate Bill -- pardon me, Senate Bill 698; refer to Local Government Committee - Floor Amendment 1 to House Bill 841, Floor Amendment 1 to House Bill 1027, Floor Amendment 2 to House Bill 3402 and Motion to Concur with House Amendment 1 to Senate Bill 886; refer to Revenue Committee - Floor Amendment 1 to House Bill 861, Motion to Concur with House Amendment 1 to Senate Bill 154, Motion to Concur with House Amendment 1 to Senate Bill 170 and Motion to Concur with House Amendments 1 and 2 to Senate Bill 881; refer to State Government Committee - Floor Amendment 1 to House Bill 940, Motion to Concur with House Amendment 1 to Senate Bill 280, Motion to Concur with House Amendment 1 to Senate Bill 689 and Motion to Concur with House Amendment 1 to Senate Bill -- 680; refer to Transportation Committee - House Amendment 1 to -- pardon me, Floor Amendment 1 to House Bill 654, Motion to Concur with House Amendment 1 to Senate Bill 272 and Motion to Concur with House Amendments 1 and 2 to Senate Bill 639.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...me try to attempt to tell you where we're at. Ladies and Gentlemen. 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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1530, together with House Amendment 1.

Passed the House, as amended, May 22nd, 2003.

I have like Messages on Senate Bill 1542, with House Amendment 1; Senate Bill 1543, with House Amendment 1; Senate Bill 1785, with House Amendment 1.

All passed the House, as amended, May 22nd, 2003.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Now, Ladies and Gentlemen, let me attempt to tell you where I think we are. The Leaders are still meeting and I know that at some point we both wanted to go to our

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respective caucuses. I have been advised that we should simply stand at ease until the meeting is over. Then we will come back and go into Session, then we will announce our respective caucuses and then go to committee for the afternoon and come back later this afternoon and consider the committee action. So the Senate will just stand at -- at -- well, it's my understanding that, again, the Rules Committee has been read in. The committees' postings will be momentarily, I guess, going out. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Yeah. It just seems to me it's a little strange that we have to wait until this hour to have these meetings going on and -- and waste our time around here. It would seem to me that this could have been done in a more expeditious manner.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Jacobs, I'm quite sure that your comments that go to the various constitutional officers in different places, that they have been so noted. The Senate will stand at ease for a -- for a few minutes.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDENT JONES:

Will all the Members who are in their offices or somewhere in the Capitol Building please come to the Senate Floor? Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, on a point of order. I would suggest, Mr. President, that you ring the bell about a half a dozen times to wake up everyone who's all over the darn building to get 'em back here where they belong, right here in Session. I've been waiting here with these others to get started. Thank you.

PRESIDENT JONES:

Will the Members who are in their offices or in the building kindly come to the Senate Floor? The Senate will please come to order. Madam Secretary, Messages. Madam Secretary, you have any motions on file?

SECRETARY HAWKER:

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Yes. I have a motion filed by Senator Righter with respect to Senate Bill 617.

PRESIDENT JONES:

...on the Calendar. Senator Cullerton.

SENATOR CULLERTON:

Yes, Mr. President, for the purposes of announcement, the Senate Judiciary Committee will meet in Room 400 at the hour of 4:30.

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. I rise for purposes of announcement. Appropriations I Committee will be meeting in Room 212 at 4:30.

PRESIDENT JONES:

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. Transportation Committee will be meeting at 4:30 in A-1.

PRESIDENT JONES:

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the President.

Dear Madam Secretary - Pursuant to Senate Rule 2-10, I hereby establish May 31, 2003, as the final committee and 3rd Reading deadlines for House Bill 46.

Very truly yours, Emil Jones, Jr., Senate President.

PRESIDENT JONES:

Senator Obama, what purpose do you rise?

SENATOR OBAMA:

A point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just want to announce that on the Republican side of the gallery - this is a mistake, logistically - but on the Republican side of the gallery we have some wonderful high school students visiting from my district, Kenwood Academy. And

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I would like all the Senators to give them a warm Senate welcome.

PRESIDENT JONES:

Senator Halvorson.

Senator Shadid

Thank you, Mr. President. I'd like to announce a Democratic Caucus immediately, during -- while we recess, in Senator Jones' Office.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I rise for the purpose of an announcement. I'd like to announce a Republican Caucus immediately upon recess.

PRESIDENT JONES:

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. I rise for a point of personal privilege.

PRESIDENT JONES:

State your point

SENATOR CLAYBORNE:

Behind me is a friend of mine and Assistant Regional Superintendent in St. Clair County and also the wife of our local Congressman, Jerry Costello. We have Georgia Costello behind me.

PRESIDENT JONES:

Will our guest in the gallery please rise and be recognized by the Senate? Senator Denny Jacobs, what purpose do you rise?

SENATOR JACOBS:

Thank you, Mr. President. Just for an announcement.

PRESIDENT JONES:

State your point.

SENATOR JACOBS:

The Senate Insurance and Pension Committee has done such a good job, we will not be meeting.

PRESIDENT JONES:

The Senate will now stand in recess to the call of the Chair. After committee meetings, after the caucuses, at the

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call of the Chair we will return to the Senate Floor for 3rd Reading. So I suggest that every Member be here because we have some serious business to do today, and if -- if Rauschenberger doesn't talk too long -- Senator Rauschenberger doesn't talk too long, we should get out before 12 o'clock tonight. So, the Senate stands -- the Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDENT JONES:

The Members who are in their offices kindly come to the Floor. We're ready to reconvene to take care of Senate business. Madam Secretary, Messages.

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 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 3064.

Passed the House, May 22nd, 2003.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 196, together with House Amendment No. 1.

Passed the House, as amended, May 22nd, 2003.

I have like Messages on Senate Bills 372, with House Amendments 1, 3 and 4; Senate Bill 404, with House Amendments 1 and 2; Senate Bill 553, with House Amendment 2; Senate Bill 748, with House Amendment 1; Senate Bill 808, with House Amendment 1; Senate Bill 844, with House Amendment 1; Senate Bill 884, with House Amendment 1; Senate Bill 974, with House Amendment 1; Senate Bill 1353, with House Amendment 1; Senate Bill 1668, with House Amendments 1 and 2; and Senate Bill 1983 with House Amendment 1.

All passed the House, as amended, May 22nd, 2003.

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PRESIDENT JONES:

Illinois Information Service seeks leave to videotape the proceedings. Is there any objection? Leave is granted. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary, report Senate Amendment No. 1 to House Bill 1017, Senate Amendment No. 1 to House Bill 2902, and Motions to Concur House Amendment 1 to Senate Bill 329, House Amendment No. 1 to Senate Bill 686, House Amendment 1 to Senate Bill 690, House Amendment 1 to Senate Bill 729, House Amendment 1 to Senate Bill 922 and House Amendment 1 to Senate Bill 1053, all Be Approved for Consideration.

Senator Shadid, Chairperson of the Committee on Transportation, reports Senate Amendment No. 1 to House Bill 654 and Motions to Concur House Amendment 1 to Senate Bill 272 and House Amendments 1 and 2 to Senate Bill 639, all Be Adopted.

Senator Trotter, Chairperson of the Committee on Appropriations I, reports Senate Amendment No. 1 to House Bill 2663, Senate Amendment No. 1 to House Bill 2671 and Senate Amendment No. 1 to House Bill 2716, all Be Adopted.

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to State Government Committee - Motion to Concur with House Amendment No. 1 to Senate Bill 844; and Be Approved for Consideration - Floor Amendment No. 2 to House Bill 2700.

PRESIDENT JONES:

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 170, offered by Senator Walsh.
It is substantive.

PRESIDENT JONES:

Now we'll go to the Order of House Bills 3rd Reading for the purpose of recall. House Bill -- on page 69 of the Calendar, House Bill 2663. Senator Welch. Senator Welch seeks leave of the Body to return House Bill 2663 to the Order of 2nd Reading. Is leave granted? Leave is granted. Senator Welch.

SENATOR WELCH:

Thank you, Mr....

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PRESIDENT JONES:

On the Order of 2nd Reading is House Bill 2663. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Welch.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment was just discussed in committee. I would be glad to discuss it on 3rd Reading and I would move to put the amendment on the bill and move it to 3rd.

PRESIDENT JONES:

Senator Welch moves for the adoption of Amendment No. 1 to -- to Senate Bill 2663. All those in favor, signify by saying Aye. No Nays. The Ayes have it. The amendment is adopted. Are there any further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDENT JONES:

3rd -- 3rd Reading. On the Order of Recall is House Bill -- 2671. Senator Trotter. Senator Trotter seeks leave to return House Bill 2671 to the Order of 2nd Reading. Is leave granted? Leave is granted. Madam Secretary, on the Order of 2nd Reading is House Bill 2671. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Trotter.

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Amendment No. 1 to House Bill 2671 was just addressed and heard in Appropriations I, and I would like to move it to 3rd and we will debate it on 3rd Reading.

PRESIDENT JONES:

Is there any discussion? All in favor, signify by saying Aye. Nays? Ayes have it. Amendment is adopted. 3rd Reading. On page 70 of the Calendar, on the -- on recall is House Bill

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2700. Senator Welch seeks leave to return House Bill 2700 to the Order of 2nd Reading. Is leave granted? Leave is granted. Senator Welch. Madam Secretary, are there -- on the Order of 2nd Reading. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1.

PRESIDENT JONES:

Senator Welch.

SECRETARY HAWKER:

Excuse me, Senate President. That was Floor Amendment No. 2.

PRESIDENT JONES:

Senator Welch, on Floor Amendment No. 2.

SENATOR WELCH:

Floor Amendment No. 2 was discussed in the Appropriations Committee just now and it also has a technical amendment added to it as discussed in the committee as well. I would move for the adoption of the amendment and move back the bill to 3rd Reading.

PRESIDENT JONES:

Is there any discussion? All in favor of adoption of the amendment, signify by saying Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. 3rd Reading. On page 71 of the Calendar, on the Order of 3rd Reading, is House Bill 2716. Senator Trotter seeks leave to -- leave of the Body to return House Bill 2716 to the Order of 2nd Reading. Leave is granted. Madam Secretary, on the Order of 2nd Reading is House Bill 2716. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Trotter.

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Floor Amendment No. 1 was just discussed in Appropriations I. It addresses the Governor's restorations and reductions to this bill, and I would like to move it forward to 3rd and discuss it on 3rd.

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PRESIDENT JONES:

Is there any discussion? All those in favor of the amendment, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. 3rd Reading. With leave of the Body, we will go to House Bill 3528. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3528.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a House bill that passed, I believe unanimously in the House, and we did add one amendment which I will tell you about, but it -- it's a very timely bill. It creates the Alcohol Impaired Minor Responsibility Act and it provides that a person who willfully gives alcohol or illegal drugs to a person under the age of eighteen shall be liable in a civil cause of action, so that if that person -- young person is killed or -- after drinking alcohol or is injured, that there can be a lawsuit filed by their survivors or by that person, if he's injured, against the person who willfully gave the alcohol. It's not a negligent act. It's not somebody leaving alcohol in their house and going away for the weekend and having the kids get into the liquor cabinet. What -- what we're talking about here is when someone goes out and purchases alcohol for a minor, then that minor later on is injured. The insurance industry indicated that they wanted to have an amendment to delay the effective date until October 1st, and the reason for that is they want to make sure that the homeowner's policy does not cover this Act. It's -- it's probably -- since it's a illegal act, it's probably something which is not covered, but they want to make sure that their policies will be -- they'll have enough time to redo their policies and have everybody understand that. I think it's a very timely bill, in light of recent actions that we've read about in the paper and seen on television concerning the possibility of people providing alcohol and then having hazing going on at our

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high schools. I think it's a very timely bill. It's been supported by the Illinois State Crime Commission, the Illinois Licensed Beverage Association, the Mothers Against Drunk Driving. Be happy to answer any questions, and I'd ask for an Aye vote.

PRESIDENT JONES:

Is there any discussion? Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question? The reason I'm asking...

PRESIDENT JONES:

Sponsor indicate he will.

SENATOR GEO-KARIS:

Thank you.

PRESIDENT JONES:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President. My computer here has the doldrums so I can't find anything too well from it. Do I understand that your bill says that anyone who serves liquor to a minor and that minor gets blasted with it and goes out and kills someone or hurts someone, driving, whatever it is, the party serving the liquor can be sued? Is that correct?

SENATOR CULLERTON:

Yes.

PRESIDENT JONES:

Senator Cullerton.

SENATOR CULLERTON:

Yes. Yes, ma'am. It's creating a civil cause of action when a person willfully supplies alcoholic liquor or illegal drugs to a person under the age of eighteen.

PRESIDENT JONES:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think that when grownups take it upon themselves to serve liquor to minors, I think they don't know what they're doing and they should know better, and perhaps this is the only way they will

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learn. And I certainly rise to speak in favor of the bill because just recently we've had some people hurt 'cause of alcohol-induced driving, and I think it's time we set the record straight. This is similar to the Dram Shop Act, and I certainly commend Senator Cullerton for this bill and I rise and speak in favor of it.

PRESIDENT JONES:

Is there any further discussion? Any further discussion? Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. I appreciate your support, Senator Geo-Karis. I think this bill has been well -- well drafted. I think it's very timely. I would ask for an Aye vote.

PRESIDENT JONES:

The question is, shall House Bill 3528 pass. All those in favor will signify by voting 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 59 Ayes, no Nays, no -- no one voting Present. This bill, having received the required constitutional majority, is declared passed. We'll return to page 69 on the Calendar for appropriation bills only -- only House bills on 3rd Reading. House Bill 2663. Senator Welch. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2663.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is an amendment to House Bill 2663. The amendment was an amendment that added 100.9 million dollars to the Governor's proposed education budget. Included in this is 53.7 million dollars as an increase for a new poverty count bill that we passed out of here in the Senate and is over in the House. I'd be glad to try to answer any questions on this bill.

PRESIDENT JONES:

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Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Appreciate it. Well, as we start this -- this process, I guess I'd have to be remiss if I didn't mention my disappointment, I guess, in you, Mr. President, and -- and Democrat Majority and just disappointment in our Governor as we seem to be going back to the times of ten, eleven years ago when you did control this process. You're ramming through a -- a budget with very limited debate, very limited public input. And I just sat through the Appropriations Committee, much of it, a little while ago, and Governor's agency directors didn't even bother to make themselves available to testify. We saw the same thing a couple weeks ago, Mr. President, when we crammed through the telecommunications legislation and -- almost in the dark of night and rushed to sign the legislation before people of Illinois and -- had an opportunity to digest what we're doing. I guess I should have taken a hint at that time that we are operating government on one hour's notice. These bills contain funding for our schools. And we sat in the committee and we just got a printout made available to us by our superintendent -- State Superintendent, Robert Schiller, during the committee. We had no idea how money was going to be allocated to our local school districts and how this Democrat budget was going to impact our schools. And we're still not sure. Even the information that we have before us no one can say for sure whether it's accurate or not. And you told me today, Mr. President, that we would be voting on legislation that would allocate the funds for our State budget for the next fiscal year, tens of billions of dollars, and as we met with the Governor and discussions that we had with him, we talked about what we think is an important part of the process, and is -- that is knowing what revenues do we have to spend. We've got the cart before the horse here. We're actually spending money and which we don't know whether we have or have not. We don't even have bills introduced to create the revenue necessary to support this budget. And certain spending, obviously, should be covered by existing revenues, and there'll be many on this side of the aisle that will probably be supporting some of these -- these budgets and -- and items that are important to the people

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of this State. Education, certainly. Our veterans. Our Department of Corrections. Our senior citizens. And I'll tell you what: I'm embarrassed for these men and women right here to have to spend a day here in Springfield to come and tell us how important it is for them to secure their jobs in the Department of Corrections, when they go to work every day for us to protect the people of this State. I'm embarrassed in the fact that they had to be here and spend this whole time with us. And I appreciate what you do and we're going to do everything we can to maintain the security aspects of the Department of Corrections, which is so important to the people and the men and women who work for us in the Department of Corrections. We applaud you. Thank you.

PRESIDENT JONES:

Will the Minority Leader kindly redress -- address his remarks to the bill, and the other speeches you can discuss with me at a later time. But before us now is the -- bill -- appropriation bill. Will you kindly address your remarks to that, sir, please?

SENATOR WATSON:

Sure. Thank you. Don't be fooled by the process by which you may be seeing here tonight. There's not a lot that goes on in this process, and the people that are supporting the Department of Corrections may not vote for this legislation tonight because of the concern that we have for the lack of support -- for the lack of support that we've gotten from the Second Floor in regard to the captains in the Department of Corrections.

PRESIDENT JONES:

Will the Minority Leader kindly address his remarks to this bill, out of due respect? Otherwise we'll move to one of the other Members who wish to speak. The issue before us is the..

SENATOR WATSON:

Yes, sir. I understand that, and I -- I apologize. I will tell you one thing, that this side of the aisle, we won't be supporting a lot of what the Governor is asking for and we're -- because of the proposed new spending. A hundred -- seven hundred and fifteen million dollars over last year's budget, Mr. President, was introduced by the Governor. A hundred and

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thirty-five million more, now, here tonight, proposed by you. We're almost a billion more than what was allocated for spending last year. When everybody understands that we have a five-billion-dollar hole to fill, we've just created a billion more. We're about to. And, you know, some of us on this side, I've heard some on that side, say, "Why not just pass the Governor's budget and let him live with it?" Well, you know, it's not the Governor's budget; it's the people of Illinois' budget. And I'm going to be voting for the people. And I want to tell you another thing. We just had -- a moment ago we adopted a technical amendment to House Bill 2700. This is the technical amendment, Mr. President. I don't -- sure how many pages. Scott, how many are in there? Do we know? Two hundred and seventy-five pages, Mr. President. There you go. There's your technical amendment.

PRESIDENT JONES:

Will the Secretary please..

SENATOR WATSON:

Do you think this process is fair? Do you think the people of Illinois are being well served by what you're doing here tonight?

PRESIDENT JONES:

Will the..

SENATOR WATSON:

Well, I'm telling you, no, sir. No, sir, not at all. People of Illinois, it's a sham what's going on here tonight and you..

PRESIDENT JONES:

You know..

SENATOR WATSON:

...ought to be embarrassed for what you're about to do.

PRESIDENT JONES:

Mr. Minority Leader, kindly show respect for the Chamber. Is there any further questions? And we know you're a fast reader. That's the reason why you have it there. And the -- and the timer is on. Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. You know, our distinguished colleague, Senator Watson, I think makes a very

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good case against this bill, but may I just say that, you know, when we got this printout during the last Appropriations meeting, I looked up, for my own district -- my own school district from back home. I've represented this area for ten years. I have a son who's going to be starting over at West Aurora High School next fall. I looked under my category for my Senate district and it's not there. So, all this information -- my own home district. I've lived in that district, school district, for fifty years. It's not in here. So, as you-all vote for your bill, you're relying on something that is not only late, it's inaccurate on the face. Thank you.

PRESIDENT JONES:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me first by -- start by thanking Senator Trotter and Senator Welch. I know these have been extraordinary, difficult times. They, together with your staff member, have -- staff, have done a good job of trying to keep us in the loop in kind of extraordinary circumstances with the Governor. I would agree with the Senate Minority Leader that we may be falling prey to the kind of frustration with the Governor and acting too soon. The education budget before us is, I think, a real honest attempt to move the whole process forward, but we're playing, if you ask me anyway, a little -- a dangerous game with the House. They've already indicated by both committee and by Chamber action that they're willing to support a bill like this. This could well end up being the education budget that we have to live with and that characterizes this Session. So, I would just urge Members on both sides of the aisle to be cautious of kind of engaging in this game of chicken when we're on final action on the budget. But I do acknowledge that Senator Trotter has been very patient with the Minority Members and tried very hard. We frequently, in the budgetary process, have to do things late at night, sometimes on one-hour postings, sometimes with -- with limited hearings, but it's very unusual to do it late at night when we're nine days from adjournment. Earlier today the Senate President extended deadlines for substantive bills to May 31st, so we clearly have time to set this aside and maybe study it for

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a little longer. And it's also very unusual to do this while we still had a -- have a gaping three-billion-dollar revenue question unanswered. Today you need -- all need to know, probably many of you do, the Governor has yet to introduce into either Chamber an amendment dealing with the revenues that we need to make his part of the budget work, let alone the increase. So, I would urge people to be very cautious. You may think this is the first education budget you see. It may well be the last one.

PRESIDENT JONES:

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. Actually, I think there are some very good things in this amendment, things I think we all support -- including restoring the material center for the visually impaired, the textbook loan program and things that I know we've all heard a lot from our constituents on. The problem with this is, though, it's so late. We don't have adequate information as to how it's going to impact our districts. We certainly have not had an opportunity to share this information with our districts. So we're operating with only a little bit of information. The point about the lack of revenue has already been made. I hate to once again make empty promises to people, that, yes, yes, we're going to be all for this, that and the other thing, and then there's no revenue for it. Finally, for those of you that were not in committee, I think it should be noted that both ED-RED and LEND, which is the Legislative Educational Network of DuPage County, signed in in opposition to this budget. So there's clearly some concern about how this is impacting the suburban school districts, and since we haven't had a time to talk with them about it or to get our -- their questions answered, I think that we ought to vote No on this. Thank you.

PRESIDENT JONES:

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. Question to the sponsor.

PRESIDENT JONES:

Sponsor indicate he'll yield.

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SENATOR BOMKE:

A couple weeks ago, the Governor made a couple commitments to me. One of those I got in writing. Maybe I should have gotten more in writing. But one of the commitments he made to me that was not in writing and that was that he would not reduce -- the FY'04 budget for any school district would not be less than it was the previous year. Yet, I hold in my hand a printout from the State Board that would indicate that -- some of my school districts do pretty well; however, there are a couple that have a slight decrease. Now, I'm curious. Is this the Governor's proposed budget or is this the Senate Democrats' budget? And why is there a decrease, when not only did the Governor make that commitment to me, but I've read and heard him make that commitment public?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Senator, this is the Governor's budget as originally introduced with amendments basically adding money to it by Members of both the House and Senate. So, as far as any agreements you had with the Governor, those I'm not privy to, so I really can't respond to that -- that point that you made.

PRESIDENT JONES:

Senator Bomke.

SENATOR BOMKE:

Senator, are you suggesting the Governor is not living up to his commitment to the people? 'Cause I've heard him, and I'm sure you have as well, state publicly that he would -- no -- no district -- or every district would be held harmless, that no district would receive less money in this next budget than they got this year.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Senator, I don't think I would stand here today and sponsor the Governor's bill on his education budget and yet question his word on the Floor of the Senate. He's a man of his word. I'm sure he's going to live up to it. We have transitional assistance in here to keep schools whole. We have hold harmless

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provisions. We have the poverty grant provision. We have numerous areas in this budget of the Governor's to try to fulfill what he told you. And I'm sure that that issue taken up with the Governor, he would live up to his word.

PRESIDENT JONES:

Any further questions? Senator del Valle.

SENATOR DEL VALLE:

Well, thank you, Mr. President. My understanding is that there is transitional assistance built into this budget and that no school district is supposed to receive less than last year. And so, I'm also counting on that being the case. But I -- I want to mention that this budget, the Senate version, is a huge improvement, in my opinion, over the Governor's proposed budget. I want to commend the Senate President, Emil Jones, for his leadership. I want to commend the House for the amendment that added on a number of the categoricals that had been cut. But I also want to say that there are a few things that I was hoping would be in this budget that aren't and that includes the parental involvement line, a dropout prevention line, and also in the DHS budget, a violence prevention line. And so, while we're hoping that somehow before we leave here we'll be able to come up with those additional dollars to fund those lines, I think it's important to note that the Senate, in this amendment, has taken a huge step forward. We have sent a message to the Governor that his proposed budget was not enough and that education needs more dollars. But even after this, we all have to admit that this does not resolve the fiscal crisis that our schools are facing throughout the State of Illinois and that we will still have many school districts doing deficit spending. That is a matter for another day, but this amendment does take us forward. The two-hundred-and-fifty-dollar increase per pupil is a major step forward. Is it enough? Of course it's not enough. But maybe - maybe - at some point in the near future, we'll debate the structural changes that need to occur in the State of Illinois in terms of funding and then do the courageous thing that has to be done, and that is, change our income tax and maybe our sales tax and ensure enough revenues to be able to deal with the fiscal crisis. Until that day comes, then we've got to take these incremental steps, but this is a significant

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incremental step, thanks to the leadership of the House and the Senate. And certainly, I hope that the Governor will work with us to finalize a revenue package that I'm ready to vote for. I'm ready to vote for a revenue package that is going to back up these numbers, and I don't think that could be said by everyone on this Floor.

PRESIDENT JONES:

Senator Wendell Jones.

SENATOR W. JONES:

Yes, Mr. President, Members of the Senate, I just have a couple of comments I want to make about the process. I was able to read the budget as it dropped out of Senator Watson's desk and I've committed it to memory. So, thank you for that. I -- I'm able to read very -- very quickly, especially if it drops at an angle where I can read it on the way down. I was reading an article the other day about the six worst things you can do when the State is in a recession. Number one, borrow money. We just borrowed 11.5 billion dollars. Number two, budget one-time revenues in the General Fund. Three, sell assets and lease them back to yourself. Four, put non-general infusions, like the Road Fund, into the General Fund to make the citizens of Illinois think that you're balancing the budget. Issue pension obligation bonds and tax businesses, because you want to keep businesses healthy when you're trying to dig out of a recession. So, we're going to tax our businesses. So, we just did the six worst things you can do in a recession. Coming out of a recession, we're doing the six worst things you can do. The seventh worst things you can do is do a budget in fifteen minutes and lay it on everybody's desk and expect them to know what's in it. And I'm glad we're not back to doing things the same old way in Springfield. I am so happy that we're not doing the same old way in Springfield. Thank you very much.

PRESIDENT JONES:

Senator -- Senator Vince Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I appreciated that last speaker and his remarks. My first eighteen years, obviously, we had a better time of it. These last ten, however, it seems to me that we were treated in

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much the same way or -- or -- or worse. But let me explain something. There's been some questions as to whether or not school districts actually lose money -- that is indicated on your printout. What happens with -- with this printout is that the transition money is not in this. The transition money, it will be a grant to the department -- to -- to the Illinois State Board of Education. The amount of money that your school district, on your sheet, loses will be the identical amount that they can apply for and get from the State Board. There are no losers in this. And so -- if you look at your sheet and you have a negative balance of -- and most of them, I think, are -- are less than four figures, or four figures or more. Whatever that number is, that you can apply for a grant from the State Board of Education and you'll be granted that money. That's what the transitional money is all about. That's why it's in there. This is a good budget. We ought to vote for it. Thank you.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield?

PRESIDENT JONES:

The sponsor indicate he will.

SENATOR BURZYNSKI:

Thank you. I forgot who sponsored this one, Senator. Just a couple of questions and -- and a follow-up question or two on -- on the grants, the hold harmless. When we had the original introduction of the Governor's bill - and I kind of asked you this, Senator Welch, when we -- when we were in committee a few minutes ago - when we had the -- the budget as it was introduced by the Governor, he indicated that it would take a sixteen-million-dollar hold harmless or -- or assistance for the first year. This budget, as I understand it, includes a little over five million dollars for that based on the fact that there's been additional monies put back into the budget through the House process and through the amendment process. So, it -- that's my understanding, that -- that the State Board of Education, the Governor's Office and you-all feel comfortable with that five-plus-million-dollar figure.

PRESIDENT JONES:

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Senator Welch.

SENATOR WELCH:

Yes, we do.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. And -- and so, in other words, what we're looking at is a five -- and I don't have the number right here in front of me, Senator, I'm sorry. But I know it's a little over five million dollars for a one-year transitional expense. Is that correct?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Five -- 5.2 million dollars is the one-year transitional expense.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. So, in other words, we do have a one-year transition; however, we're not guaranteed anything on the out-years. And I just think it's important that the Body knows that, because we do have a lot of new Members that might not have focused on that. Secondly, we did just get a printout from -- from the State Board of Education about an hour, hour and a half ago and I've had a chance to look at it a little bit now, and I am a little bit concerned because anytime we get printouts, there's an awful lot of room for error in them. And I would encourage all of my colleagues to look very closely at those printouts to make sure that they understand the numbers that are in there. If you recall, the printouts we had earlier from the initial budget and education line items as they were introduced, there was a lot of discrepancy between what the local districts -- school districts said and what the State Board of Education had in their printouts. That could very well be the case here. I have another question, Senator, and it deals with new programs that are in this budget. Is it my understanding there are several new programs - for instance, Universal Preschool - and additional funding for that?

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PRESIDENT JONES:

Senator Welch, to respond, and you only have a few seconds left.

SENATOR WELCH:

During the Governor's campaign, he promised he would be an advocate for preschool children. So, yes, this does have a new component in it for preschool children.

PRESIDENT JONES:

Senator Burzynski, ten seconds.

SENATOR BURZYNSKI:

Thank you, Senator Welch. I would just, again, point out to my colleagues, there are new programs when we can't fund the programs that we've got. Take a look at these numbers. Do you really feel comfortable with 'em?

PRESIDENT JONES:

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. I really would like to vote for this education bill, but as I look at the printout that I was given about an hour ago and as I review the school districts that are in my district, it's going to be hard for me to go back and to explain how the foundation level for education was raised two hundred and fifty dollars per child whenever twenty-eight percent of those school districts within my district got less money than they did the year before. I think that we haven't had enough time to review what each of our districts are going to get, to verify the numbers, but the numbers that I have in my hand don't look very favorable for my district and I'm going to have a hard time explaining this back home. Thank you.

PRESIDENT JONES:

Senator Welch, to close.

SENATOR WELCH:

Thank you, Mr. President. About four weeks ago, I was in Boston, Massachusetts, attending the National Conference of State Legislators, and I happened to pick up a local paper. The State of Massachusetts is facing a 2.5-billion-dollar hole in their budget. And what was proposed by the legislature? Cut education five percent. I was absolutely astounded. When you look at what Governor Blagojevich has proposed, it is truly

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amazing: an increase in education of eight hundred million dollars in the middle of the biggest crisis in the State of Illinois history. Eight hundred million dollars. The Governor has said he was for education. Those of you who say, "Well, there's a two-hundred-and-fifty-dollar increase in the foundation level," should realize that's double the increase of any year we've increased the foundation level. It's the first installment of a four-year promise to raise the foundation level by a thousand dollars - the greatest commitment to education by any Governor of this State or any legislator in this State - by Governor Rod Blagojevich. I know it's easy to poke fun at him. The press likes to say, "Oh, he's not down here in Springfield," "He's not here to hear all of our complaints." And who can blame him? Who can blame him for not wanting to hear these minute complaints about everything that happens? And we all hear 'em day by day. Every lobbying group coming to us: "You know, I know there's a five-billion-dollar deficit, but my project is really important. Put mine in there. The hell with everybody else. Mine is the important one." And we've all gotten lobbyists coming to us to do that. All of us have. Instead, rising above this deficit, the Governor has proposed something that is truly unusual and magnificent: an increase in the education budget in the face of a five-billion-dollar deficit. California's not doing that. New York isn't doing it. Massachusetts isn't doing it. I don't think anybody in the country can claim as big an increase in education as Governor Blagojevich and the State of Illinois, and we should be proud to vote for this bill. You know, I hear the arguments over there - and they are pithy, to say the least - to say that, "Well, I can't vote for this 'cause we haven't passed the revenue portion of the budget, so I don't know how much to spend." If we were here tonight passing the revenue portion of the budget, the argument from your side would be, "Well, we don't know what it's going to be spent on, so I can't vote for it yet. We should vote for the budget first." You can't have it both ways. We've also heard people say it's not enough money. We've heard people say it's too little money. It reminds me of an old poem, one of my favorite poems. It goes like this: The grand old Duke of York, he had ten thousand men; He marched 'em up to the top of the

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hill and he marched 'em down again; and when they were up, they were up; And when they were down, they were down; and when they were but halfway up, they were neither up nor down. And that's where this budget is. Those of you who think it's down, can see it that way; those of you who think it should be up, see it that way. This is a budget that we can all be proud of. It's one that holds everyone harmless. There's transitional money for everyone. It's a budget that has managed to help everyone. Governor Blagojevich should be commended, he should be applauded, he should be held up high for what he is, and that is the leader in increasing funding for education for the children of the State of Illinois. I would urge an Aye vote.

PRESIDENT JONES:

The question is, shall House Bill -- 2663 pass. All those in favor will signify by voting 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 45 voting Aye, 13 Nays, 1 voting Present. House Bill 2663, having received the required constitutional majority, is declared passed. Chicago Tribune seeks leave to photograph the proceedings. Is leave granted? Leave is granted. On the Order of 3rd Reading is House Bill 2671. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2671.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

...very much, Mr. President and Members of the Senate. House Bill 2671 addresses the Board of Higher Education and the ISAC and the ICB -- CCB restorations and also the reductions, but it contains mostly the Governor's level for spending for those agencies. And I will -- I'm available for questions.

PRESIDENT JONES:

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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Thank you, Mr. President, Ladies and Gentlemen of the -- Ladies and Gentlemen of the Senate. Just for the record, this one does not go up by eight hundred million, and I'm not sure the other one did. This one is actually about a fifty-million-dollar reduction in higher education across the State of Illinois. But there's a troubling aspect I would just point out to all Members. Historically, as we've dealt with higher education budgets, when we deal with the campuses we've tried to make an effort over time to essentially deal with the campuses on a consistent basis. We take the Board of Higher Education's recommendations and either increase them relatively equally or decrease them relatively equally, and Members just need to know that we're departing from that pattern this year. Universities - from Northern Illinois University, Southern Illinois University, Eastern Illinois University, Western Illinois University, Northeastern Illinois University - across the State, every university in the State has taken between a 7.7- and a nine-percent decrease in their general funds to help us solve these extraordinary problems from the '03 level, which was already reduced. We are making an exception for one university, the one university that has the highest per-pupil general funds cost, and that's Chicago State University. Not only are they not taking a reduction, when this bill is done, they're actually increasing by nearly 4.7 percent in the -- in the face of declining enrollment. So, I just would -- would warn people that we are beginning a process that will politicize the campuses and encourage campuses to lobby individually, not work through the Board of Higher Education. It just isn't reasonable or explainable to go back, I don't believe, to our constituents and say the flagship university of the State we cut by eight percent; Southern Illinois University, one of the -- the real cornerstones of -- of southern Illinois - it has a lot to do with economic development down there - we've cut by eight percent; but Chicago State University, because we've decided to add some extraordinary increases in grants, is growing by five percent in the worst revenue year. If we're going to ask Higher Education to participate, we need to ask 'em to do it equally. So, while I respect the sponsor's effort to -- to move this bill

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forward and I realize the House had influence on these changes, I think this is a bad start for higher ed policy for the State.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDENT JONES:

He indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you.

PRESIDENT JONES:

Senator...

SENATOR BURZYNSKI:

I had to look and see which sponsor it was. Senator, just a couple of very quick questions. I don't want to -- Senator Rauschenberger has already alluded to some of the concerns that -- that I have as well with seeing universities being decreased by eight percent and nine percent for the second year in a row, yet we've got one State university that's not in that same boat, so to speak. And that does raise some issues and some questions, and certainly I don't like that, as having a university in my district. But let me talk very quickly. Is there a holdback -- a request for a holdback on GRF funds, or is the Governor requesting a holdback on GR funds to -- to public universities? I know it's not in this bill, Senator, but I'm just curious as to whether or not that's your understanding.

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Thank you very much. I know that he has made that request, but that is not in this bill.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Another question then, and this is just a follow up and just to repeat what we went through in -- in committee just a little bit. Income funds. As we know, those are the tuitions and -- and fees that the universities

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collect on campus. They're part of that process. It's my understanding that the Governor has also suggested - and I know it's not in this bill either - but that the Governor has also suggested a holdback on income funds. Is that your assessment or your understanding?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

That is what I do recall that the Governor has said, yes.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Then just to the bill very quickly: Not only are we looking at a situation where we have universities receiving, again, reductions of eight percent, 7.7 percent, nine percent, 8.7 percent - whatever they are - in this year's budget, but we also see a situation where they're being asked to hold back five percent of those funds that they do receive in a reserve. So that removes any flexibility they have to take care of the requests, the decreases that are being asked of them in this budget. You really need to take a strong look at this. What we need to do is to have something that's uniform, that's fair, that doesn't hamstring our universities as they try and provide services for the kids that live in our districts and the students that live in our districts. Thank you.

PRESIDENT JONES:

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. To the bill: You know, Senators, those of you who are thinking about voting for this legislation should consider that a vote for this is a vote for reducing our commitment to the public universities in this State. It's a vote for driving up tuition. To give you an idea of the decimation of the university system in Illinois that this represents, I would ask all of us to consider that the Board of Higher Education is -- moves from, last year, one hundred and thirty-three million to eighty-five million. It's cut by forty-eight million dollars. Our community colleges are being cut by

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thirteen million dollars. Senator, the University of Illinois is going to be cut by seventy-nine million dollars. Those of us who serve southern Illinois are going to see a cut to that university of twenty-one million dollars. Those who serve people going to Northern Illinois, a fifteen-million-dollar cut. Illinois State University, there's a cut of eight million dollars. Western Illinois University, five-million-dollar reduction. A vote Yes to this bill says that you agree with a plan to reduce all of that funding by these enormous dollars. I urge a No vote.

PRESIDENT JONES:

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Will sponsor yield, please?

PRESIDENT JONES:

He indicates he will.

SENATOR RIGHTER:

Senator Trotter, I notice that in this legislation, the funding for the Illinois Century Network, which is about twenty-five and a half million dollars, the governance for that is being transferred from the Board of Higher Education to the Department of Central Management -- Services. Why are we doing that?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

That was in the Governor's budget and that was his request, to consolidate many of those similar programs into one central agency, and it went over to CMS.

PRESIDENT JONES:

Senator Righter.

SENATOR RIGHTER:

Well, I -- I appreciate it was in the Governor's budget. You're carrying that part of it, and I guess -- is -- is -- is there something, to your knowledge, about the fact that the Board of Higher Education has not done a good job administering this program or there's another issue that we feel like CMS can do a better job of doing this than the -- than the schools, who the program is designed for in the first place?

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PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

No. To my knowledge, it was not because they were not doing a good job; however, the Governor's felt -- his team felt that -- again, that the -- the people that this serves will be better served, in fact, if it was now under a coordinated effort and in one spot with CMS. And when we had discussions about this in committee, the Board of Higher Education had no problems with the transfer, and CMS felt that they also can take on those added responsibilities.

PRESIDENT JONES:

Senator Righter.

SENATOR RIGHTER:

Senator, I want to talk for a moment about the cuts and how they're being allocated to the State universities. I noticed that in the Governor's original budget, most of the other universities were taking in the neighborhood of an eight-percent cut, whereas Chicago State University was getting a cut of about three and a half percent. Now, in the bill that you're carrying, all the other universities are continuing to carry that burden, whereas Chicago State is actually getting an increase of over four and a half percent. Can you explain to me the reasons to justify what is pretty substantial, different treatment among those universities?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Thank you very much. Yes, sir, certainly I will attempt to. Chicago State University historically has been underfunded, since its creation over almost a hundred years now. As long as it's been in the system, they've not only been underfunded, but it's also the lowest-funded university in the system. In this case, the additions that have been added here, the restoration, in case of some cases, were dollars that were needed so they can finish the work which they started. Three years ago, this -- the General Assembly gave them and authorized them to get twenty-six million dollars to build a brand new library. The works for that library will be completed this fall. Without the additional

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dollars coming in that were asked for in this budget, they will not be able to move the -- the -- their inventory to the new library. So, it only makes sense that we have these dollars so they can complete the work that we started so they can educate the individuals in their community that they serve.

PRESIDENT JONES:

Will Senator Righter bring his remarks to a close?

SENATOR RIGHTER:

To the bill, please, Mr. President. Senator Trotter, I -- I appreciate that answer, but if you look at the Board of Higher Education numbers, you'll find that the lowest per-student-funded university in Illinois has been Eastern Illinois University, in my district. The highest, in terms of GRF support per student, has been Chicago State University. And I want to point out another thing that's in this legislation. Chicago State University is getting over three quarters of a million dollars out of the General Revenue Fund to pay for costs associated with moving the library. You know, we did that at Eastern a couple, three years ago. Faculty, staff, students volunteered their time because they wanted to do it for the school because we didn't have that kind of money. And I appreciate, Senator, very much your efforts on this, but this is -- this screams out inequity, unfair treatment for the rest of these universities as opposed to Chicago State, and I would urge a No vote.

PRESIDENT JONES:

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Will the sponsor yield?

PRESIDENT JONES:

He indicates he will.

SENATOR BRADY:

Senator Trotter, earlier you were questioned on the holdback of the income fund, and my question to you is in regards to this. If you take a university this year who -- and take one that in Fiscal Year '03 received eighty-seven or eighty-eight million dollars, it's my understanding that they were asked to hold back approximately four million dollars that they could then use in this year. This year we're appropriating

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eighty million dollars, which is an eight-million-dollar reduction, but if they couple their holdback of four million with the eighty, they'll have eighty-four million dollars to spend this year. Is that your understanding of how this budget comes together under the Governor's demands?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Yes, partly. They also were -- they were asked also to hold 2.9 -- 2.9 percent of all their reserve funds.

PRESIDENT JONES:

Senator Brady.

SENATOR BRADY:

Here's the problem - and I think you understand it; you understand budgets well: The problem with this is, is they're spending eighty-four million dollars in the scenario that I suggested to you. We're only appropriating eighty. Now, next year, when the budget process begins, I'm afraid this administration or whoever's -- budgeteers or -- or your -- and a concern I have is that you'll start at the eighty million dollars. And if you look at it mathematically and from an accounting principle, that'll mean that they're starting off four million dollars less but not looking like they're taking a cut. Do you understand that logic?

PRESIDENT JONES:

Senator -- Senator Trotter.

SENATOR TROTTER:

I think that was a rhetorical question. But continue.

PRESIDENT JONES:

Senator Brady.

SENATOR BRADY:

It was not rhetorical. Do you understand my logic?

PRESIDENT JONES:

Senator -- Senator Trotter.

SENATOR TROTTER:

I think so, sir. You want to continue with another question?

PRESIDENT JONES:

Senator Brady.

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SENATOR BRADY:

So -- so, you agree that although we're -- we're budgeting this year eighty million, we know we're authorizing them to spend eighty-four. Now the point gets to, when we go through the budgetary process next year, will you also agree that when we look at a base level of funding, when we begin with last year's numbers, we ought to begin with the eighty-four million rather than the eighty that's in here and understand the difficulty that this budget puts higher education under?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

No. I -- I guess this is more of a -- a question to -- to the first question, the first part. I understand your logic, but that doesn't necessarily mean I agree with you, sir.

PRESIDENT JONES:

Senator Brady, will you bring your remarks to a close?

SENATOR BRADY:

What do you disagree with, Senator?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Thank you very much. What I do not agree with, sir, is that I believe that this is a -- a sound budget that has been presented by the Governor, that has been worked on by the House and the Senate, and we have done, under the extenuating circumstances, under the dire circumstances that we're in right now, to ensure that all of our students in higher education will, in fact, get a quality education. Yes, at less dollars than they have in the past, with less support from this -- from this Chamber, but unfortunately, the revenue is not there to continue at the level that we have funded higher education for the past twenty-five years.

PRESIDENT JONES:

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I -- I just want to make a statement for, I guess, what could be categorized as -- as legislative intent here, so I'm not expecting a response from --

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from Senator Trotter. But the MAP award, the fifth-year amount that's been put in the budget by the House of twelve million dollars, is for the purpose of providing a fifth year of financial assistance to those individuals who need additional time to complete their degree. It's not for the purpose of providing financial assistance to individuals who enter five-year programs. And I want to make sure that the record shows that, because I think there's been some confusion about that. It's for individuals who need additional time, and I hope the Illinois Scholarship Commission ensures that it gets implemented that way.

PRESIDENT JONES:

Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President. And I want to thank everyone who's made comments on this bill tonight and I share with you your concerns. Unfortunately, because of the financial situation, because of the economic condition that -- that exists not only in this State, but around this country, we are here and doing -- trying to pass this legislation today. Now, I don't have a poem for you. I don't have any wise words for you, but -- and I don't have a song and a dance, but the bottom line is, there's no Member on this Floor who does not want to ensure that our children -- that -- will have a best education that we can afford. We certainly want them to be competitive. We want them to be able to go forward and become taxpayers with good jobs and help this State grow to the highest standards that we know they can. So, with that, Mr. President, I ask for an Aye vote.

PRESIDENT JONES:

The question is, shall House Bill 2671 pass. All those in favor, vote -- all those in favor of the bill, vote Aye. All 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 35 voting Aye, 23 voting Nay, 1 voting Present. House Bill 2671, having received the constitutional majority, is declared passed. On page 70 of the Calendar, House Bills 3rd Reading, House Bill 2700. Madam Secretary, read the bill.

SECRETARY HAWKER:

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House Bill 2700.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Bill 2700 affects twenty different particular Articles in the bill: Department of Agriculture, CMS, Commerce and Economic -- Department of Commerce and Economic Opportunity, Department of Corrections, Revenue, Property Tax Appeal Board, State Police, Transportation, Educational Labor Relations Board, Labor Relations Board, Comptroller, Treasurer, Secretary of State, Court of Claims, Supreme Court, legislative agencies, General Assembly, Office of Management and Budget, Auditor General and State Board of Elections. I'll be glad to answer any questions.

PRESIDENT JONES:

CBS News-Channel 2 seek leave to videotape the proceedings. Are there any objection? Leave is granted. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. Before we start my timer, I'd like a quick point of order. Would -- would the -- the good sponsor be good enough to explain what was in the -- the technical amendment, 'cause it was a little more than a technical amendment and Members who were in committee don't know about the aspects. And then I'd like to put my light on to ask questions. But -- no, that was the one that flew through the air. That's...

PRESIDENT JONES:

Senator Welch. Hold on. Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President. I'd like to move the previous question.

PRESIDENT JONES:

Previous question has been moved. There are one, two, three, four, five, six still waiting to be called. Senator Welch, on -- on the point of order.

SENATOR WELCH:

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To Senator Rauschenberger, in response to your question, there was a technical change. There was also an addition of something that was left out. That was the stipends for county officials.

PRESIDENT JONES:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, before we start the clock, I mean, I just think that you ought to tell -- I mean, 'cause they weren't in the bill, they weren't in the Governor's introduced budget. If -- do you have a list there of the stipends that have been added? 'Cause -- my staff doesn't have it to distribute because the amendment was just discharged to the Floor. I think Members over there would like to know which county officials' stipends have been restored. I apologize for asking that question, but it seems rather important to me on 3rd Reading. And I apologize.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

As soon as I have it in my possession, I'll be glad to read it. You want me to come back to it, Senator? All right.

PRESIDENT JONES:

Senator Rauschenberger, your time is moving.

SENATOR RAUSCHENBERGER:

I -- I would appreciate if we start it now, because I thought that was a technical question, but -- it's not a technical question to ask what's in an amendment to a bill when it's discharged directly to the Floor? Okay. Well, for Members on both sides of the aisle, you need to be aware. Okay? On the Secretary of State's part of the budget, House Bill 2700, Article 13, you might want to turn to your analysis. Perhaps people aren't aware of this but there's been a change made to his budget. It was introduced as a zero-growth budget from '03 to '04, like the Comptroller's, like the Treasurer's, like the Lieutenant Governor's. It now includes an operational growth of twenty-nine million dollars. If people have heard a little bit about COLAs, COLAs cost about twenty-eight million. I suggested, as part of the technical amendment, that we might seek the guidance of the Secretary of State to see if he might

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forego his operational growth, or even half of it, and we could do a COLA. So, I'd like to ask if that's included. I'll give Senator Welch a minute to do that. The second thing in there, you might want to take a look at the Department of Veterans' Affairs, particularly if you're Senator Sullivan. This budget eliminates seventeen direct-care workers -- oh, no. It's in the next bill. We'll do that the next bill 'cause Veterans' Affairs is next one. We didn't get a chance to read these all the way through. But, Senator Welch, did -- as part of the technical amendment, did we get a chance to check with SOS to see if they meant to grow their operations by twenty-nine million, increasing their other funds' appropriation by twenty-seven million and reducing library grants by 2.5 million?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Some of it was not intended; some of it was fortuitous. There was a settlement concerning investors through, I think it was -- was it Attorney General Eliot Spitzer, where we gained five million twenty-nine thousand five hundred dollars? We also have received -- the fund also takes care of doubling the driver's abstract fees from six to twelve dollars. That added another twelve million dollars. Vanity plates - that is in there as an addition of 4.2 million dollars. These are -- that is an anticipated revenue, as is the doubling of the driver's abstract fee. And one million dollars from the federal government's Social Security online verification. That's part of where the money came from. That's why it's in the budget.

PRESIDENT JONES:

Senator Rauschenberger, will you..

SENATOR RAUSCHENBERGER:

Quickly to the bill. I just -- what I wanted people -- I'm glad that you told us where the source was, but I just want people to know that his agency has grown, since FY'99, by forty-eight percent. Okay? They -- they've had robust growth and we know -- I know these are extraordinary times. Because we've had revenue increases, most agencies have given that revenue over to the General Fund so that we didn't have to make as large of cuts. I think it's obscene to have the -- the Secretary of

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State's Office to -- grow its operations by nearly eight and a half percent when we just heard the University of Illinois took an 8.8-percent cut. So, I just would -- would ask you guys to think real hard when you talk to your House colleagues about whether that makes sense in this kind of budget year. Twenty-nine million would fund a two-percent COLA across all human service providers in the community in the State of Illinois. Thank you.

PRESIDENT JONES:

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. There are several items on this bill that I think encourage us to vote No; however, let me start with the positive aspects. First of all, I understand that this is the bill where the Corrections officers are -- excuse me, the captains Correction officers are in this bill, but they're in the bill as lump sum. So, the good news is that they're in this bill; the bad news is that they're in a lump sum where a Governor who does not support you can take you out with one stroke of a pen on a line-item veto. I would suggest that people who are interested in supporting the captains in the Department of Corrections should get this changed so that it's at each location, rather than one lump sum that can be taken out with the stroke of one -- of a pen. Secondly, I'm under the impression - and especially for Senator Halvorson - on the prescription medication bill, I understand that what we passed out of here thinking that there's twenty-seven million dollars to implement that program, that that is not in this bill. So, a vote Yes is to put into -- into place a program that sounds real good but doesn't have the money to implement it. Number three, a Yes vote on this is a Yes vote on your pay raise. And then, finally, number four, a vote Yes for this is a vote for the Road Fund diversion. And so, I just suggest a No vote.

PRESIDENT JONES:

Senator Rutherford.

SENATOR RUTHERFORD:

Mr. President, thank you. The sponsor yield? The sponsor, Senator Welch, on the tourism programs, is there a specific part

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of it that deal -- this is for international tourism promotion efforts?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Yes, it's international. Takes it back to the same level it was.

PRESIDENT JONES:

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. In regards to the local tourism boards, does that have funding for them and/or the Wine and Grape Council?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

There is no money for the Wine and Grape Council.

PRESIDENT JONES:

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you -- thank you, Mr. President. With regards to the -- with regards to our local tourism promotion boards, has the funds been taken out of there?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Let me look for it. They're at the same level the Governor proposed.

PRESIDENT JONES:

Senator Rutherford.

SENATOR RUTHERFORD:

Then if I may, Mr. President, and I appreciate that, Senator Welch. Does that mean -- can you -- can you tell us how much of a cut that was from the previous year? And with all respect to the clock that's running right now, I will ask the President while we're researching this, maybe have the extra thirty-seven seconds.

PRESIDENT JONES:

Senator Welch.

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SENATOR WELCH:

I don't have that information in front of me.

PRESIDENT JONES:

Senator Rutherford.

SENATOR RUTHERFORD:

Well, we'll be here maybe till, like, about June 5th. If maybe before then we could get that, I'd appreciate it. With that being then said, may I also be absolutely sure that this, having the Comptroller's budget in it, provides for the increase of the cost of living for Members of the Illinois General Assembly. Is that correct, Senator Welch?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Yes, it is.

PRESIDENT JONES:

Senator Rutherford.

SENATOR RUTHERFORD:

If I may, Mr. President. I'm in somewhat of a precarious position because I've had the good fortune to represent two outstanding correctional facilities for the last eleven years in Pontiac and Dwight Corrections. I've gone to school, church and played in the playgrounds across from the institutions with a -- and many of them today are our captains. But the sad thing is, what we packaged in here is the fact of an increase for the Members of the Illinois General Assembly when we have our Governor going out and saying to the -- to the employees in State government that if you're not a part of a collective bargaining unit, you're going to have to go and forfeit and pay for out of your own pocket a certain part of your pension funds. I think that is an injustice. I think it's incorrect. I think that we all in State government should be treated equally in regards to the pension side of things. That, number one, is wrong. Number two, for us in the General Assembly to go out and look to have a cost-of-living increase presented for us in this bill that we're about to do and couple it to have the men and women that have been captains in our correctional centers, I think is inappropriate. Unfortunately, I think, because of the way this thing is presented, it's going to have to deserve a

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negative vote, and I'm sorry that we're going to have to do this. I'd look to separate this sometime down the line.

PRESIDENT JONES:

Senator Burzynski. Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Questions for the sponsor.

PRESIDENT JONES:

Sponsor indicate he'll yield.

SENATOR SYVERSON:

Let's take a second, take a look at the Department of Commerce and Economic Opportunity. Couple questions that we had asked during this time was some of the Member add-ons that were put into this budget - some, I think, by the House - particularly those that are looking like they're -- let me just -- three of them that we had talked about: the United Business Association of Midway Member project; the million-dollar New Technology Recovery Fund for Chicago manufacturing Member project; and then the 2.2 million grant for the Chicagoland regional college educational partnership initiative. Can we talk a little bit about where those came from and -- and what those -- what those three entail?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Yes. Those were House add-ons, and my understanding is that the Higher Education Partnership is a matching grant program from the United Parcel Service with local community college. That explains the 2.2. Moraine Valley Community College. Midway program was added in the House. That's a -- that's a program that I'm not familiar with. It's two hundred and fifty thousand dollars.

PRESIDENT JONES:

Senator Syverson.

SENATOR SYVERSON:

So it's my understanding that the -- the 2.2 million for the Chicago UPS regional college fund was added over on our side of the aisle, not on the House side of the aisle. Can you -- can you clarify that for me, Senator?

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Senator Welch.

SENATOR WELCH:

...is a matching grant program. Yes, it was added over here, if that makes a difference.

PRESIDENT JONES:

Senator Syverson.

SENATOR SYVERSON:

I guess, whose decision -- I mean, there are a lot of matching grant programs that are going on. There are a lot of matching grant programs that are available in all of our communities. I guess, whose decision was it to put in a two-million-dollar matching grant program for Chicago when we have matching grant programs throughout the whole State? And I guess I'm a little concerned, too, that we're adding -- we're approving this money for this United Business Association and no one has any idea what it is. They didn't spend last year's money, so we're reappropriating the two hundred and fifty thousand for last year that they never spent, plus we're giving them another two hundred and fifty thousand, and yet, no one can even tell us what this is. At the same time we're eliminating and cutting programs throughout all of downstate, we're putting these -- these -- these programs in to Chicago that we have no idea what they -- what they are. And I guess my question is, is whose decision or whose suggestion was it to be putting these Member projects in without us even knowing what they're about?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Well, let me just say that on the previous bill, there was a lot of complaining about how little money was going to colleges. The United Parcel Service matching grant brings the level of funding for this particular college up to 2.2 -- additional 2.2 million dollars. So, I don't know how you can have it both ways. On the last bill, you're complaining there's not enough money for education, for community colleges. On this one, we put some in and you're complaining about that one. So, I don't know, maybe it should have been in the last budget.

PRESIDENT JONES:

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Senator Syverson, your time has expired. Senator --
Senator Radogno. Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I'd just like to follow up with
Senator Syverson's question. Which college got the 2.2 million?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Moraine Valley Community College and Chicago State.

PRESIDENT JONES:

Senator Radogno.

SENATOR RADOGNO:

Chicago State again? I'd like to -- to go to Article 15.
It's already been pointed out that the Comptroller's budget,
Article 11, contains legislative pay raises. There's also pay
raises that have been added in the amount of 3.7 million, which
is some real money when we're talking about our shortfalls, for
judges. Could you address that?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Yes, I can address the judges' cost-of-living adjustment.
The argument is that the cost-of-living adjustment is an
increase in pay of sitting judges. The Constitution forbids the
reduction of pay of a sitting judge. The purpose, of course, is
we could reduce their salary to ten dollars if we didn't like a
decision they made. So, therefore, in order to have an
independent Judiciary, similar -- to the federal Judiciary, we
probably will lose a lawsuit to try to take away their cost-of-
living adjustment. So, it was decided that we could cut our
losses, save the money of an attorney to defend ourselves after
the judges sue us and have to pay their fees as well. So, that
is the reason why the judges have that cost-of-living adjustment
in the bill.

PRESIDENT JONES:

Senator Radogno.

SENATOR RADOGNO:

Well, thank you. You explained that in committee as well,
and as -- as I understand it, though, that same argument applies

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to us, and we can still choose not to proceed with those pay raises. The judges have not sued us, and I would think that they would be ill-advised to go ahead and sue us for a pay raise in this environment. So, I think that that's another reason to vote No on this. I also have a question on Article 17, the General Assembly. There's 1.5 million of money for redistricting that was left in for the House and the Senate was zeroed out. Redistricting is over. What is that all about?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

What happened was this: Both Parties - yours and mine - were allocated money. Your Party spent all of your money; our Party didn't. That money was reallocated elsewhere, is my understanding.

PRESIDENT JONES:

Senator Radogno, will you please bring your remarks to a close?

SENATOR RADOGNO:

Yeah, but that's -- the way it's allocated, though, it's not partisan; it's done between Chambers. So, the question is, why is it in the House and not in the Senate? It's not a partisan issue, apparently.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Our information contradicts yours, Senator. We're told that each branch of the Legislature, each house of the Legislature, each caucus in those houses received a separate amount that they could spend as they so desired.

PRESIDENT JONES:

Senator Radogno, your time has expired. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, am glad to see the captains reinstated, and -- and I think it's sort of sad that we're using them for a noble venture to perhaps vote against a bill because it might have a cost-of-living increase for the legislators. These are real people with real families and they shouldn't be used as pawns,

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and I think we should keep that in mind. But I do have some concerns with this bill. I'm concerned with the reduced funding and the vacancies. House Bill -- cuts funding from front-line staff by 13.8 million. At Menard Prison, it cuts 1.26 million from -- front-line staff. Menard already has a hundred and sixty fewer front-line staff today than this time last year. Cuts 1.26 million from Shawnee Prison. Shawnee has eighty-three fewer front-line staff than this time last year. Cuts 1.26 million in front-line staff from Vienna Correctional Center, who has eighty-three fewer front-line staff than this time last year, and cuts six hundred and twenty thousand dollars from my prison, East Moline Prison. East Moline has forty-five fewer front-line staff than last year. But let me just state another portion which I have a little problem with. I represent Carroll County, who has the second-highest -- unemployment rate in the State. We have a hundred-and-forty-three-million-dollar prison sitting there. For the second fiscal year, it will go unattended and unmanned and unused. And we have a number of people who are going broke, who invested on the community because of this correctional center being placed there. And we are reopening some of the other centers, and -- and that's probably needed. I'm not going to dispute that. The people that were able to get that done, God bless 'em. The dollars - they're a little bit different. To open our prison is fifty million. To open some of these others are only five million. But my question is, what do I tell the people of Thomson who have been -- dependent upon that prison? That we're not going to open Thomson 'cause we can't find fifty million dollars, but yet we can find two hundred and four million dollars to finish construction of two other prisons when we can't even open the one that we've already got? I understand the mechanizations because of the -- the bond funds and it's different funds and what happens if, in fact, we don't complete construction. We've got penalties we have to pay. I understand all that. But I'm just looking for some help from someone to give me a good answer to be able to tell the people of Thomson and all of Carroll County and all of Whiteside County that have been hit between the eyes, how we can afford to build two other prisons when we can't even open the one that we've got for two consecutive fiscal years. Thank you.

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PRESIDENT JONES:

The previous question had been moved. One speaker remains. Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Just hearing the tone of the last speaker, and even the sponsor, gives me a -- well, I just feel bad for the institution here tonight. I feel bad for the institution of the Senate. When the sponsor of the legislation gets up and says, "I don't have that information." "I can't answer that question," on a bill that's on 3rd Reading, an appropriation bill, and the -- quite frankly, the reason he can't answer it and doesn't have the information and doesn't know what's in the amendment is -- is that we receive a notice on our desk that the Senate Rules Committee is going to meet at 7 o'clock this evening to pass out a two-hundred-and-seventy-five-page technical amendment to -- directly to the Floor. It did not get an opportunity to be heard in committee and didn't get the sunshine that it deserves, and we're obviously seeing that now as Members get up and speak. And I have to applaud the people on my side in the manner in which you have addressed this issue since we misplaced the technical amendment on House Bill 2700. And I -- and I think it -- it's both sides. You know, it's both sides of us. We -- we should be embarrassed about the process and the manner in which this is being put through, and I think that if you talk to many of you individually, you're not comfortable with what we're doing here tonight. I know you're not. You can't be. And there's no reason for us to rush through this thing. We could wait till next week. We could have an opportunity for the staff to digest what's in it. We can read the -- the amendments and know exactly what we're voting on, because I think that's a big problem here, is that many of us on both sides of the aisle don't have any clue what's in it, what's in this. We have a budget that's built on onetime revenue sources. Those of you that get up and say you're proud of the Governor and the manner in which he's proposed this budget and how we're going to be spending all this money for education, when it's based on onetime revenue sources. It's truly a house of cards and we're piling more cards on top, and that card pile is going to collapse. That card pile will collapse and the

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house of cards will come tumbling down, and we will be back here, back in Session, to bail out this unfortunate process we're experiencing here tonight. Thank you.

PRESIDENT JONES:

Senator Welch, to close.

SENATOR WELCH:

Thank you, Mr. President. I do have the information to answer a couple of the questions that were asked. My apologies for not having them immediately at the tips of my fingers, as was referred to. First of all, on the stipends. The State's share of the State's Attorneys' and Assistant State's Attorneys' salaries, including prior year's cost, eleven million one hundred sixty-five thousand dollars; for the annual stipend for sheriffs, as provided in Section 4-6003 of the Counties Code, six hundred sixty-three thousand dollars; the annual stipend of county coroners, six hundred sixty-three thousand, for a total of twelve million four hundred ninety-one thousand dollars. The Local Tourism Fund last year had 6.6 million dollars appropriated to it. The estimate -- the expenditures were one hundred and fifteen thousand dollars, leaving a balance of 6.2 million dollars, which is where -- which was then appropriated at 6.2 million dollars. This has been an interesting debate, one of the more interesting ones we've had on a bill, in part because I've never seen one where the audience stands up in the middle of a speech and applauds one of the speakers who's going to vote No. And they applaud back. The speaker gets his side to applaud back. "Let's applaud these people. We love them." You know, folks, it's like you're drowning twenty feet out on the river and they just threw you a ten-foot rope, because that's what they did. Everyone after found these itty-bitty logical arguments construed as to why they cannot support you. They're with you; they just don't want you to get paid. We're worried about these little -- these items in the budget where we can work our way and convince ourselves and twist the logic so that this one little item will prevent us from employing two hundred and fifty men and women whose lives are going to be changed, maybe ruined, certainly turned around in the next few weeks because they're out of work. If that's the kind of sympathy that you'd like to get, there they are right over there. But let

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me tell you, folks, when you leave here, be careful when you're walking out. You might slip on the crocodile tears going out. The arguments on this side are really curious. There is complaint that there is a COLA in there for the judges. There's a complaint that there's a cost-of-living adjustment for us. One person on that side argues: Well, the reason to vote for that is because -- is not to vote for it because there's a COLA in there for us legislators. But the judges got a COLA, so another legislator argues: Well, there's a reason not to vote for it because we're not in there. That doesn't make sense. The Constitution doesn't say the legislators are entitled to a constitutional right to a cost of living and not have their pay reduced in office. The Constitution doesn't say that. It's a different Article, the Judicial Article, that says that you can't reduce the pay raise of a judge. But these are the small twists that are used in logic to justify voting No when they vote No over there, Ladies and Gentlemen. You know, it reminds me of a poem. No, I'd better not use that. On second thought, I -- I'll save that one for later. Let me just say that, unfortunately, we had to cut some budgets to make sure we had funding for education. A lot of programs were cut. Some things we're putting back that we thought were necessary. I think that overall this is a good budget. We want to send it on to the Governor, try to get him to sign it. He may veto some of it out that he doesn't like. That's the chance you take. I would urge an Aye vote.

PRESIDENT JONES:

The question is, shall House Bill 2700 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 30 voting Aye, 25 voting Nay, 4 voting Present. House Bill 2700, having received the required constitutional majority, is declared passed. Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point, Senator Meeks.

SENATOR MEEKS:

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First of all, I think that our law enforcement officers should be -- our correction officers should be commended for staying around here all day and for waiting to see how this vote -- vote would come out. I wanted you to know that those of us who are on this side of the aisle, we know that you're hardworking people, you're family people, and we stand behind you. And I want you to know that here is another lesson in not getting caught up in speeches of people who say that they're with you and then when it's time for them to vote on whether you or your family will have a job or a raise, their lights are red. So, congratulations, and hang on in there.

PRESIDENT JONES:

Your point is well-taken. Senator Jones, what purpose do you rise?

SENATOR J. JONES:

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

PRESIDENT JONES:

State your point, Sir.

SENATOR J. JONES:

Well, I guess I got my light on a little late, while ago, before somebody moved the -- the previous question, but I think, you know, a lot of -- a lot of stuff has been said here tonight. I looked at this budget that was just thrown out here to us about fifteen minutes before we started debating it, and some of us didn't even have it that soon. Over four hundred million dollars of Road Fund diversions in there, pay raises for legislators in tough times, cutting a Centralia correctional facility in my district by 4.2 percent. We're ninety employees short there in correctional officers. We got people putting their lives on the line every day. So, let's make a budget from this point on that makes sense to the people of this State.

PRESIDENT JONES:

On the Order of 3rd Reading is House Bill 2716. Senator Trotter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2716.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

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Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. House Bill 2716 is the fourth and last bill that we'll be looking at today addressing the Governor's budget. We know that we have nine days left before we do our constitutional job, and that is come up with a balanced budget so we can serve the people of the State of Illinois. In this budget, it has reductions and restoration of dollars of the Governor's budget for DPA, DHS, DCFS, and that's it and I'm available for questions. And DVA. I'm sorry.

PRESIDENT JONES:

Is there any discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Mr. President, thank you very much. Senator Trotter, and I won't go into a lot of questions with you right here 'cause I realize any of us can find anything wrong with any budget for some particular line item, but today here in Springfield we had ourselves a rally for long-term care for citizens, the most frail and the tender of our society. We've had an ongoing debate not just this year, but within the last two years, in regards to whether we go to the minimum data set, whether we go to increase in provider tax and so forth. One of the concerns, very directly, and just to -- if I'm wrong, when I get done, please come back to me, but what I see in this budget is a decrease of six million dollars with regards to the bed hold. And for those, in elementary terms, what that means is, when we have a - - a -- one of our frail, tender elderly in a nursing home that needs to leave the nursing home to go to the hospital to have medical care, that bed is not reserved and paid for for them until they come back. We've gone through the whole -- and, Senator Trotter, you and I were on Joint Committee on Administrative Rules when Governor Ryan changed that from ten days to five days. We, as the General Assembly, took the will of the Assembly to put it back to the ten-day bed hold. This budget, as presented, removes the bed hold totally. If a grandmother or a grandfather of one of us leaves a nursing home to go back into the hospital, that bed is not reserved or held for them and paid for by Medicaid. This is one of the glaring

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problems I see in this particular piece of legislation, Senator Trotter. Let me pose it as a question, and this will make for a little bit interesting time. Right, Senator Trotter?

PRESIDENT JONES:

That was not a question. Well, that's a different way of phrasing questions. I never heard a question that way. Senator Rutherford.

SENATOR RUTHERFORD:

Well, thank you. It is a little bit of a different way of phrasing things 'cause it's a new century, it's a new day, we've got a new President. Right, Senator Trotter?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Hello. Yes. Yes, sir, that was proposed by the Governor and that is not addressed in this bill.

PRESIDENT JONES:

Senator Rutherford, to close.

SENATOR RUTHERFORD:

Mr. President, thank you for giving me the indulgence. That is -- and again, each one of us can go through everything within every budget and find a morsel of badness and a quantity of goodness. I identify right here that the frail, the elderly, those of concern, of grandmas and grandpas of all of us all around the State, to think that if they have to leave their place of long-term care to go into a hospital because of a medical necessity, that we are now cutting out of the State budget the fact that that bed will be held in reserve for them for a certain period of time. This, I find, is one of the major faults in this -- in this particular bill. And, Mr. President, thank you.

PRESIDENT JONES:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a -- a couple things to this bill. As you kind of -- this is first step, hopefully. The Governor won't sign this one, I hope, but if he does, just be aware that by my calculations, working through the Medicaid payment cycle, this

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may create a cliff for the '05 budget of nearly a billion dollars in Medicaid that we can't pay for. Essentially the Governor is using short-term borrowing to cover through the Fiscal Year '04, but as you come into next year, when we might be in a much more difficult position with an election looming, this budget, the way it's structured, I think is going to leave a billion-dollar cliff in Medicaid. So you need to be alert to that. In addition, on -- in the Department of Veterans' Affairs, many of us here are aware that we have federal requirements as far as staffing hours that we're required to -- to provide for -- for the veterans who are in these homes. And I know most of these are represented by Democrats and we just need to be real cautious. I think Senator Sullivan and Senator Halvorson need to be aware that the Governor's budget eliminated direct-care positions in their budget. There were seventeen eliminated at the Quincy Veterans' Home and sixteen direct-care workers eliminated in the Manteno Home; yet, this amendment to the budget, apparently coming out of the House or -- or wherever it came from, adds back equipment spending and renovation money which could restore eleven of those seventeen eliminated direct-care workers at the Quincy Home or as many as sixteen of the unfilled positions at the Manteno Home. So, you know, when you go back to explain why you're losing direct-care workers and why we may be subject to federal audit on those homes, maybe one more technical correction on this bill, we could restore that money, put it back into direct-care workers and defer some of the purchase of equipment and renovation that's called for in this bill.

PRESIDENT JONES:

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Questions on the sponsor.

PRESIDENT JONES:

Sponsor indicate he'll yield.

SENATOR SYVERSON:

Senator, in addition to the cuts in the -- of the long-term bed hold, there's also a -- it's my understanding, also a reduction on the long-term care line by five million. Is that correct?

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PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

That's correct, Senator Syverson.

PRESIDENT JONES:

Senator Syverson.

SENATOR SYVERSON:

So I guess to follow up on what Senator Rutherford was talking about, here we're expanding all these other programs, yet long-term care that's been suffering so much, we're going to be actually cutting, which certainly is a concern with this budget. Second, looking at -- and again, we talked a little about this in committee, but I think for the indulgence of the Floor, the -- under Article 4, again, some of the Member initiatives that were added in, like the previous bill - the White Oaks Foundation, as well as the Robert Morris College Hygiene Program - are these -- these were House Member initiatives added on, Senator, is that correct?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

To my understanding, that is correct.

PRESIDENT JONES:

Senator Syverson.

SENATOR SYVERSON:

I guess in closing, I'm not sure -- you know, through some of this we talk about this being the Governor's budget, and then the House and the Senate making changes on these things. Is it - - is it the decision, I guess, from yourself, as the sponsor, that some of these Member initiatives are in there at the same time we're looking at cutting the long-term care line, or don't we believe that some of these other programs and some of these projects that are being added could be taken out so we could put that money back into the long-term care line? Has that been considered at all as part of this?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

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Senator Syverson, what you continually to characterize as a cut to the long-term care line actually isn't a cut. What we are doing is doing what their doing all around the country and it is that we are trying to address bringing people back into the communities. So that five million dollars will go to the CILAs so, in fact, that they can live in an environment that's conducive to -- to them growing old in a comfortable setting where they're loved by their friends, their families and their neighbors. And we you ask about the other additions that are coming in for White -- where is it? What is it called again? White Oaks. For the White Oaks Adoption Registry, we're talking about fifty-one thousand dollars, not a million dollars. Excuse me, not even a million dollars. Not even five -- fifty -- fifty-one thousand -- what is this? Less than a tenth a percent of our budget. So, when we look at those kinds of things, oh, sure, we -- we can put them to the side, but it certainly is not having an impact on this budget, not on a budget that has been negotiated and has been worked on by the Governor, by the Senate and by the House. That's what we do down here. We have a constitutional responsibility to have some input on the budget and we're doing that.

PRESIDENT JONES:

Senator Syverson, bring your remarks to a close.

SENATOR SYVERSON:

All right. It just seems a coincidence. We've had three bills and we go through all these initiatives that don't seem real large, but it just seems like every one of these initiatives are from Chicago and none of us had an opportunity to look at initiatives for downstate and the needs that we have, even small ones that may only be fifty thousand dollars. We have those concerns as well. And even fifty thousand would help in the long-term care line. So, I guess I'm just concerned about the priorities that we've chosen in this piece of legislation, that we're putting people in nursing homes at jeopardy while we're expanding into Member -- Member projects. Thank you, Mr. President.

PRESIDENT JONES:

Senator Halvorson.

SENATOR HALVORSON:

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Thank you, Mr. President. First of all, I just want to say, I think we all acknowledge that this budget doesn't address the crisis that we're in with regards to providers for the persons with disabilities as well as the persons with mental illness. You know, I think it bothers me because at a time when we don't have money, it's very difficult to do more than -- than we can. We all know that they -- they need a -- a true cost-of-doing-business adjustment. But I served here for six years in the Minority when the State was flush with money and nobody cared about doing it then. You know, and so -- it really upsets me when I hear everybody talk about what they need do. They haven't had a true adjustment since 2000. So, I think we also need to keep our sets -- our sights set on if we do have money, not to keep putting them off, because every single, year we hear, "Next year it'll be their turn." We need to take care of this. So, I'm telling you right now, we can't wait till next year. We need to take care of the people that are the most vulnerable citizens we have. And when we do have extra money, that's where we need to put it.

PRESIDENT JONES:

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. May -- may I ask the sponsor a couple of questions?

PRESIDENT JONES:

Sponsor indicate he'll yield.

SENATOR LAUZEN:

Senator Trotter, is -- can you tell me what the status is of House Bill 3738? That's the bill that Representative Daniels spoke to in committee.

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Senator Lauzen, yes, what had happened is the bill went to Rules. It came out too late for it to be posted today to come to our committee. It is now going through our procedures. It's now being posted and it -- have its -- the requisite six days in which it has to be posted, and they will -- we will hear the bill next week, to my understanding.

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PRESIDENT JONES:

Senator Lauzen.

SENATOR LAUZEN:

Thank you. So, is that an amendment to this bill?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Yes, Senator, it was added as an amendment.

PRESIDENT JONES:

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. If it's an amendment to this bill and we pass it, how do we then move it into the process if we vote Yes on this?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

As we do many -- with many things around here. What will be happening is next week we -- again, we have nine days left. We are -- what we're doing today is trying to move along the big stuff, but next week there'll be plenty of time to make -- have amendments heard and passed in this Chamber.

PRESIDENT JONES:

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much. A second question is, is there a chargeback, either that two percent or five percent, that would diminish the amount of dollars that would go into services for that kind of interesting accounting that we're doing across the budget this year? So, is either the two-percent or five-percent chargeback in this bill?

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

To my knowledge, the chargeback is not into this bill. That is a -- another part of the -- his revenue package which we'll be seeing. So, there is no revenue stream in this bill.

PRESIDENT JONES:

Senator Lauzen.

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SENATOR LAUZEN:

Okay. Thank you very much. To the bill, I believe that there are three or four major problems on this legislation. Number one, and I'm not arguing for the funding, but I understand that a firm commitment was made to -- or, made by our Governor to one of our colleagues, Senator Bomke, for the Lincoln Development Center, and the question would be, where's the beef on that? That is not in here. Number two, there's no cost of living for the community care providers. I agree with the Senator who spoke to that issue. There were many of us on both sides of the aisle that voted for that in years gone by, and I admire the thrust of now that it's, you know, different administration, we're going to try to do something about it rather than talk about it. The third thing that's a problem is statewide child support collection program. I don't see the funding in this bill to fulfill one of the Governor's campaign promises where we have two billion dollars outstanding of -- of child support that's owed to children and their families. Only thirty-eight percent of the money owed to kids in this State is collected, and I don't see any movement on that. And I think that those are the big -- I would urge a No vote.

PRESIDENT JONES:

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I'd just like to make a point. It is 9:30. The hour is getting late. But I've sat here quietly and patiently and listened to a lot of rhetoric and criticism from the other side of the aisle to the process, to the President, to the Governor. Clearly, some of you don't want to accept the fact that the Illinois economy has not turned around since 9/11. The American economy has not turned around since the terrorist attacks on this nation. Governor Blagojevich is doing the best that he can in a bad situation. Money is tight. I take offense to the criticism of the President and the process. I was here and, in fact, I did the same move that a person on the Republican side of the aisle did, where you throw your papers up in the air and you cause a tantrum. I guess people aren't used to the fact that after twenty-six years, the Democrats are finally in control. The worm

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has turned. Governor Blagojevich is doing the best he can in a bad situation. President Jones is doing the best he can in this situation. The fiscally responsible thing to do would be to pass this bill and pass the Governor's package intact. We have not turned around the economy since the terrorist attack on this country. You have to take that into consideration. Clearly, you have short memories. I was here when we got the bill under President Philip ten seconds before he expected us to vote on it, and none of those over on the other side of the aisle who are screaming and hollering and trying to raise all of this rancor for nothing said diddly. You said absolutely nothing. You voted with the President. We're going to vote with the President. I urge an Aye vote.

PRESIDENT JONES:

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to rise in support of House Bill 2716 and make three brief observations, the first of which is, in a question that was unanswered in committee, for the Department of Public Aid budget, there is now a line for independent academic medical centers that doubles the amount of money from last year. To give you some brief frame of reference, we, a number of years ago - and I was proud to be part of this effort - to try to make up some of the funding balance that the federal government was not covering because of their cutbacks on academic medical research, the State initiated a program for academic medical centers whereby research institutions that met a certain threshold of National Institutes of Health funding support were able to qualify for participation in this program. In an effort to circumvent those stringent criteria last year, a -- an additional line was added to the budget and that has -- budget line of one million was subsequently doubled. And it's my hope that as we reconcile the final details of the budget package, that we'll have greater understanding of why we have doubled that commitment for circumventing that very important process. The second issue that I wish to address has to do with the -- has to do with the administrative charge, which I think is a very appropriate and, frankly, a -- a reconstituting of the way

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that we set priorities in this State. It's a common management technique to apply a charge for execution of programs, and I think the Blagojevich administration is on the mark in instituting this charge. Finally, I think that we need to bear one other thing in mind relative to Medicaid. Those of us who followed what happened in Washington last night know that the House and Senate, under the guidance of the Vice President, reconciled their differences and put a package -- a tax package and funding package on, sent it to the President. That has a significant impact, potentially, on Illinois. This package, which Governor -- which, I'm sorry, the President is expected to sign at the end of the week, could be worth over seven hundred and fifty million dollars more to the State of Illinois in Medicaid funds. And I give the Governor a lot of credit. One of the first things he did was he personally lobbied President Bush and he also personally lobbied Speaker Hastert on the need to change our federal reimbursement rate. As it stands now, our reimbursement rate will go from fifty percent, where it has been since Lyndon Johnson started Medicaid and has not changed since, to nearly fifty-three percent. That could be worth a net result of over seven hundred and fifty million new dollars that can be applied towards Medicaid. I give the Governor a lot of credit for his lobbying efforts, and it's quite conceivable that by the time we come back next week, that we're going to see a different story relative to revenues for Medicaid. Thank you very much for your time. I urge you to support this bill.

PRESIDENT JONES:

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, President Jones. I rise for the second time in this lively debate this evening. It's so nice to hear from fiscal conservatives on the other side of the aisle. After twenty-six years, you've seen the fiscal conservative light. And in a time of grave fiscal crisis in the State of Illinois, you have only added eight hundred fifty million dollars to this budget. I've been a fiscal conservative all my life and, believe me, eight hundred and fifty million more, where you're about to go into the ditch, is not what I call fiscally conservative. I had to stand up and respond to my good friend

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from Chicago, Senator Hendon, when he talks about fiscal responsibility. In my view, all of us know what a boondoggle is. How many of you know what a "bond-doggle" is? This is a bond-doggle, a bond-doggle built on quicksand, using smoke and mirrors for revenue. And believe me, Ladies and Gentlemen, running Illinois into the ditch will not help Governor Blagojevich. Thank you.

PRESIDENT JONES:

Senator Trotter, to close.

SENATOR TROTTER:

Everybody's a poet. Thank you very much, Mr. -- Mr. President. If I could, I just want to address a couple concerns of my good friend and my colleague in the appropriation process, Leader Rauschenberger. He mentioned that there was going to be some layoffs in Manteno, as well as Quincy. From our analysis and from what we've heard from the Department, there are no layoffs scheduled. There are vacancies, yes, but those vacancies would remain unfilled. So, there is not an intent of -- of any layoffs at this point in time. So, contrary to -- to it being a bad deal for Quincy, in this bill we've added four hundred and twenty-six thousand dollars for equipment for the Quincy Veterans' Home. For Manteno, we've added one million three hundred thousand dollars for thirty-eight additional beds. We want to service our veteran community. Also in this bill, we see one million four hundred thousand dollars for prostate cancer. We have another three hundred thousand dollars for hepatitis C, four hundred and seventy thousand dollars for assisted living and shared housing program so, once again, our disabled can live in an environment -- in a home-community environment. We are putting additional hundred and fifty thousand dollars for breast cancer -- breast and cervical cancers. We have restored, in this legislation, 3.3 million dollars for the Alzheimer's Disease Assistance Fund so those families can help care for their senior citizens for their -- and for their loved ones. We have put in this budget a restoration of 1.8 million dollars for community service grants for persons with mental illness. We have put in this budget for restoration of funding for the mentally ill CILAs, nine million two hundred thousand dollars. We have more dollars for

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supportive housing for the mentally ill, 3.5 million dollars. We have added another 6.2 million dollars to restore the DD grants of the POC line. We have added also in this budget for the Autism Project, 2.5 million dollars. This is -- my friends, my colleagues, this is not a perfect bill. No bill is perfect, but under the circumstances, working with the Governor, working with the House and working over here with our Leadership, we have tried to make sure that those individuals, our most vulnerable - our seniors, our disabled and our young - are cared for in this legislation. Do we want to put more money here? You're doggone right we would love to. Call me a spender because I care. Call me a spender because from so many years that we underfunded these programs. Call be a big spender because this -- General Assembly for years have ignored the mental health needs of our citizens here in our -- in our State. This bill tries to rectify some of those things that we have not done. In good conscience, I can vote Yes for this bill. Hopefully your conscience will be just as good, and I ask for an Aye vote.

PRESIDENT JONES:

The question is, shall House Bill 2716 pass. All those in favor will signify by voting 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 42 voting Aye, 14 Nays, 3 voting Present. House Bill 2716, having received the required constitutional majority, is declared passed. Senator Trotter.

SENATOR TROTTER:

Mr. Speaker, point of personal privilege. Mr. President. I'm sorry.

PRESIDENT JONES:

You stayed in the House too long.

SENATOR TROTTER:

It's these House Members I'm sitting next to that confuse me.

PRESIDENT JONES:

State your point.

SENATOR TROTTER:

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Thank you very much. Like many of us, I hate to admit that I'm wrong. Actually, I'm never wrong, but -- I'm always right but never wrong. Well, I made a statement a little bit earlier that that was the last bill. I was wrong. We have more appropriation bills that we will be hearing tonight. So, I just wanted to clear my conscience on that. Thank you very much.

PRESIDENT JONES:

Okay. With leave of the Body, we'll go to page 76. House Bill 3rd Reading. House Bill 3743. Senator Patrick Welch. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3743.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the budget for the Governor and the Lieutenant Governor. The Governor's budget is with a two-hundred-and-twenty-thousand-dollar adjustment for a failure to put in part of the retirement fund. Eight million six hundred and fifty-two thousand dollars. Lieutenant Governor's budget was amended to include forty thousand dollars for retirement item left out. Two million six hundred sixty-six thousand forty dollars. I'd be glad to answer any questions.

PRESIDENT JONES:

Is there any discussion? Any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the budget of the Office of the Governor, and unlike the Secretary of State, where there's a eight-percent increase in operations of almost twenty-nine million, the Governor did not increase his spending level. But still, I think, to help get the Governor's attention, I'd recommend people on this side of the aisle think long and hard about whether this is the right message to send the Governor. Maybe we need him to attend our Chamber a little bit more carefully.

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Senator Syverson.

SENATOR SYVERSON:

Well, to -- not to necessarily disagree with my colleague to my right, but I am concerned about this budget to where it does state here that there's a decrease. But maybe you can tell us how many individuals were assigned to other agencies that are now working in the Governor's Office. Give you one example. It's my understanding that the legislative liaison for the House from the Governor's Office is actually in the Department of Agriculture's budget. We don't know many other individuals that are -- are working in the Governor's Office that are -- are assigned to other agencies. Do we know that number? Or assigned from other agencies.

PRESIDENT JONES:

Senator Patrick Welch.

SENATOR WELCH:

There's no way for me to know that number. I -- it may be zero, for all we know.

PRESIDENT JONES:

Senator Syverson.

SENATOR SYVERSON:

It's my understanding there -- the Governor's Office admits already to twelve individuals, but we don't know what that number is. And I guess we're trying to ascertain - on here we're talking about there's a cut in the Governor's budget - is there really a cut in this budget or is there an actual increase in the Governor's budget when we're asking all the other agencies to be -- to be taking a cut?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

The Governor has not answered any questionnaires that we sent him unveiling any individuals assigned from other agencies to him. Since these are new appointees of the Governor, they are probably at the Governor's Office getting direction from the Governor, the -- the Bureau of the Budget and others in charge.

PRESIDENT JONES:

Senator Syverson.

SENATOR SYVERSON:

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Well, it's my understanding it was in the ISL narrative. Did you -- did you -- your side received a copy of that?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

No.

PRESIDENT JONES:

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please?

PRESIDENT JONES:

He indicates he will.

SENATOR RIGHTER:

Senator Welch, I am looking at our analysis, anyway, for the budgets for both the Governor and Lieutenant Governor and they indicate that cumulatively there's about two hundred and sixty thousand dollars in General Revenue -- spending in here for what is referred to as pension pickup. Now, it's my understanding that the Governor's announced that there will be no more pension pickup for merit comp employees. If that's the case, then why are we putting GRF money into their budgets for that?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

I think the Governor has been recruiting people to work in his Office. They were promised this, to come to work for the Governor, and so he has made a commitment to them.

PRESIDENT JONES:

Senator Righter.

SENATOR RIGHTER:

Is it fair to interpret your answer then, Senator, that while the other people who have served in State government that are merit comp employees, whether they've been there for five years or ten years or twenty-five years, are going to get stuck with picking their own up, that the new people that the Governor has brought on are going to get treated differently?

PRESIDENT JONES:

Senator Welch.

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SENATOR WELCH:

When these individuals were hired, they were advised that they would probably not get a pay raise anytime soon, so to take away any pay raise, as well as not fund the pension they were promised, would certainly lead them to question whether they would continue working for the Office of the Governor. So, therefore, this item was amended to include that pension payment.

PRESIDENT JONES:

Senator Righter.

SENATOR RIGHTER:

I understand that, Senator Welch, but there are a number of other employees in State government who are merit comp employees who have also come accustomed to the idea of not paying their pension pickup either. I mean, if that's good for people in the Governor's Office or Pat Quinn's Office, why isn't it good for the rest of the people in the -- the rest of the merit comp employees in the State? I mean, what's fair about that?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Senator, this was a drafting error and it was put in there to correct a drafting error. That's all it is.

PRESIDENT JONES:

Senator Righter.

SENATOR RIGHTER:

Senator Welch, I want to make sure I'm foursquare with what we're looking at here. This is either in here at the request of the Governor's Office to treat some people that he's brought on differently from other merit comp employees, or it's a mistake. Can you -- I mean, which one of those is the correct answer?

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

This was a drafting error, Senator, but if you're that concerned about the merit comp employees paying their own pension payment, you know, maybe -- give up your pension payment. Put that in the pot to pay them. Maybe you could do that as a -- as a goodwill gesture if it's -- if you are that

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concerned about them having to pick up their own pension payment.

PRESIDENT JONES:

Senator Righter, bring your remarks to a close.

SENATOR RIGHTER:

To the bill, Mr. President. Well, I -- I appreciate the remarks very much, Senator Welch, but the bottom line is, I don't think that we're helping the Governor at all by doing this because this makes it look like the Governor believes the employees in his office are better than everyone else's, that they deserve to be treated differently than everyone else is. The Governor already made a statement before about why he was expecting other people to take cuts or not get raises. He was not going to give his raise back. He was not going to cut his because he's got a family. I appreciate that. I have a family. Most of us in here do as well. I think this reflects very, very poorly on the Governor and leads some people to believe that he's put himself up on some throne and that his office is different than any of the other offices in the State of Illinois and his employees are better than anyone else's. And I think it's a mistake to vote for this. It's a mistake to vote for this for the Governor, and I would urge a No vote.

PRESIDENT JONES:

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I just have to rise and -- and defend the Governor because the Governor -- every Governor, I have sat here. I saw Governor Ryan's budget, I saw Governor Edgar's budget, and not once did my esteemed colleagues on that side of the aisle get up and question anything that Governor Ryan wanted to do or Governor Edgar wanted to do. Never. Not once. Governor Blagojevich has the right to bring in the talent that he needs to run his government and we should give him and Lieutenant Governor Pat Quinn what they need to -- to put their team together. And I'm just appalled at the fact that you want to rise up tonight when you never rose -- I've been here ten years, eleven years now. Every budget of Governor Ryan went unquestioned by that side of the aisle. Every budget of Governor

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Edgar went unquestioned. Call partisan politics what it is. Let's give this Governor what he needs. Let's vote Aye.

PRESIDENT JONES:

Senator -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have heard more rhetoric going on and on and on, and not on the subject, so let's move on. Let's go.

PRESIDENT JONES:

Senator Welch, to close.

SENATOR WELCH:

The item was a drafting error. It was corrected by the Legislature. Every other agent has the same particular line item. This is a tempest in a teapot. I would urge an Aye vote.

PRESIDENT JONES:

The question is -- is, shall House Bill 3743 pass. All those in favor will signify by voting 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 37 voting Aye, 22 Nays, no one voting Present. This bill, having received the required constitutional majority, is declared passed. House Bill 3745 -- I mean, House Bill 3745. Senator Welch. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3745.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

This is the budget of the Historic Preservation Agency. It's introduced at the Governor's requested level. There was no amendment to the bill. The amount to be spent is twenty-two million six hundred sixty-seven thousand thirty dollars. I'd be glad to answer any questions.

PRESIDENT JONES:

Is there any discussion? Any discussion? The question is, shall House Bill 3745 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 voting Aye, 10 voting Nay, no -- none voting Present. This bill, having received the required constitutional majority, is declared passed. House Bill 3754. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3754.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the Illinois Medical District Commission. It was introduced and remains at the Governor's level. The amount of the expenditure would be four million five hundred and sixty thousand six hundred dollars. I would be glad to answer any questions. If none, I would urge an Aye vote.

PRESIDENT JONES:

Is there any discussion? Any discussion? Senator Rutherford. The question is, shall House Bill 3754 pass. All in favor, signify by voting 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, 38 voting Aye, 20 voting Nay, 1 voting Present. House Bill 3754, having received the required constitutional majority, is declared passed. House Bill 3759. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3759.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the appropriation for the retirement -- State retirement systems. Appropriations are each system's share of the pension bonding initiative. I would be glad to answer any questions. I would urge an Aye vote.

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PRESIDENT JONES:

Is there -- any discussion? Any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Just so Members on this side of the aisle -- or, actually both sides of the aisle realize, this budget concludes the appropriation to receive the proceeds from the Governor's pension bonding scheme that they're working on, supposedly after we get out of here. So, you may or may not want to vote for it based on how you feel about facilitating that.

PRESIDENT JONES:

The question is -- the question is, shall House Bill 3759 pass. All those in favor, signify by voting 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 41 voting Aye, 16 voting Nay, 2 voting Present. This bill, having received the required constitutional majority, is declared passed. House Bill 3771. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3771.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the Environmental Protection Agency budget. There was no amendment in the House. The amount in the budget is one billion three hundred sixty-five thousand six hundred fifty-five dollars. This is the appropriation from the Agency. This has nothing to do with the revenue. That'll be debated next week. I'd be glad to answer any questions or urge an Aye vote.

PRESIDENT JONES:

Is there any discussion? Any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I have a question that was asked when this agency first came before us, it was asked when we debated this bill in committee, and it still, to my knowledge,

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hasn't been answered. And that is, this budget is -- generally removes this Agency from GRF altogether using fees. So, while I realize we're not debating the fees, the fees are an integral part of this budget, and the fees contemplated, based on the list provided to us by the Agency, raised about -- nearly sixty million in fees, yet it only takes twenty-two million to get this Agency off GRF. And the question was, specifically, is this, then, a general tax increase masquerading as fees because it's going into the General Revenue Fund? And there is -- excuse -- there's a lawsuit or a -- a court decision that says that is, in fact, illegal. The PrimeCo decision, I believe, is the name of it.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Well, let me just say we're still working on the actual fee level. We will be looking at that next week. Your concerns have been brought to the Governor's attention and I think that we're going to have some type of -- of explanation when the actual revenue comes out next week.

PRESIDENT JONES:

Senator Radogno.

SENATOR RADOGNO:

Well, thank you. Based on not having that information and the serious nature of the concern, I would advise our Members to vote No on this.

PRESIDENT JONES:

Any further discussion? The question is, shall House Bill 3771 pass. All those in favor, signify by voting 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 32 voting Aye, 26 voting Nay, 1 voting Present. House Bill 3771, having received the required constitutional majority, is declared passed. House Bill 3774. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3774.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

This is the budget for the Department on Aging. The budget has not been amended in the House or here in the Senate. The total amount available for appropriation is three hundred thirty million dollars two hundred forty-six thousand. I'd be glad to answer any questions.

PRESIDENT JONES:

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 3774 pass. All those in favor, vote Aye. Nay -- those opposed, 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 -- on that question, there are 57 voting Aye, 2 voting Nay, none voting -- none voting Present. House Bill 3774, having received the required constitutional majority, is declared passed. House Bill 3776. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the budget for the Illinois Arts Council. It's a reduction from last year. The -- amount to be expended is eighteen million five hundred sixty-eight thousand five hundred dollars. There is no amendment by the Senate or the House. I would urge an Aye vote.

PRESIDENT JONES:

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 3776 pass. All those 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, 43 voting Aye, 16 Nay, none voting Present. House Bill 3776, having received the required constitutional majority, is declared passed. House Bill 3785. Madam Secretary, read the bill.

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SECRETARY HAWKER:

House Bill 3785.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

This is the budget for the Department of Employment Security. There are no amendments in the House or Senate. The beginning in Fiscal Year '04, the federal workforce development, welfare to work and trade adjustment assistance programs are going to be transferred out of this Department to DCEO, accounting for the large reduction in the FY04 request. The reduction is from four hundred ninety-six million dollars to two hundred ninety-six million dollars. I would urge an Aye vote.

PRESIDENT JONES:

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 3785 pass. All those in favor, signify by voting 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 51 voting Aye, 7 voting Nay, none voting Present. This bill, having received the required constitutional majority, is declared passed. House Bill 3792. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3792.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the budget of the Department of Natural Resources. There was one amendment to this budget. It added two hundred thousand dollars. Otherwise remains at the Governor's level. The total expenditure would be six hundred thirty-seven million dollars eight hundred seventy-four point six thousand. I would urge an Aye vote.

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Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 3792 pass. All those 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 45 voting Aye, 14 voting Nay, none voting Present. House Bill 3792, having received the required constitutional majority, is declared passed. House Bill 3796. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3796.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Welch.

SENATOR WELCH:

This is the budget of the Attorney General. There is a reduction in this budget from previous year of six hundred twenty-eight thousand dollars, -- nearly a one-percent reduction. There were no amendments to the budget in the House or the Senate and the amount stands at sixty-five million nine hundred eighty-seven thousand dollars. I would urge an Aye vote.

PRESIDENT JONES:

Is there any discussion? Any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We do, a little bit, remain concerned by the consolidation of attorneys and -- apparently in CMS or somewhere in State government, and support the Attorney General's argument that if we're going to have lawyers for the State of Illinois consolidated anywhere, it probably ought to be in the Attorney General's Office. We were hoping this budget eventually would reflect that, but since it doesn't, maybe they will pick that up on a supplemental amendment. But, urge Members on this side of the aisle to support that budget with the caveat that it doesn't include the consolidation of attorneys that's been much talked about by the Executive Branch.

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PRESIDENT JONES:

Any further discussion? Any further discussion? The question is, shall House Bill 3776 -- no (37)96 pass. All those 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 54 -- 52 voting Aye, 7 voting Nay, none voting Present. This bill, having received the required constitutional majority, is declared passed. Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. Rise for purposes of announcement.

PRESIDENT JONES:

Proceed.

SENATOR OBAMA:

The Health and Human Services Committee will meet at 9:30 a.m. Friday in Room 400. Please be there on time so we can get out of here on time.

PRESIDENT JONES:

Senator Silverstein.

SENATOR SILVERSTEIN:

I rise for the purpose of announcement, Mr. President. The Senate Executive -- Committee will meet tomorrow at 10 o'clock in Room 212.

PRESIDENT JONES:

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. The Senate Education Committee will meet tomorrow at 9 a.m. in Room 212.

PRESIDENT JONES:

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Purpose of announcement.

PRESIDENT JONES:

Proceed.

SENATOR WALSH:

The Senate Agriculture and Conservation Committee will meet tomorrow morning at 9:30 in A-1.

PRESIDENT JONES:

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Senator Ronen.

SENATOR RONEN:

Mr. President, the Senate Labor and Commerce Committee will meet tomorrow at 10:30 a.m. in Room 400.

PRESIDENT JONES:

Senator Haine.

SENATOR HAINE:

Mr. President, I rise to inform the Senate that the Local Government Committee will meet tomorrow morning at 9 a.m. in the Stratton Building, A-1.

PRESIDENT JONES:

Senator Woolard.

SENATOR WOOLARD:

For the purpose of an announcement.

PRESIDENT JONES:

Proceed.

SENATOR WOOLARD:

The State Government will meet in A-1 at 10 a.m. in the morning. A-1, 10 a.m.

PRESIDENT JONES:

Senator Link.

SENATOR LINK:

Thank you, Mr. President. For a purpose of announcement.

PRESIDENT JONES:

Proceed.

SENATOR LINK:

Senate Revenue Committee will meet at 10 a.m. in Room 400.

PRESIDENT JONES:

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President. Purpose of announcement.

PRESIDENT JONES:

Proceed.

SENATOR MUNOZ:

Licensed Activities Committee will meet at 10:30 a.m. in the A-1 of the Stratton Building tomorrow.

PRESIDENT JONES:

Senator Jacobs.

SENATOR JACOBS:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. Purpose of announcement.

PRESIDENT JONES:

Proceed.

SENATOR JACOBS:

As far as I can see, Mr. President, we have done an excellent job and have no need for a meeting.

PRESIDENT JONES:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, as I had spoken before, tomorrow I presume you might start at noon with all your committees, but I would urge the five Democrats who are veterans and the five Republicans who are veterans - I got it straight this time - be sure you're on the Floor when we start -- shortly after we start our Session tomorrow, because we have to memorialize the Declaration Day of next week. That's the least we can do for our veterans, past, present and future.

PRESIDENT JONES:

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. I rise for a point of announcement.

PRESIDENT JONES:

Proceed.

SENATOR CLAYBORNE:

The Senate Environment and Energy Committee will meet tomorrow at 9:30 a.m. tomorrow in Room 212. 9:30 in 212. Thank you.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I rise for purpose of an announcement.

PRESIDENT JONES:

Proceed.

SENATOR BURZYNSKI:

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Thank you. Since we don't get to call for any committee hearings, I'd like to call for a Republican Caucus. Be very brief, immediately after adjournment. Thank you, sir.

PRESIDENT JONES:

A caucus is always in order. There being no further business -- there being no further business to come before the Senate, the Senate stands adjourned until the hour of 11 o'clock, Friday, May 23rd. The Senate stands adjourned.