

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

HB0655	Recede	4
HB0832	Recede	6
HB2048	First Reading	12
HB2244	Recalled	22
HB2244	Third Reading	23
HB3092	Third Reading	7
HB3472	Third Reading	119
HB3650	Recalled	26
HB3650	Third Reading	27
HB4050	Third Reading	133
HB4053	Recalled	129
HB4053	Third Reading	130
SB0002	Deadline Extension	136
SB0004	Deadline Extension	136
SB0005	Deadline Extension	136
SB0008	Deadline Extension	136
SB0009	Deadline Extension	136
SB0011	Deadline Extension	136
SB0019	Deadline Extension	136
SB0051	Deadline Extension	136
SB0090	Concurrence	18
SB0096	Concurrence	20
SB0257	Deadline Extension	136
SB0278	Deadline Extension	136
SB0316	Concurrence	40
SB0316	Concurrence	70
SB0316	Motion	70
SB0321	Deadline Extension	136
SB0332	Deadline Extension	136
SB0388	Deadline Extension	136
SB0389	Deadline Extension	136
SB0390	Deadline Extension	136
SB0391	Deadline Extension	136
SB0392	Deadline Extension	136
SB0393	Deadline Extension	136
SB0399	Deadline Extension	136
SB0403	Deadline Extension	136
SB0404	Deadline Extension	136
SB0405	Deadline Extension	136
SB0414	Deadline Extension	136
SB0436	Deadline Extension	136
SB0457	Deadline Extension	136
SB0467	Deadline Extension	136
SB0562	Concurrence	2
SB0572	Concurrence	125
SB0661	Concurrence	52
SB0750	Deadline Extension	136
SB0764	Concurrence	14
SB0851	Deadline Extension	136
SB0932	Recalled	103
SB0932	Third Reading	104
SB1266	Deadline Extension	136
SB1302	Deadline Extension	136
SB1324	Deadline Extension	136
SB1353	Recalled	113
SB1435	Concurrence	72
SB1442	Concurrence	126
SB1447	Deadline Extension	136
SB1448	Deadline Extension	136
SB1484	Deadline Extension	136

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

SB1548	Concurrence	73
SB1619	Deadline Extension	136
SB1621	Deadline Extension	136
SB1628	Deadline Extension	136
SB1671	Deadline Extension	136
SB1703	Deadline Extension	136
SB1791	Deadline Extension	136
SB1793	Deadline Extension	136
SB1814	Concurrence	30
SB1815	Concurrence	98
SB1817	Deadline Extension	136
SB1821	Concurrence	101
SB1821	Vote Intention	103
SB1822	Deadline Extension	136
SB1823	Deadline Extension	136
SB1834	Deadline Extension	136
SB1839	Deadline Extension	136
SB1842	Concurrence	3
SB1964	Concurrence	31
SB1968	Concurrence	35
SB1974	Deadline Extension	136
SB2053	Concurrence	15
SB2072	Concurrence	17
SR0260	Resolution Offered	9
SR0261	Resolution Offered	2
SR0262	Resolution Offered	9
SR0263	Resolution Offered	9
SR0264	Resolution Offered	123
HJR0042	Resolution Offered	124
SJR0049	Resolution Offered	1
SJR0050	Adopted	125
SJR0050	Resolution Offered	124
Senate to Order-Senator Halvorson		1
Prayer-The Reverend Senator James Meeks		1
Pledge of Allegiance		1
Journal-Approved		1
Journals-Postponed		1
Messages from the House		2
Messages from the House		9
Committee Reports		9
Senate Stands in Recess/Reconvenes		11
Messages from the House		11
Committee Reports		12
Messages from the House		28
Committee Reports		28
Messages from the House		68
Senate Stands at Ease/Reconvenes		69
Committee Report		69
Senate Stands at Ease/Reconvenes		119
Messages from the House		121
Message from the President		123
Messages from the House		124
Message for the Governor		124
Committee Reports		124
Message from the President		136
Resolutions Consent Calendar-Adopted		136
Adjournment		137

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

The regular Session of the -- 94th General Assembly will please come to order. Will the Members please be at their desks? And will our guests in the galleries please rise? The invocation today will be given by Senator Reverend James Meeks.

THE REVEREND SENATOR JAMES MEEKS:

(Prayer by the Reverend Senator James Meeks)

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR HUNTER:

(Pledge of Allegiance, led by Senator Hunter)

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Saturday, May 28, 2005.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter.

SENATOR HUNTER:

Mr. -- Madam President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR HUNTER:

Also for Sunday, May 29th and Monday, May 30th, I move, Madam President, that reading and approval of the Journal of Sunday, May -- and Monday, 29th and 30th in the year 2005, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SECRETARY HAWKER:

Senate -- Joint Resolution No. 49, offered by Senator Bomke. It is substantive.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Resolutions Consent Calendar. No. I'm sorry. Not
Resolutions Consent Calendar. Messages from the House.

SECRETARY HAWKER:

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

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

Senate Bill 90, together with House Amendments 1
and 2.

Passed the House, as amended, May 31, 2005.

We've received like Messages on Senate Bill 764 with House
Amendments 1 and 2, Senate Bill 2053 with House Amendments 1 and
2 and Senate Bill 2072 with House Amendment 1, which all passed
the House, May -- as amended, May 31, 2005.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 260 {sic} (261), offered by Senator Raoul.
It is a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolution Consent Calendar. Terrance Martin, Executive
Director for the Illinois Channel, seeks leave to videotape the
proceedings. Leave granted? Leave is granted. For your
information, to the Members in the Senate here, we will be
starting on page 72. Secretary's Desk, Concurrence on Senate
Bills. The first one will be Senate Bill 562. On the Order of
Concurrences is Senate Bill 562. Senator Haine, do you wish to
proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their
Amendments 1 and 2 to Senate Bill 562.

Motion filed by Senator Haine.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine, to explain your motion.

SENATOR HAINE:

This is a motion for a concurrence in both Amendments No. 1
and 2 by the House. This, as you recall, Ladies and Gentlemen of
the Senate, was a -- a major rewrite of the methamphetamine
control aspects of the -- of the -- Criminal Code. It takes them

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

all and moves them into one handy -- reference - the Methamphetamine Control and Community Protection Act. It codifies all the methamphetamine provisions in the statute. It changes the definitions, especially as to the precursor elements to methamphetamine. The original bill, which passed the Senate, increased the penalties for the manufacture and the possession of the precursor elements - the manufacture of meth. And House Amendment No. 1, frankly I'm not sure what it did, other than -- it -- it has the same -- penalties. House Amendment No. 2 is a cleanup amendment, which is recommended by the Attorney General's Office after consulting with the State's attorneys. It's got editing definition, it makes age references uniform, corrects statutory language and cites. So it did actually improve the bill a great deal, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 562. 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 56 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendments 1 and 2 to Senate Bill 562. And the bill, having received the required constitutional majority, is declared passed. Senator del Valle. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1842.

Motion filed by Senator del Valle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, to explain your motion.

SENATOR DEL VALLE:

Thank you, Madam President. I move to concur with House Amendment No. 1 to Senate Bill 1842. When this bill left -- left the Senate, it was a -- a shell bill, but the original content of the bill was debated in -- in committee. And at that time we agreed with the Illinois Nurses Association that we would send the bill over to the House and negotiate and come up with

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

language with the involvement of the Department of Financial and Professional Regulation. That's exactly what we did. This amendment is the product of those negotiations. It's an agreed-to amendment that requires the Department of Financial and Profession Regulation to establish a two-year program to issue and externship permit to registered -- nurses who have not taken the NCLEX, National Council Licensure Examination. Nurses who are issued the permit may practice as a nurse extern under the direct and on-sight supervision of registered professional nurses. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1842. 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 57 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 1842. And the bill, having received the required constitutional majority, is declared passed. Senator Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR D. SULLIVAN:

Thank you. Tomorrow hopefully we won't be here, but one of our colleagues will be celebrating a milestone in life. Senator Kirk Dillard will be turning fifty years old tomorrow and we've got cake up here. If we can all wish Kirk happy birthday.

PRESIDING OFFICER: (SENATOR HALVORSON)

Happy birthday, Kirk. Did you know that fifty is the new thirty? Fifty is the new thirty. There you go. Happy birthday, Mattie, and to Senator Kirk Dillard. Senator Haine, on Senate Bill 1912. Senator Haine. Senator Althoff, on 655. On the Order of Nonconcurrences is House Bill 655. Senator Althoff, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to recede from Senate Amendments 1 and 2 to House

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Bill 655.

Motion filed by Senator Althoff.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Madam President and Members of the Senate. It appears that I heard from the House sponsor, as well as from the House Rules Committee, that Amendments No. 1 and 2, Amendment No. 1 actually placed the same type of ability for counties with AM towers, as they already currently have with cell phone towers. And Amendment No. 2 extended the TIF for Mt. Prospect. The House response to that was they had passed legislation individually on each one of those issues and they felt the Senate should provide the same consideration. There is no opposition to the underlying bill, so we'd like to see that move forward, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. You have explained very well -- I'm sorry. Thank you, Madam President, Members of the Senate. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates she'll yield.

SENATOR CULLERTON:

You've explained very well then the two amendments that are not going to be in the bill that goes to the Governor. So perhaps you could tell us what the original bill was and why was Chicago excluded.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff.

SENATOR ALTHOFF:

Yes. The -- the bill actually requires governmental entities that have time limits on code enforcement ordinances to respond in the same amount of time they require the applicant to respond in. And the city or Cook County requested that they not be included in this legislation. So we accommodated that request.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

SENATOR CULLERTON:

A further question. Is it Cook County or is it Chicago that's not included in the original bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff.

SENATOR ALTHOFF:

Chicago.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

And did they say why they didn't want to be included?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff.

SENATOR ALTHOFF:

No. They just requested that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

...them? Did you ask them why?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff.

SENATOR ALTHOFF:

Yes. That clearly was asked and their response was, is because that's what they would wish.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton. Is there any further discussion? Seeing none, this is final action. The question is, shall the Senate recede from Senate Amendments 1 and 2 to House Bill 655. 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 50 Yeas, 3 voting Nay, none voting Present. The Senate recedes from Senate Amendments 1 and 2 to House Bill 655. And the bill, having received the required constitutional majority, is declared passed. House Bill 832. Senator Risinger. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to recede from Senate Amendment No. 2 to House Bill 832.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Motion filed by Senator Risinger.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President. Amendment No. 2 allowed counties after they had voted by referendum to raise the sales tax to exempt motor fuel tax from that sales tax and then later on to be able to add it back without referendum. The -- there was a question of the constitutionality of that and so we would like to recede from that. The underlying bill allows counties to spend more money from their capital fund on improvements and repairs on capital projects.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action. The question is, shall the Senate recede from Senate Amendment No. 2 to House Bill 832. 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 48 Yeas, 8 voting Nay, none voting Present. And the Senate recedes from Senate Amendment No. 2 to House Bill 832. And the bill, having received the required constitutional majority, is declared passed. Illinois Information Service wishes to videotape the proceedings. Is leave granted? Leave is granted.

PRESIDING OFFICER: (SENATOR DEL VALLE)

We will proceed to the top of page 67. On the Order of House Bills 3rd Reading is House Bill 3092. Senator Halvorson, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3092.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

Mr. President and Members of the Senate, House Bill 3092 is an issue that we've been working on for a long time. It finally came over from the House. It's for Crescent City School District in Iroquois County in Senator Dahl and Senator Rutherford's

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

district. Basically, what happens is they're doing what we want them to do. They want to consolidate. However, they're tax rate is currently at five dollars and ten -- twelve cents. They're not ready to go directly to four dollars, and so this legislation allows them to go down ten cents every year. They've passed it by referendum with ninety percent. I would just encourage everybody to help out this school district in Crescent City.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Dahl.

SENATOR DAHL:

Mr. President, to the speaker. Senator, I want to thank you for your work on this. You've put in a lot of effort, a lot of time on my behalf to get this bill pushed through for the six hundred people in the Village of Crescent City, and I want to thank you on the Senate Floor. Thank you very much. I appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson, to close. The question is, shall House Bill 3092 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, no Nays, none voting Present. House Bill 3092, having received the required constitutional majority, is declared passed. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR GEO-KARIS:

Last night -- first of all, I want to commend Senator James Clayborne for standing of a - I would call - a vicious attack on the fact that he was sponsoring the bill for medical malpractice. I want to congratulate him for holding his cool as much as he did, 'cause he is a very qualified trial lawyer himself and I've been a trial lawyer. And yet we voted our conscience and that's what he did with the bill. And I want to congratulate him for a job well done in spite of all the criticism and adversity. And I felt that some of it was completely misplaced and I, for one,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

appreciate you, Jim, for being here. And I thank you, thank you, thank you for being such a gentleman about it through it all and it wasn't easy.

PRESIDING OFFICER: (SENATOR DEL VALLE)

We are waiting for the Rules Committee to meet so that then we can announce our committee meetings. So, shortly we will resume business. Madam Secretary, Messages from the House.

SECRETARY HAWKER:

A Message from the House by Mr. Mahoney, 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:

House Bill 96, together with House Amendments 1 and 3.

Passed the House, as amended, May 31, 2005.

I have a like Message with respect to Senate Bill 1435 with House Amendment 1.

Also passed the House, as amended, May 31, 2005.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 260, offered by Senator Hunter and all Members.

And Senate Resolutions 262 and 263, both -- offered by Senator Viverito and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Resolutions Consent Calendar. Rules Committee will meet immediately. Rules Committee in the President's Antechamber. Rules Committee immediately. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Motion to Concur with House Amendments 1 and 3 to Senate Bill 96 and Motion to Concur with House Amendments 1 and 2 to Senate Bill 764, and Floor Amendment No. 1 to Senate Bill 932; refer to State Government Committee - Motion to Concur with House Amendments 1 and 2 to Senate Bill 90, Motion to Concur with House Amendments 1 and 2 to Senate Bill

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

2053, Motion to Concur with House Amendment 1 to Senate Bill 2072 and Floor Amendment 2 to House Bill 2244; Be Approved for Consideration - Floor Amendment 4 to Senate Bill 1353.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your purpose.

SENATOR SILVERSTEIN:

The Senate Executive Committee will meet at 4:45 this afternoon in Room 212.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Executive at 4:45 in 212. Senator Garrett, for what purpose do you rise?

SENATOR GARRETT:

Thank you, Mr. President. For purpose of announcement. The State Government Committee will be meeting today in 400, not the A-1 Room in the Stratton Building. And since it is such a high-rent district, we'll be serving refreshments, foie gras, some of Kay Wojcik's leftover wine. Just kidding. Just kidding. Anyway, 4:45 in Room 400. State Government.

PRESIDING OFFICER: (SENATOR DEL VALLE)

We will turn to page 4 on the Calendar. Senate Bills 3rd Reading. Senate Bill 1353. Senator Cullerton. Out of the record. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. Just an inquiry of the Chair. Thank you. Senator, I know that we've been on trains the last couple of days and I was just wondering if we were running on Amtrak's schedule today, or -- or Burlington Northern Santa Fe or -- or exactly what we were doing here, because I don't want to miss the train.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Well, we're going to consider at least one other bill before we break, and then go to committees. We will be turning to page 4. Senate Bills 3rd Reading. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you. Before we start this Order of Business, we'd like to request a Republican Caucus for approximately thirty minutes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski, I'll be with you momentarily. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR VIVERITO:

You know, we have the very Honorable, outstanding, dedicated Lieutenant Governor. How about giving him a nice round of applause?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski, we're checking on scheduling right now. Senator Burzynski, the caucus can take place. You requested thirty minutes. We will be going to committees at 4:45 and committees will start promptly at 4:45. Senate stands in recess to the call of the Chair. The Senate will stand in recess to the call of the Chair. After committees the Senate will reconvene at approximately -- well, we don't have the exact time, so -- but we will be reconvening to receive committee reports and for further floor action. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

The Senate will come to order. WICS-TV requests permission to videotape the proceedings. Seeing no objection, leave is granted. WFLD of Chicago requests permission to videotape the Senate from the gallery. Seeing no objection, leave is granted. Madam Secretary, Messages from the House, please.

SECRETARY HAWKER:

A Message from the House by Mr. Mahoney, 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:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

House Bill 1968, together with House Amendment 1.
Passed the House, as amended, May 31, 2005.

I have like Messages on Senate Bill 316, with House Amendments 1 and 2; Senate Bill 1814, with House Amendments 4; Senate Bill 1821, with House Amendment 1; and Senate Bill 1964, with House Amendment 1.

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

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

House Bill 258, together -- pardon me.
Just passed the House, May 31, 2005.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Garrett, Chairperson of the Committee on State Government, reports Motion to Concur with House Amendments 1 and 2 to Senate Bill 90; House Amendments 1 and 2 to Senate Bill 2053; and House Amendment 1 to Senate Bill 2072 recommended Do Adopt; Senate Amendment No. 2 to House Bill 2244 Be Adopted.

Senator Silverstein, Chairperson of the Committee on Executive, reports the Motions to Concur with House Amendments 1 and 3 to Senate Bill 96, House Amendments 1 and 2 to Senate Bill -- pardon me, 764, and Senate Amendment No. 1 to Senate Bill 932, all recommended Do Adopt.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, House Bills 1st Reading, please.

SECRETARY HAWKER:

House Bill 258, offered -- House Bill 2048, offered by Senator Peterson.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Rauschenberger, for what purpose do you rise, sir?

SENATOR RAUSCHENBERGER:

For a point of personal privilege, Mr. President. I think for the first time this entire Session, perhaps for the first

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

time in the last four years, I have someone in the -- in the gallery of the Chamber I'd like to introduce.

PRESIDING OFFICER: (SENATOR DeLEO)

Please -- please state your announcement, sir.

SENATOR RAUSCHENBERGER:

In -- in my role as Board Member for the National Conference of State Legislatures and more recently as Vice President and President-elect and soon to be President, I've had the opportunity to meet a lot of gifted legislators who are in leadership positions in their states. We're joined today in the Republican side gallery in the back of the Chamber by two members of the North Dakota House of Representatives. First, is Chairman of the House Appropriations Committee, and it's fitting that he's here to watch the thrashings about, as we try to make a State budget for the State of Illinois. A -- a personal friend of mine and a -- a man who's spent a lot of time making NCSL an important organization, Representative Ken Svedjan, from North Dakota. Would you stand, Ken?

PRESIDING OFFICER: (SENATOR DeLEO)

Ken, welcome to -- Illinois and welcome to the Illinois State Senate, sir.

SENATOR RAUSCHENBERGER:

Joining him, Mr. President -- joining him, Mr. President, is Representative Bob Skarphol, also of the North Dakota House of Representatives.

PRESIDING OFFICER: (SENATOR DeLEO)

Representative, welcome to Illinois and welcome to Illinois State Senate, sir.

SENATOR RAUSCHENBERGER:

And -- and the last thing, not -- not to extend my time, but I know we've got pressing business in about two hours. They're joined by two of their information officers. They're here to look at our information processing system in the State of Illinois. Rumors out there on the street that our professional staff that run our Chambers and our Legislative Reference Bureau and our Legislative Information Service does such a good job that other states are here to take a look at the system we run to see if it has applications in their State. So, those two distinguished State Representatives are joined by Mike Ressler

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

and Curtis Wolfe from the Information Technology Department of the State of North Dakota.

PRESIDING OFFICER: (SENATOR DeLEO)

We'd also like to welcome the hardworking support staff of the General Assembly. Welcome. Okay. Ladies and Gentlemen, we will now turn to Supplemental Calendar No. 1 on concurrences. Supplemental Calendar No. 1 comes Senate Bill -- on the Order of Concurrence is Senate Bill 90. Senator Clayborne. Senator James Clayborne. Senator James Clayborne. Out -- out of the record. Let me remind all Members within the sound of my voice, please come to the Floor immediately. Please come to the Floor immediately. It's 6:15 on May 31st. Please come to the Senate Floor immediately. Senator -- Senate Bill 96. On Motion to Concur, Senator Clayborne. Out of the record. We'll come back to it. Senate Bill 764. Senator John Cullerton. Sir, do you wish to proceed? On the Order of Concurrence, can come Senate Bill 764. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 764.

Motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to explain your motion, sir.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I wish to concur with Senate Amendment No. 1 to -- I -- I'm sorry, House Amendment No. 1 to Senate Bill 764. This is the subject matter the -- the amendment was the subject matter of a House bill. It was House Bill 3593, which passed the Senate -- strike that. Passed the House unanimously. Then was held up in the Senate Rules. It's an initiative of the Illinois Mechanical and Specialty Contractors Association. Basically, it deals with condominiums when -- so as to allow service for notice of liens for the purposes of perfecting a mechanics lien. It can be served on the condo association rather than each individual unit owners. It would save a -- a lot of money for anyone trying to perfect the -- the lien and send the notice, and obviously it would -- the same notice would get to all the unit owners. Know of no opposition and hope that we would concur with the House

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, this is final action. The question is, shall Senate Bill 764 -- concur in House Amendment No. 1 and No. 2 to Senate Bill 764. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 and No. 2 to Senate Bill 764. And the bill, having received the required constitutional majority, is declared passed. Continuing on Supplemental Calendar No. 1, is Senate Bill 2-0-5-3. 2053. Senator Harmon, do you wish to proceed, sir? Senator Cullerton, both of your amendments were adopted, sir. They were concurred to the Senate bill. Okay. Ladies and Gentlemen, going back to Senate Bill 2053 on your -- Supplemental Calendar. Senator Harmon, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2053.

Motion filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to explain your motion, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill, Senate Bill 2053, is an initiative of the Cook County Treasurer's Office. It deals with the period of time in which county collectors have to declare an administrative sale in error. We had attempted to extend the time from one years to two years. The -- the House sought to more precisely tailor it to the period allowed, and in Amendment No. 2, has set the date as -- at the -- the redemption period rather than a fixed period. We need to concur in both Amendments No. 1 and No 2 to for procedural reasons, and I would ask you to join me in my motion to concur with both amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you, sir. Is there any discussion? Is there any discussion? Senator Lauzen, for what purpose are you seeking recognition, sir?

SENATOR LAUZEN:

Thank you, Mr. President. I -- I'm -- my apologies to the sponsor. Could you outline again. I -- I'm -- I've -- could you refresh my memory which piece this was and when we handled it?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Lauzen, the original bill did come through our Revenue Committee and it had broad support as I recall. I don't have that analysis in front of me, but the intent of the original bill was to eliminate the one-year time period for which county collectors have to declare an administrative sale in error. This is both a pro-taxpayer bill. It protects the interests of the taxpayer. It also is a pro-taxing body district. It will put properties back on the tax roles sooner. I don't believe that there's any opposition or controversy surrounding this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much. Did that -- did the Floor amendment -- or the concurrence motion, did that go through the committee at some point?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

For -- for reasons unknown to me, it was sent to the State Government Committee. I think because of the convenience factor of meeting here on the last day of Session.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Is there any further... Senator Risinger, for what purpose do you rise, sir?

SENATOR RISINGER:

Thank you, Mr. President. The -- the amendment did come through State Government Committee and the committee voted unanimously to get it out. I think it's okay.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Harmon. The -- this is final action, Ladies and Gentlemen. The question is, shall Senate Bill 2053 -- the Senate shall concur in House Amendment No. 1 and No. 2 to Senate Bill 2053. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. The Senate concurs in House Amendment No. 1 and No. 2 to Senate Bill 2053. And the bill, having received the required constitutional majority, is declared passed. Continuing on Supplemental Calendar, comes Senate Bill 2072. Senator Harmon, you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments -- Amendment No. 1 to Senate Bill 2072.

Motion filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Harmon, to explain your motion, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill -- or Senate Bill 2072 -- or the substance of the bill has had a long and arduous journey through the legislative process this year. This is the fourth time I've presented some variation on this bill to the Senate, and I hope it's the last. In the three prior attempts, it incurred a grand total of three No votes. So it does not engender any controversy. This is the modernization of the Physical Fitness Services Act. This is a technical amendment adding two words to correct -- define terms that were inadvertently -- misdrafted in the -- in the House bill. I'm aware of no opposition and I would ask for your Aye votes hopefully for a last time.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

Thank you, Mr. President. To the bill:

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

To the bill, sir.

SENATOR RISINGER:

The bill did come through the State Government Committee. It is a technical amendment to - just two words. So the bill is okay.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, this is final action. The question is, shall Senate Bill -- concur in House Amendment No. 1 to Senate Bill 2072. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 2072. And the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, leave of the Body -- we took two bills out of the record. We'll go back to them now. The sponsor is on the Floor. Senate Bill 90. Senate Bill 90. Senator Clayborne, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 90.

Motion filed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, to explain your motion, sir.

SENATOR CLAYBORNE:

Thank you, Mr. -- Mr. President and Members of the Senate. House Amendment No. 1 deletes the bill and makes it a vehicle bill. And House Amendment No. 2 basically makes changes to the bill that we previously had in here that passed out 57 to nothing. One of the things that it does from a change, it -- it requires one year for all contracts to be entered into by -- with the utilities. The years eleven through twenty, they must go through the ICC commission to determine whether their contracts are reasonable and prudent and the facility must be ground -- construction must start within three years.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? The gentleman from

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Cook, Senator Dave Sullivan, for what purpose are you seeking recognition, sir?

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I rise in favor of the gentleman's motion to concur. This bill, we voted on before, unanimously. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The gentleman from Jefferson, Senator John Jones, for what purpose are you seeking recognition?

SENATOR J. JONES:

Thank you, Mr. President, to the -- to the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR J. JONES:

You know, I just rise in strong support of this Senate Bill 90. This is a -- a golden opportunity for -- for people in Jefferson County right now, because we have a company wanting to build a coal gasification plant there that would employ about four hundred people permanently. But it would employ about a thousand people while we build that facility. Because when you build one of these coal gasification plants that's being designed for Jefferson County, it entails building an entire -- and operating an entire new coal mine. So this is a large undertaking in southern Illinois. It would mean a lot of jobs for the State of Illinois and especially in southern Illinois, and I would ask an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The gentleman from Peoria, Senator Risinger, for what purpose you seeking recognition?

SENATOR RISINGER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RISINGER:

Thank you. You can see State Government did a lot of work today. This bill also passed unanimously out of committee and I -- I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you. Okay. Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 90. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. The Senate concurs in Amendment No. 1 and No. 2 to Senate Bill 90. And the bill, having received the required constitutional majority, is declared passed. Continuing on Supplemental Calendar No. 1, comes Senate Bill 96. On the Order of Concurrence, Senator Clayborne, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 96.

Motion filed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman for -- from St. Clair County, Senator Clayborne, to explain your motion, sir.

SENATOR CLAYBORNE:

Thank -- thank you, Mr. President. This train -- as Emil said, this train is moving. Toot toot. No. This -- what this bill does, it extends the telecom Act additional two years - extends the sunset additional two years from July 1st, 2005 to July 1st, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Is there any discussion? The gentleman from Cook County, Senator Wendell Jones, for what purpose are you seeking recognition, sir?

SENATOR W. JONES:

Yes. I rise in support of this bill and the new train that we're on. This will be the first train in several days that I've been on instead of under. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The gentleman from Cook, Senator Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you, Mr. President, Ladies and Gentlemen of the Senate. While I do rise in support of the gentleman's motion, we all -- we all should vote for this. This will extend the Telecommunications Act that we all worked so hard in 2001, to make a very pro-consumer, pro-competition bill. But I do want to comment that this process that we went through on telecommunications, unfortunately, not unlike a lot of the processes that we've gone through in this Session, went awry many times. It was very frustrating. There were a lot of non-negotiations on it. A lot of people just completely unwilling to discuss things with each other. And I do not blame the sponsor of this motion. I do not blame the Chairman of our committee. Senator Clayborne has done a great job on this issue. He has tried to lead this forward and lead the issue as we try to keep up with telecommunications. But I just hope that all of us under the dome, as we approach this subject over the next two years, could figure out how to work together to solve this problem. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Senator Sandoval, for what purpose are you seeking recognition?

SENATOR SANDOVAL:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR SANDOVAL:

I stand in support of Chairman Clayborne's efforts on this bill. He's demonstrated, as my colleague indicated on the other side of the aisle, leadership and there's been a lot of open dialogue, several meetings in Chicago. And I wholeheartedly support this stopgap measure to extend telecom bill as it is today. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, this is final action. The question is, shall Senate Bill -- shall the Senate concur in House Amendment No. 1 and No. 3 to Senate Bill 96. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 and No. 3 to Senate Bill 96. And the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, if I can turn your attention to page 66 of our regular printed Calendar. Page 66. Near the bottom of page 66 is House Bills 3rd Reading, is House Bill 2244. Senator Garrett. Senator Susan Garrett. Madam Sponsor, I believe that you're seeking leave of the Body to return this for -- for the purposes of an amendment. Okay. Ladies and Gentlemen, House Bill 2244. Senator Garrett seeks leave of the Body to return this to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading, comes House Bill 2244. Madam Secretary, have there been any amendments approved for consideration?

SECRETARY HAWKER:

Amendment No. 2, offered by Senators Martinez and Sandoval.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Martinez, to explain the amendment, but before you do that, Ladies and Gentlemen, the sponsorship of the bill, the Clerk indicates to us a slip has been filed and the sponsorship of House Bill 2244 has been changed. Senator Martinez, on your amendment, ma'am.

SENATOR MARTINEZ:

The -- thank you, Mr. President and Members of the Senate. Floor Amendment No. 2 to House Bill 2244 deletes the underlying bill. It amends the Mental Health and -- Developmental Disability Administrative Act to require that each individual in a community-based residential program for persons with -- developmental disabilities, who exhibit challenging behaviors, to have an individualized behavior support program. It also amends the State Police law in order to repeal the language authorizing inmates to be furloughed to State agencies for use in their research programs.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you, Senator. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Martinez moves the adoption of Floor Amendment No. 2 to House Bill 2244. All those in favor will say Aye. All those opposed will say Nay.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor -- amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading, comes House Bill 2244. Senator Martinez, do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2244.

(Secretary reads title of bill)

3rd -- 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. These two amendments did pass out of this Chamber -- and it was on 3rd Reading -- in both committees -- Senator Sandoval and myself and we just combined this one -- into one bill. And I ask for your consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, ma'am. Is there any discussion? The gentleman from Peoria, Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

Thank you, Mr. President. To the bill. This bill passed through State Government Committee. It was passed unanimously, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. The question is, shall Senate Bill 2244 -
- Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

I'm -- I'm sorry. I might have gotten my light on just a little late, Mr. President. Would the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, sir.

SENATOR BURZYNSKI:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

I'm -- I'm a little bit confused exactly about what the bill does. As I understand it now, we're going to require individual assessments and an individual behavioral report, it -- it appears, and a plan to support those individuals. Is there a cost associated with this? And are these individuals that are in our State facilities or are they in independent living facilities or living at home?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

They are individuals in a community-based residential programs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. And is there a cost associated with additional staff time and evaluation? And who does the evaluation and puts together an individual assessment or an individual program or plan?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

The Department of Human Services.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

And is there an estimate on the cost of -- to the Department of Human Services? Because obviously, they tell us they're understaffed somewhat right now, and it seems to me if they're going to have to do these individual plans and assessments, that they're going to have to hire more people.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

There is no cost estimated at this moment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. So, we're being asked to vote on a bill that's

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

going to have an additional cost, but we don't know what it's going to cost. Is this part of the budget that's going -- that we're going to see on our desks in a couple of hours?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

The Department doesn't have an estimate just yet.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. What is the effective date of the legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Effective immediately.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Then to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BURZYNSKI:

Thank you, Mr. President. It -- it just seems to me ironic that here we are on the last day of Session. We have another bill in front of us that's going to be an -- a spending bill. It's going to cost the State of Illinois. We don't know exactly what it is. We haven't seen a final budget plan in front of us yet. And here we are asked to vote on a bill that, although well-meaning, and although meant to help individuals, it certainly will have a cost and impact on the State's budget. I would just encourage my colleagues to take careful consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you, Members of the Senate. This bill has been out there and to this moment, DHS never came to us to indicate how much it would cost. So, I just ask for a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you. The question is, shall House Bill 2244 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 2244, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, if I could ask you to go -- staying on your regular printed Calendar, House Bills 3rd Reading on page 67 comes House Bill 3650. Senator Harmon. Senator Harmon, do you wish to proceed, sir? He indicates he does. Senator Harmon seeks leave of the Body to return House Bill 3650 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 3650. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Harmon, to explain your amendment, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill, House Bill 3650, is an initiative of Representative Connie Howard. It amends the Digital Divide Law to create the Digital Divide Elimination Working Group. The amendment itself makes some technical changes with respect to the grant program authorized by the underlying law with respect to eligibility amounts that can be awarded and the like. I'd be happy to debate the full bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Okay. The gentleman moves the adoption of Floor Amendment No. 1 to House Bill 3650. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for our consideration?

SECRETARY HAWKER:

Floor Amendment No. -- pardon me. No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you. 3rd Reading. Now on the Order of 3rd Reading, comes House Bill 3650. Senator Harmon, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 3650.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Again, House Bill 3650, as we just amended it, amends the Digital Divide -- the Eliminate the Digital Divide Law to create the Digital Divide Elimination Working Group to be appointed by the Governor and the legislative leaders. The bill is permissive and subject to appropriation. I do not believe it has any financial impact on the State, and I would ask you all to join me in supporting Representative Howard's initiative.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RISINGER:

Is -- is this protected from the sweeps?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I -- I do not see language protecting it from the sweeps, but the maximum amount expendable is a hundred thousand dollars. So, it's probably not likely a -- a target for the sweeps, nor a real risk.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Thank you -- thank you, Mr. President. This bill did come

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

through State Government Committee and it came out unanimously. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Okay, Ladies and Gentlemen, the question is, shall House Bill 3650 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. House Bill 3650, having received the required constitutional majority, is declared passed. Madam Secretary, any Messages from the House?

SECRETARY HAWKER:

A Message from the House by Mr. Mahoney, 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 661, together with House Amendments 1, 2, 3 and 4.

Passed the House, as amended, May 31, 2005.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, may I have your attention, please, for purposes of announcement? Will all members of the Rules Committee -- the Senate Rules Committee will meet immediately in the President's Anteroom. All members of the Rules Committee please report to the President's Anteroom immediately. Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur with House Amendments 1 and 2 to Senate Bill 316, Motion to Concur with House Amendments 1, 2, 3 and 4 to Senate Bill 661, Motion to Concur with House Amendment 4 to Senate Bill 1814, Motion to Concur with House Amendment 1 to Senate Bill 1964 and Motion to Concur with House Amendment 1 to Senate Bill 1968.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Point of order.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR ROSKAM:

Mr. President, we were in an awful hurry we were told in the Executive Committee this afternoon. So much so that the -- the Leader -- the Republican Leader was cut off in debate, because we really got this sense that there was a rush and a push and a very aggressive agenda that we had to deal with. I've noticed that we've been at ease here for a couple of minutes. So, might I suggest if I could, that some of these bills that are being sent directly to the Floor it might be wise, since we have a little bit of time on our hands, to have a committee hearing on these. For example, just a good example, Mr. President, might be the Motion to Concur with House Amendments 1 and 2 on Senate Bill 316. That, to my knowledge, Mr. President, has not received a committee hearing and I think it would be a good use of our time to -- to convene a committee so that folks can learn the details of this interesting piece of legislation. Since we've got the time.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you so much for your inquiry. Senator Roskam, as you know being a former member of the majority, after the Rules Committee meets, supplemental calendars have to -- often have to be printed and those little wonderful people that work up in these alcoves in this building, they have to print a calendar. And they're not preprinted, because we never know what's coming over. So that two- or three-minute delay -- we just received the Supplemental Calendar, and they will be distributed and put on the desks as we speak, sir. Senator Roskam.

SENATOR ROSKAM:

Well, Senator, there's no little people. Right? I mean, there's big people with little jobs.

PRESIDING OFFICER: (SENATOR DeLEO)

No. They're actually little people. Okay. Ladies and Gentlemen, we will now go to -- Supplemental Calendar No. 2. Secretary's Desk Concurrence, Senate Bills. We will go to Senate Bill 316. Senator Harmon. Senator Harmon. Okay. We'll come back to that. Senate Bill 661. Senator Harmon. Out of the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

record also. -- continuing on Motions to Concur, Supplemental Calendar No. 2, is Senate Bill 1814. Senator Forby. On the Order of Concurrence is Senate Bill 1814. Senator Forby, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 4 to Senate Bill 1814.

Motion filed by Senator Forby.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Forby and Ladies and Gentlemen, before we discuss the motion, sir, because of the hour of the evening and so many people want to speak this evening, we will be going to the debate clock. Senator Forby, to explain your motion, sir.

SENATOR FORBY:

This -- this is a future gen bill I run through there and they put amendment over in the House that future -- changes the name of it from federal future -- classification facilities. And what this does is, let gasification have the same -- same privilege as the coal mines does. And we're changing the date on this from July the 1st, '05 to July the 1st, '07.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. I rise in support of the gentleman's motion. We've been working on this legislation to help the coal gasification projects in our State. Represents a very significant future for energy in this State. I have one of these facilities in process in my district in East Dubuque at the Royster-Clark plant where Rentech is going to be using coal gasification to make anhydrous ammonia fertilizer and also there's a fuel component to it. So, I rise in support and happy to cosponsor the legislation with Senator Forby.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 1814. Those in favor will vote Aye. Those opposed will vote Nay. The -- the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 Nay, 0 voting Present. Senate Bill -- the Senate concurs in Senate Bill 1814 Amendment No. 4. And the bill, having received the required constitutional majority, is declared passed. Continuing on motions to concur, Senator Schoenberg, on Senate Bill 1964, sir. On the Order of Concurrence, comes Senate Bill 1964. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1964.

Motion filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg, to explain your motion, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment 1964 deletes a -- this is a -- deletes a provision in the comprehensive tollway reform bill that passed this Chamber unanimously this year, earlier this spring, and on several other occasions. It deletes formal references to the Office of the Inspector General, which at the time that I first began this, didn't exist, but now already does exist, has a relationship with the Attorney General and the Executive Office of Inspector General for subpoena powers. This provision is -- I urge your -- its -- it is what it is, and I urge your concurrence. I'd be happy...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Senator Pankau, for what purpose do you rise, ma'am?

SENATOR PANKAU:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, ma'am.

SENATOR PANKAU:

Several times we have gone through tollway reform legislation. I don't think it -- what -- any of it was ever signed into law. But I remember an earlier version that had something about if you did not pay your tolls, that a lien could

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

be put on your personal property, including your house. Is any of that in this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

That's been extracted in earlier versions. That's not in here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

It's not in here?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Not in the amendment and in the underlying bill, in fact it creates an amnesty program with a -- where people who have outstanding toll collections can finally settle their accounts with the tollway, comparable to the way we had a very successful amnesty program with the Department of Revenue.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

In -- in an earlier version, they also had something about brick walls. Is there anything in here about, you know, they may -- must use Masonite for their walls now or something like that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

Okay. And just one more, you mentioned in the budget hearings that we had earlier today -- you mentioned in -- that CMS might be doing the auditing and -- some of the legal work for the Tollway Authority. Is that referenced in here also? Because you said something -- in your explanation, you said something about CMS and I honestly didn't catch it all.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Senator -- Senator Schoenberg.

SENATOR SCHOENBERG:

No. Actually the -- I -- those three initials I didn't -- those three letters I didn't use. I referred to the OIG and the E -- and the EIG. The OIG being the Office of the Inspector General, the Attorney General and the Executive Inspector General. So, there's nothing about that in this either.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you. The Lady from Lake County, Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman will yield for a question, ma'am.

SENATOR GEO-KARIS:

All right. Would you tell me in one sentence without going -- taking up all of my time, just exactly what your bill does, as amended?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. The bill, as amended, with the concurrence motion, creates an amnesty program for the payment of outstanding fines for chronic toll evaders. It has stricter ethical standards prohibiting authority directors, employees, agents or their immediate family members or members of their households from deriving a financial benefit from authority contractors. Requires the authority to implement policies that encourage disadvantaged businesses to participate in the contract bidding process. It...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Just tell me this. Are you making -- putting new locations or changing locations of the tollway in this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

No.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The gentleman from DuPage, Senator Roskam, for what purpose are you seeking recognition?

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR ROSKAM:

Senator Schoenberg, who tubed the Inspector General in the House?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Senator Roskam, as you know, I have been at this for quite some time. In fact, my efforts have predated this administration and this administration has created an Office of Inspector General. That Office of Inspector General does have a working relationship with the Executive Inspector General. So if there're -- any allegations of wrongdoing at the Toll Highway Authority, that office has the capability of -- of subpoenas and does have legal representation already from the -- from the Attorney General's Office.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Ladies and Gentlemen, when this passed unanimously on April 15th, earlier this year, Senator Schoenberg was passionate about the need for an Inspector General over the Toll Highway Authority and we concurred in that. We voted to give that Inspector General certain powers. Somebody reached into the House of Representatives and decided that was a little too much power for one person. I think we should reject this. I think we should stick with the Inspector General, and let's not -- let's not let shenanigans happen any longer. And I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Seeing no further discussion, Ladies and Gentlemen, this is final action. The question is, shall Senate concur in Amendment No. 1 to Senate Bill 1964. Those in favor will vote Aye. Those opposed will

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 36 Ayes, 21 Nays, 0 voting Present. The Senate concurs in Amendment No. 1 to Senate Bill 1964. And the bill, having received the required constitutional majority, is declared passed. Continuing on Supplemental Calendar No. 2 is Senate Bill 1968. Senator Forby, do you wish to proceed, sir? On the Order of Concurrence is Senate Bill 1968. Senator Forby. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1968.

Motion filed by -- Senator Forby.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby, to explain your motion, sir.

SENATOR FORBY:

Thank you, Mr. President. I agree with House Amendment No. 1 to Senate Bill 1968. What this is, is a quick-take for a railroad track in Williamson County for a coal mine. We've been working on this for the last couple years then we got down to one little piece of property and we're having problems getting that. So, this will let the county quick-take this so that this project can go ahead.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR LAUZEN:

You know, I -- I recognize the great importance that coal mining has in southern Illinois. Can you share with the Senate some of the objection that the property owner has that we have to go in and -- and, you know, rip that property away from 'em?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Yes. Back in 1991, there was a -- existing coal mine there and he bought it for a certain amount of money and this property just joins the edge of his property. It don't go through the middle of this property or nothing. It's something he -- he got back in 1991, and he hasn't really done anything with it. And this railroad track where it was before, they want to put another one in there. So, they've offered him three times as much money as they say the ground's worth. The county board has been there. His boy works for the county down there. His boy's went to him and tried to talk to him. This guy is just -- I mean, he just don't care about selling it. And this is going to be four hundred jobs or five hundred jobs down there. Two thousand -- construction workers. And it's just a project. I don't like quick-takes. I would never do one unless it was something I thought was something like this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RIGHTER:

Thank you. Senator Forby, I'm -- I'm looking at the language of the concurrence and it almost looks like -- and on the first page it talks about -- beginning at line 10, that the county can acquire through a different -- through different avenues any land or interest in land necessary for the construction and development of a coal mine or transportation facilities to a -- serve a coal mine. And then down beginning on page -- I mean, line 17 it says, "In addition, quick-take proceedings under Section 7-103, may be used for a period of twelve months". It almost looks like you're granting two -- you're giving two different quick-take grants. I mean, one is indefinite. The first I listed, doesn't have a time frame. So, it appears to be open-ended. The county can take as much property as they want, any time they want, as long as it's either for a coal mine or transportation to a coal mine. And then you have one that's windowed for twelve months. Can you -- can you

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

explain that a little bit to me?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

Basically, what this does is just open the county board so the county board can own this property for this coal mine. The - - the county is going to own this property and rent the property to the coal mine. So they're going to keep the property, county is.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Well, I appreciate that, Senator, but the language in here doesn't say anything about leasing or renting or anything like that. This talks about acquiring, and it's not limited to -- necessarily to the property to which you're referring to, Senator, and it's an indefinite grant of quick-take as long as it's for a coal mine or it's for a transportation infrastructure to a coal mine. And there's no window of time on it whatsoever. So, I appreciate your intent here, but I think that -- I would advise the Members to be very, very cautious about voting for this, because this appears to be a very, very open-ended quick-take. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The gentleman from Will County, Senator Petka, for what purpose do you rise, sir?

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicate he'll yield for a question, sir.

SENATOR PETKA:

Senator, in reading through the analysis of this legislation, I just want to be clear. Does this authorize that the taking of property from a landowner by the county and then having the county enter into a -- a leasehold or a conveyance to another party?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

SENATOR FORBY:

Yes. That is correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Petka.

SENATOR PETKA:

Can you tell me, Senator, whether prior to the request to use this power or to -- to acquire this power in the General Assembly, if there were any negotiations between the -- the company that is going to receive this bequest or conveyance from the county and the landowner?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

Yes, there have. We've been working on this over a year now. The coal mines has talked to him. The county board's went and talked to him. The mayor's went and talked to him. And like I said a while ago, the kinfolks has even went and talked to him. They know what kind of project this is for the district down there so, everybody even agrees to this and even his kinfolks.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Petka.

SENATOR PETKA:

Senator, when you say everyone agrees, does that include the landowner? Is he the person that -- the person who's going to have -- or be the object of this quick-take?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

Yes. That was -- that -- that was what guy they'd been negotiating with all the time. He was there all the time at the negotiations.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Petka.

SENATOR PETKA:

Well, Senator, if that indeed is the case, then why didn't he just enter into a contract with them for purposes of making a conveyance?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby. And, Senator Petka, your time has expired,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

sir. Senator Forby, the answer to the gentleman's question.

SENATOR FORBY:

They tried to do everything you can imagine to deal with him buying the property, and he just would not agree with nothing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR J. JONES:

Let me -- let me back up, though, and say for legislative intent I want to ask Senator Forby a question here. And I -- I think then we can clear up a lot of things. Senator Forby, it is your sole purpose in passing this legislation to use it for that one project and that one project only that you're describing. Correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

That is right.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones.

SENATOR J. JONES:

Thank you, Mr. President. I -- I rise in support of it. This is good for southern Illinois. This is a project that has been worked on for the last couple of years. You know, the coal industry, I think, is getting ready to come back in southern Illinois and -- and this company is -- is very serious about moving forward with this project. But this -- this little piece of property, which is a very small piece of property, is -- is holding it up. And I want to say to the Members on my side of the aisle - some of you have been in southern Illinois - we have such a thing as the World Trotting Derby Dinner in Marion right during the DuQuoin Fair and so I don't want any of you on my side of the aisle upsetting Mayor Butler of Marion, you know, that always comes to the dinner and tells all those jokes, because he's strongly in favor of this. So, I would ask you to vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you, Senator. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. I've -- briefly to the bill. I've morphed into Senator Ed Petka. And had Senator Petka been given the ability to further -- with his time a little bit -- I think he would have pointed out that there's a St. Clair County case, or a case that originated out of St. Clair County, that raises serious constitutional questions. And it's a notion that inherently you know, and that is the government -- the government essentially ought not to go in, take private property for its purported public use and then turn around within the same essential transaction and give it to another private entity. Had Senator Petka been given the time, Mr. Chairman, we would have heard the Ronald Reagan speech. I think we can just sort of insert the disk at this point and, you know, you know what to do and do it for the "Gipper".

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, NBC-Channel 5 in Chicago requests to videotape from the gallery. Seeing no objection, leave is granted. Seeing no further discussion, Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in Amendment No. 1 to Senate Bill 1968. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 45 Ayes, 10 Nays, 0 voting Present. Senate Bill 1968, the Senate concurs in House Amendment No. 1 to Senate Bill 1968. And the bill, having received the required constitutional majority, is declared passed. Continuing on Supplemental Calendar No. 2. But before we do that, WGN-Channel 9 in Chicago requests permission to videotape the proceedings. Seeing no objection, leave is granted. Ladies and Gentlemen, continuing on Supplemental Calendar No. 2. On the top of -- of Supplemental Calendar No. 2, comes Senate Bill 316. Senator Harmon, do you wish to proceed, sir? He indicates he wishes to proceed. On the Order of Concurrence, Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Amendments 1 and 2 to Senate Bill 316.

Motion filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to explain your motion, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 316 left our Chamber as a fairly boring bill about reciprocal insurers. It has come back to us as an amendment to the Riverboat Boat Gambling Act, but it is not terribly controversial. There are two amendments we need to concur in. The second is the operative one and replaces the first. In short order -- with the amendment accomplishes two things. First, it rolls back the admission tax to three dollars or...

PRESIDING OFFICER: (SENATOR DeLEO)

Excuse me, Senator. Ladies and Gentlemen, on your concurrence calendar, inadvertently it says Senate Bill 316 with House Amendment No. 1. It's a technical type error. It should say House Amendment No. 1 and No. 2. The board clearly indicates there's two amendments that we're adopting. Thank you for bringing that to our attention, Senator. Please continue on your motion, sir.

SENATOR HARMON:

Thank you, Mr. President. Again, we roll back the admission fee from the five-dollar rate that was enacted a couple years ago to three dollars, or at the case of the -- the boat with the lowest attendance two dollars. We are also rolling back the -- the tax rates to the levels at which they existed prior to the -- to the last amendment. There is also, however, a -- essentially a hold harmless provision. The riverboat owners have said for some time that at lower tax rates they could generate as much or more tax revenue for the State. We are asking them to prove that. If their revenues fall short of expectations, they will make the treasury whole. I'm not aware of any opposition. And I ask for you to join me in my motion to concur in both Amendments No. 1 and No. 2 to Senate Bill 316.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Senator Geo-Karis, for what purpose you seek recognition, ma'am?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

SENATOR GEO-KARIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, ma'am.

SENATOR GEO-KARIS:

There's a tax involved here, isn't there?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Yeah. Thank you, Mr. President. Yes, Senator Geo-Karis, there -- there are the -- the riverboat gambling taxes are the -- the -- the hub of this bill and we are rolling back those tax rates to the rates that existed prior, I believe, to our last amendment to the Riverboat Gambling Act.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...were those -- what -- what were those rates that you're moving 'em back to?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

They would go back to fifteen percent of the annual adjusted gross receipts up to and including twenty-five million dollars; 22.5 percent of the receipts up to between twenty-five million and fifty million; 27.5 percent of the receipts between fifty million and seventy-five million; 32.5 percent of the annual adjusted gross receipts in excess of seventy-five million, but not exceeding a hundred million; 37.5 of the receipts between a hundred and a hundred and fifty million; 45 percent of annual receipts in excess of one-fifty, but not exceeding two hundred million; and finally, fifty percent of the adjusted gross receipts in excess of two hundred million.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger, for what purpose do you seek recognition, sir?

SENATOR RAUSCHENBERGER:

A question of the sponsor and then a couple of comments to the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RAUSCHENBERGER:

Can -- can you tell us real quickly how that reduction in the local head tax works? Who actually gets the reduction in revenue from that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I'm sorry, Senator. I don't think I understood your question. Could you repeat it for me?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

As I understand -- I hope this isn't counting on the timer when I got to repeat stuff 'cause the Chamber's noisy, but we'll get to that later, Senator DeLeo. As I understand it, -- is -- is there a compromise in this that if votes would support this, that they would get a reduction in the head tax or the -- the -- the charges of a -- of someone coming onto the boat, the tax?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Yes, Senator. I -- I think the Chamber was noisy during my introductory remarks. That's how I started. There's a rollback of that admission tax from five dollars to three or two depending on the attendance volume.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

So who -- who suffers that reduction in revenue? Is that a reduction on the local government's side or on the State treasury side?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I understand it comes out of the State treasury side and not out of the local side.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I certainly appreciate the sponsor's good work on this, but I -- I guess would just stand to, kind of, argue that we ought to keep to a commitment. We have had, historically, in the State of Illinois the highest riverboat gaming -- the highest gaming taxes in the United States. In an extraordinary move, because of extraordinary budget problems, we took a fifty percent rate, highest in the nation, and raised it to seventy percent and told the gaming community that we would do this to 'em for two years. We have a sunset, which is about to take effect. Now, kind of off camera, the administration, the -- the Governor's Office of Management and Budget or GOMBY, or whatever they call themselves, has negotiated a side arrangement offering up a reduction in the head tax, which we did not schedule to go down, in exchange for a reduction in the tax rate, which would happen anyway, as long as the boats would guarantee somehow contractually that they would deliver as much State revenue to the treasury as if they were at the seventy percent tax rate. If -- if we indorse this in legislation, we're saying to the industries that we regulate - the people who are taxpayers, honest taxpayers, because these are businessmen engaged in an enterprise we legalized - that it's okay for our Executive Branch to haul you into rooms, call your principals down to Springfield, extort, cajole, threaten. At one point, I understand, someone, a high-ranking official in the Governor's Office of Management and Bureau {sic}, pointed a finger at a business executive of a publicly owned company and said, if you don't go along with us, we're going to remember who you are. So I would urge Members of the...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger, your time has expired. Senator Roskam, for what purpose do you seek recognition?

SENATOR ROSKAM:

Well, question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR ROSKAM:

Senator Harmon, you said something that I haven't heard from

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

your side of the aisle since really a JFK quote. Can you guess what it was?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR ROSKAM:

No? Okay. Here's what it was. You said, and I pinched myself and I pinched Ed Petka next to me and I said, "Did Senator Harmon say what I thought he said?" And he said, "By golly, Peter, I think he did." And it was this, that by lowering taxes we're going to increase revenues to the State of Illinois. Now, Senator, that is not the orthodoxy of your party and that is not the orthodoxy coming from Oak Park. Now, I think you need to defend yourself.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Roskam, I would love to have a lengthy debate with you about which point on the Laffer curve we may be sitting right now. I understand the economics of this. And there was extensive testimony in Ec and Fisc, or whatever we're calling it now, as to wherein on that curve we may be. I do -- believe that the Laffer curve is an effective model. I think we often disagree as to where we are on that curve. We get the best of both worlds with this bill. The owners of the riverboats have said we are on the far side of the -- the peak of the Laffer curve, and if you reduce taxes - the tax rate - we'll increase tax revenue. We said we're not so sure about that and given that we have increased our State revenues at the seventy percent rate, the only think that -- that distorts the picture is those transition costs. Those -- those -- that -- how long it takes to undo those -- those sorts of investments. So we get the best of both worlds here. We are able to test the theory, reduce the tax rate and if the riverboats are right, they get the benefit of their bargain and if we're right, we're made whole.

PRESIDING OFFICER: (SENATOR DeLEO)

I'm sorry, Senator. You have expired. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Well, I guess just as Senator Roskam morphs into Senator

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Petka, I'd like to do a little of the morphing into Senator Rauschenberger so that he could complete his thought. I mean, these are hundreds of millions of dollars worth of decisions that are made. But more important than the dollars, I think that the thought that Senator Rauschenberger, who has served with us for thirteen years, was cut off in debate last night, cut off again tonight on something as -- very important. I would just say that -- that when people in the Governor's Office point fingers at business executives of legal businesses who put a lot of money into the State treasury - they employ a lot of people in my district in Elgin and Aurora and many other districts - that when they -- when they bring 'em in and they point the finger and they say, you go along with this or we're going to hurt you with the regulation and with our power as the Executive Branch, it can't be called anything other than extortion. If this is a No -- if you vote No on this, it reverts to where it was two years ago at the fifty percent, and we keep our commitment to businesses in Illinois. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Wendell Jones, for what purpose you rise?

SENATOR W. JONES:

Yes. Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR W. JONES:

I try to always be on the right side of the Laffer curve. And I can guarantee you that we are on the wrong side of the Laffer curve on this one, because as it is -- as it goes to the right side of the Laffer curve, we get less revenue. I agree with Reagan. I agree with Roskam that taxing any business -- taxing any business at seventy percent - at seventy percent - makes no sense whatsoever. Any of us that have been in business for any length of time would be appalled to have our income taxed at seventy percent. Think about it, Ladies and Gentlemen. We rolled this back or at least we had a sunset to roll it back to fifty percent. If you vote No, this rolls it back to fifty percent, which is quite high. Twelve and a half percent is the Las Vegas rate. We need to -- we need to really take a look at

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

this bill and not tax any business in Illinois at seventy percent. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Wilhelmi, for what purpose you seek recognition?

SENATOR WILHELMI:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR WILHELMI:

Thank you, Mr. President. I strong and -- or, I stand in -- in strong support of this legislation. I'm the only Senator in this Body that has two riverboats in my district and they are excellent corporate citizens who hire hundreds and hundreds of people in my region. I -- I tell you that without these boats, Joliet would look much different than it looks today. Fifteen years ago there was an incredible difference made because of the investment of these boats. I think that the rate of fifty percent, as some have said across the aisle, is more than enough. I believe that with this new rate structure, we will see additional expansion of their facilities. We will see hires made in the region of the nine licensees and we will see greater economic activity in these nine towns. And so I ask all my colleagues, please vote Yes for this very good bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Risinger, for what purpose you rise?

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RISINGER:

Are -- are all the boats going to get the head tax decrease of a dollar or are there different situations for each boat?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. The current head tax is five dollars. Most boats will see a two-dollar reduction to three

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

dollars. The -- the -- if a boat receives fewer than a million persons per year in 2004, their rate is reduced by three dollars to a two-dollar admission tax.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

So there are different rates for different boats, but every boat will get some reduction. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

That is correct. Every boat will see at least a two-dollar reduction. Some boats with -- with smaller numbers of patrons will see a three-dollar reduction.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

The boats in agreement with this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I have heard from no boats that are opposed to it. I can't -- I have not heard from all the boats. The folks that I've heard from are in support of it, but I cannot speak for all.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Syverson, for what purpose you seek recognition, sir?

SENATOR SYVERSON:

Thank you, Mr. President. It's just a comment. I also am a member of the -- the Committee {sic} (Commission) on Forecasting and Accountability, which was the old Ec and Fisc, and we did have experts come and testify before us. One of the things they stressed, which was interesting and I think really drove home the point, was the experts said if you don't keep your word, people will not invest in your State in the future. If you're going to tell businesses, "We are going to tax you for two years and that's all, and after two years, we're going to go back", and we break that promise, we're going to lose out on the potential of other companies wanting to invest in -- your State, because what

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

is your word going to be worth? And I think that was an important point that was stressed there, when they talked about the investment being made here in Illinois. And even though that hasn't been something that's happened a lot over the last couple years, I think it would be good if we started tonight in keeping our word to the people of Illinois and to the businesses of Illinois. Let's keep our word. Let's repeal this tax, put it back to where it was. And because of that, we're going to put hundreds of people back to work again, because we knew what happened -- we said what would happen when the tax went on. And sure enough when the tax went on, the employees lost their job, revenues went down. Let's do the right thing and let's stick to our word tonight.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Watson, for what purpose do you rise, sir?

SENATOR WATSON:

Yes. Thank you very much, Mr. President. I understand that this bill didn't even have a hearing. And that, to me, is a very poor precedent to start. This is a pretty substantial piece of legislation. It may be agreed to by the gaming industry, but there's many people who would have liked to have had questions, would like to have heard testimony. And, of course, when you shut out the public, that's the only opportunity the people have to be heard in this process is in the committee. And when you shut 'em out, you really have -- you bring -- bring questionable -- questions to this process. And I think that -- that this is not a good idea to be going down this road. And I want to also follow-up with Senator Syverson. I know some of you last -- two years ago when this was passed, you were told, "We'll never have to deal with this issue again. It's only until July 1st of 2005." And -- and this goes right to the trust issue that so many of us on this side, and I think more and more of you on that side, are begun to -- question the trust of this administration. And I -- I don't know how far you go along with them. This -- this is a terrible, terrible idea. Seventies percent tax. The boats started to market their are other boats in other states. And we knew what happened when that -- with the -- the -- the revenue went down, people were laid off. It was a terrible idea

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

two years ago and it's a terrible idea today. That tax should be allowed to expire and let those boats operate in the manner in which they so wish. So, I urge a No vote. And I hope that, at least the Members on this side, and some of you on that side will -- will adhere to what I think was a commitment that was given two years ago that we're now backing out on by this administration. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Leader Watson. Our last speaker, President Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. Usually during this time of the year, we have rules and we attempt to have each piece of legislation have a -- a hearing and such. But we -- we're getting into the waning hours of Session and there are those who, for other political reasons, may not want us to complete our job on time. I support the gentleman's motion to concur. Frank, you got two hours before you can start your theatrics. This is an agreement between the boat owners and the State of Illinois. Now, they are good corporate citizens. They recognize that revenue from these boats help fund education throughout the State of Illinois. This is something that they agreed to do, recognizing that on July 1 the seventy percent tax rate expire, but they indicated they did not want to hurt the schools across the State of Illinois. The budget we'll be voting on will have additional revenue in that. They recognize that as good corporate citizens who recognize. I didn't receive one complaint, one letter, one call as relate to the -- the seventy percent tax on these boats. So, instead of making thirty million in profits, they only made twenty-five million. The public's not crying about that. So -- so, let's stop playing games. And when these -- when these -- when the piece of legislation passed to allow gaming in the State of Illinois, I don't think anyone from your side of the aisle even voted for it. Now, the boat owners agreed to this tax rate - good corporate citizens recognizing that if we lose money, we are subject to lose money for our schools throughout the State of Illinois and especially in the Minority Leader's district. So, therefore, they decided that they would like to have this so that -- so that we would not lose

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

the dollars. And if you will give me the courtesy on your side of the aisle and keep your mouth shut and let me conclude, 'cause the train is rolling...

PRESIDING OFFICER: (SENATOR DeLEO)

Please give the...

SENATOR E. JONES:

...and we intend for it to keep on rolling.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 316. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 29 Ayes, 29 Nays, 0 voting Present. The motion fails. Senator Harmon. Ladies and Gentlemen, give the speaker your attention. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I'd ask that the motion be -- put on the order of postponed consideration. Or do I need to merely re-file a motion?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, for what purpose you seeking recognition?

SENATOR ROSKAM:

Thank you, Mr. President. Just a point of order.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR ROSKAM:

Mr. President, earlier this evening, you -- you suggested that the Senate was going to be subject to timers.

PRESIDING OFFICER: (SENATOR DeLEO)

That's correct, sir.

SENATOR ROSKAM:

And I noticed that not all Senators were subject to timers during that last debate. Can you tell us, is that going to be your pattern through the evening or are -- is every Senator going to be treated, along with the Minority Leader, in the same fashion? Just so we can kind of get the feeling now to deploy an appropriate Floor strategy for the rest of the evening.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR DeLEO)

We'll be back with you in just a second, sir. Okay. Senator Harmon requests that Senate Bill 316 be... Okay. I've just been corrected by the Clerk of the Senate. The gentleman has filed his -- renewed his motion to concur. Now, on the Order of Concurrence, Ladies and Gentlemen, is Senate Bill 316. Senator Harmon, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the re-filed motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 316.

Motion filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Just -- Madam Secretary. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Point of order.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR ROSKAM:

The Senate's out of order right now. In order for us to take up Senator Harmon's subsequent motion, the Rules Committee has to convene, hear the motion and report it directly to the Floor. So my suggestion is that this be taken out of the record so that we can move appropriately.

PRESIDING OFFICER: (SENATOR DeLEO)

Well, that's a wonderful suggestion, but let me confer with my Parliamentarian and my legal staff and I'll be back with you in just a second, sir. While our staff is -- and legal department is looking up this ruling on your request, sir, we will move on the Supplemental Calendar. We'll keep moving to Senate Bill 661. 661. On Supplemental Calendar No. 2. Senator Harmon, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1, 2, 3 and 4 to Senate Bill 661.

Motion filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Senator Harmon, to explain your motion.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Out of the frying pan and into the fire, this -- Senate Bill 661 is the 2006 Budget Implementation Act with respect to finance. -- it has been discussed extensively in committee. Generally, it provides for a -- a -- a collection of transfers among funds to implement the underlying..

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi, for what purpose do you rise, sir?

SENATOR WILHELMI:

Mr. -- Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman moves the previous question. There's twelve people seeking recognition on this. I'll ask the Parliamentarian to make a list of the speakers. Senator Harmon.

SENATOR HARMON:

Well given the interest in the bill, Mr. President, I would gladly open it up to questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing none -- Senator -- Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Inquiry of the sponsor, please, if he'll yield.

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates he'll yield for a -- inquiry, sir.

SENATOR RIGHTER:

Senator Harmon, how much is the total fund sweeps included in this implementation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I'm sorry. I don't believe the bill mentions fund sweeps as a term. Can you tell me what you're referring to?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

That was a good use of twenty seconds, Senator. About charge backs or money taken from special funds contributed by

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

individuals, maybe through fees or otherwise, to be deposited in the General Revenue Fund. What is the total fund of that -- total amount of that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

The total as -- with the amendments that I'm motioning to concur in, is a hundred and fifty-six million nine hundred and twenty-eight thousand four hundred and eighty-three dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon. Senator Righter.

SENATOR RIGHTER:

Senator Harmon, it's -- it's come to our attention that there are two specific funds that you are proposing to draw money out of that are currently under a court order, a court-ordered injunction, saying that we can't do that. Are you familiar with the two funds I'm referring to?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. As I understand the injunction, there is an injunction against the Executive Branch from executing certain sweeps. I don't believe that that would apply to the legislative branch authorizing transfers. My understanding is that there will be no transfers from those funds until the injunction is resolved.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

So if I understand, Senator, it's your suggestion that we vote to move money out of these funds with the hope that the court will agree with the administration's or -- arguments that this is constitutional and then when we do so, the legislative authority will be present for them to pluck the money out. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. No. I -- I believe, that based

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

on the reasonable expectation, that the court will uphold the administration's position that we should grant the legislative authority to permit those transfers if and when the -- the injunction is lifted.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter. Thank you, sir. Senator Lauzen, for what purpose do you rise, sir?

SENATOR LAUZEN:

To the bill, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR LAUZEN:

There are three -- three -- just three observations I'd like to make. First of all, what Amendment No. 2 to Senate Bill 661 does is it -- it authorizes CMS to provide audit services - and this is practically beyond belief - to the State Tollway Authority and the State Board of Education. As one of the co-chairs of the Audit Commission, I witnessed over the last month the worst audit findings, in the twelve years that I've served in the State Senate, coming out of CMS. This is like turning the foxes into the chicken coup. Not only didn't -- did CMS not agree with the Auditor General, but then they tried to in -- intimidate the bipartisan, bicameral, independent Auditor General, for which action the director has very appropriately apologized, which I appreciate. So, that's observation number one. If you vote Yes for this, you're turning the fox into the chicken coop. Number two, I think that you're going to find what Senator Righter was talking about become known as the -- not the pick fund, but the pickpocket fund in that, when a court says you can't do it, we just change the definition and then they do it anyway. And then finally, number three, a Yes vote on this increases the diversion. The current law says that the diversion for State Police will revert from ninety-seven million to zero, Secretary of State from a hundred and thirty million to thirty million. And so that's a two-hundred-million-dollar difference that you're going to be diverting out of the Road Fund. I say for all three of those reasons I'd recommend a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you, sir. Senator Rutherford, for...

SENATOR RUTHERFORD:

Thank you, Mr. President. When Rod Blagojevich was elected Governor, he said, "I'm not going to raise your income taxes." And you know what? I said I'm for you on that. He said, "I'm not going to raise your sales tax." And I said, you know what, Governor, I'm for you on that. So, what did Rod Blagojevich do in this General Assembly? Two years ago, they went out there and raised over three hundred fees on consumers and businesses in this State. And then they went out and tried to raise two hundred more. But in the infinite wisdom of the General Assembly we stopped them. A tax is a three-letter word. A fee is a three-letter word. But there is a difference. A tax by the Constitution has to be reasonable and uniform and a fee is for dedicated purposes. So you would think that when this General Assembly and this Governor went out to raise the fee on boat licenses, that those funds would be used to help protect and maintain the waterways. Or you'd think that when this Governor and this administration went out and raised the fees to go camping in our State parks, they would help maintain our State parks - but no. They're going to go out and they're going to sweep 'em. They're going to take 'em away. They're going to use 'em for other purposes. Let's look here: The Banks and Trust Company Fund, the one that's under court injunction, which I have the copy of right here; the Care Provider Fund for Persons With -- Developmental Disabilities; the Child Support Fund; the Driver's Education Fund; the Drunk Driving Prevention Fund is having money taken out of it by this bill; Early Intervention Services Fund; Emergency Public Health Fund; the Environmental Protection Trust Fund; Financial Institutions Fund - Senator Harmon, that's one of those that's in this court injunction; the Guardianship and Advocacy Fund; the Illinois -- Clean Water Fund; the Illinois Habitat Endowment Trust Fund - 3.6 million dollars is being taken out of there; the School Asbestos Abatement Fund - I doubt that every school in this State has been taken care of; the Illinois Veterans Rehabilitation Fund? America's a...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator, please -- Senator, your time is expired and thank you. Senator Risinger, for what purpose do you rise,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

sir?

SENATOR RISINGER:

Thank you, Mr. Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, would you please give the speaker your attention -- your respect and your attention, please? Senator Risinger.

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RISINGER:

I see in this bill IDOT road program is going from a five-year program to a six-year program. Can you tell me why they're doing that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Sorry for the delay, Senator. I had to consult with staff. The -- it's currently a six-year program. This is a technical amendment to get us caught up with the actual IDOT practice.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

...thank you, Mr. President. I think it's a little more than practice. I think it's in the law. The diversions continue on the Road Fund, and because the diversions are in this bill and because the diversions continue, IDOT has to go to a six-year plan instead of a five-year plan so that they can get the same number of projects in, because they don't have enough money to build the projects. I think the diversions ought to revert back. We ought to not be diverting from the Road Fund and I think we ought to vote No on this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Channel 2 News in Chicago-CBS seeks permission to videotape and record this Session. Seeing no objection, leave is granted. Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR ROSKAM:

Just a word of caution. You know, you've seen a lot of, oh, kind of tenuousness this evening about how things have been crafted and presented. And just a word of caution, what you're being asked to vote on tonight is to concur in, among other things, Senate Amendment No. 2. Now, fairly, it's in the context of other amendments, but this is what Senate Amendment No. 2 will have you sweep - and you're being asked to put a Yes vote on it - and believe me, the moms and pops at home are -- are -- are -- are going to understand this. What you're being asked to sweep in Senate Amendment 2 is the Mammogram Fund, the Violence Prevention -- the Violence Prevention Fund, the State Police DUI Fund and several other funds. Here's my point. As we saw in the last bill, when things are not well crafted, when the process doesn't work well, things are not presented well. And I've no criticism of the sponsor, but the way to do this is to have all this worked out so that you are not asked to put an affirmative vote on Amendment No. 2, which includes these things. So, from my point of view on the Members on my side of the aisle, I would urge a No vote on this. I don't think it's well -- it's not well drafted and we can do better.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there are many cogent reasons why we should not support this bill. What we're doing is, we're taxing and taxing and taxing. And that's not what the taxpayers -- of Illinois want. And we can call it whatever you want to, but you're certainly diverting it from very necessary funds, and I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Dave Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicate he'll yield for a question.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

SENATOR D. SULLIVAN:

Senator Harmon, just so we can shed a little light for the public on the process that we are suffering here through. Can you tell us how long has this Motion to Concur with Senate Bill 661 been in the Senate? Has it been about twenty-eight minutes, thirty-two minutes? How long has it been in -- in this Chamber?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I believe it's been longer than twenty-eight minutes, but I didn't check my watch when I -- when I submitted the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Let's just assume it's been about a half hour that this motion has been over in the Senate. It's about eight o'clock at night. Most people aren't paying attention to what we're doing here, but we're trying to pay attention. You mentioned that this is a hundred-and-fifty-six-million-dollar - we'll call it sweep, you can call it whatever you want. That, I think, is about five million dollars a minute that we're sweeping right out of here. It almost makes me wish that my children were Democrats so they could learn to sweep the kitchen floor as well as you are sweeping funds right out of here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady, for what purpose do you rise, sir?

SENATOR BRADY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR BRADY:

Senator, this policy has a great deal of affect on the business climate of our State, as many of the Blagojevich administration policies have. Since Rod Blagojevich became Governor, can you tell me what effect that has had on net job gain or loss, according to the U.S. Department of Employment?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

The bill is silent on that point. And I have nothing to refer to. Perhaps you would like to tell us. I'm sure that you would. But perhaps I should tell Senator Sullivan, I think your children are Democrats and if they're not, we'll work on them.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

They'll never be Democrats, Senator. But let me enlighten you. Since Rob Blagojevich became Governor of the State of Illinois and these policies like this took effect, Illinois has been one of four states in the nation that has a net loss in jobs. In fact, we've lost forty-four thousand jobs. By most national barometers, we are ranked forty-ninth worst in the United States in regards to where you want to do business, where you want to employ people, where you want to build your business. And it's policies just like this that have driven us to the bottom. These are the policies that affect small businesses in my community. They affect businesses in your community. This stealing of funds - this unconstitutional raid - has ranked us forty-ninth in the nation, Senator. It has driven forty-four thousand jobs out of this State, in a net effect. It's cost us the opportunity to create two hundred thousand jobs if we would have just grown at the same rate as the State of Florida. Senator, with all due respect, I ask you and I ask my fellow colleagues here to vote No. It's time to turn the tide. Illinois can no longer afford to be at the bottom. We need to create jobs for Illinois citizens and we can start by voting this down.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the -- to the bill, sir.

SENATOR BURZYNSKI:

Thank you. I just rise in opposition to this bill. We've already heard a lot of the funds that are to be swept - a lot of the funds that are be -- to be raided, if you'd prefer the word raided rather than sweeps. But obviously, there are some real

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

constitutional concerns here - some real problems with whether or not this can actually be done. And just to put another one out to you, we've got another fund that is to be swept that's -- Appellate Court fund that's funded by our counties. In other words, our counties send money to the State of Illinois - general revenues funds that they -- that they get from their constituents in the counties through property taxes. And now the State's going to take those funds away from them. I would suggest that this is opening ourselves up for another lawsuit - At least I would hope that it would. So, in keeping with the theme of the pirates of the pensions last night, I guess we'll go with raiders of the lost funds tonight. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR W. JONES:

Yes. Thank you, Mr. President and Members of the Senate. Last year when we debated this I spoke about dedicated -- wait a minute. I don't start on yellow, I start on green.

PRESIDING OFFICER: (SENATOR DeLEO)

We've seen you start on yellow.

SENATOR W. JONES:

Thank you. I never start on yellow. Somebody might take my picture. These are dedicated funds. These funds are there to go to a specific purpose. They are in the budget for specific purpose, Ladies and Gentlemen. And if we steal from them every year or sweep them every year or whatever we're doing every year, ultimately we're going to run out of these dedicated funds and then we're going to be in a bigger mess. Now, we solved a lot of this problem, I was told yesterday, by taking the raid on the Pension Fund. Just how much money do you need every year to keep spending and spending and spending? We're taking money out of the Clean Air Fund. I get more emails on this sweeping of these funds. The OLSAD grants, the clean air grants. These funds are dedicated and they should stay there. But you have to sweep the money somewhere and where do we sweep the money in this budget? We sweep it into a Bellwood alley. Now, really, we don't need to have money for a Bellwood, Illinois alley to sweep money into fixing an alley. Our priorities are messed up. We need to stop

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

the sweeping.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Bomke, for what purpose are you seeking recognition, sir?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR BOMKE:

Thank you. Senator Harmon, I -- as I look through all of these sweeps, there are a number -- many of which concern me -- the Alternative Fuel Fund, Care Provider Fund for Persons with Developmentally -- Disabilities, Early Intervention Service Revolving Fund, the Monetary Award Program Reserve Fund. But what was of particular interest to me since all of us were there, was the opening of the Presidential Lincoln Museum Library, a world renowned library museum. We're sweeping seven hundred and twenty-seven thousand two hundred and fifty dollars from the operating fund. Does that mean we're not going to be able to operate that fine renowned museum?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, I'm so glad you asked. Let me -- let me respond. First of all, there's been some disinformation about which funds are -- are included. If you need to look at all of the amendments -- because we learned last night you need to look at the whole package. So, several of the funds that folks have referred to are not included. The other component is that there is a GRF backfill. If any of these funds are drawn to a point where the -- the needs can't be met, there's an automatic backfill from GRF. So we protect against the very circumstance you've just raised. That is -- that is not an issue. We will be able to meet all the obligations from these funds. We will be able to operate our fine museum.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones, for what purpose you seek recognition, sir?

SENATOR J. JONES:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you, Mr. President. A question of the sponsor. And I would appreciate it if you'd start the timer again. And I'd also appreciate -- these -- these questions I'm going to ask the -- the Senator are only yes or no questions, and I would appreciate it if he didn't use up my time, because I have a statement I'd like to make. Senator Harmon, my question is, is in -- in this bill is there thirty million dollars in there for capital improvements for our community colleges? Yes or no?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, on a yes or no answer.

SENATOR HARMON:

Senator, I -- I can't answer that yes or no. This is not the appropriations bill. This is a -- this is the -- the budget implementation bill for -- for finance.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones.

SENATOR J. JONES:

Let me ask you this then. The way you're funding this budget this year is you're raiding pension funds and you're sweeping other funds in the State of Illinois. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

No. That's -- I -- I -- I do not agree with your characterization.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones.

SENATOR J. JONES:

Let me -- let me simply say that it's a shame I -- I wasn't sure on what time we'd get around to it tonight to -- to pass this after the -- the fiascos we've seen here the last couple years, but next year I -- I intend on having several of my constituents come up. In fact, I'd like to have several hundred of 'em come up and watch this process. I think they would be amazed. But I've heard over the -- the Chambers for the last few days that the train is leaving. Either get on it or get under it. My impression of what's going on here is the train is leaving and the State of Illinois is on that train, and quite frankly, in two years from now watch it derail.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Syverson, for what purpose you seeking recognition, sir?

SENATOR SYVERSON:

Thank you, Mr. President. A comment and a couple of -- couple of questions. First, how much is being swept, or whatever the terminology is, out of the Savings Residential Financial Fund?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Sorry for the delay, Senator. Five hundred and seventy-seven thousand two hundred and fifty-five dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Certainly one of the concerns we have is yesterday Senator Sandoval had legislation talking about -- yes, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I read the wrong number. It's five hundred and twenty thousand even.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

I think that's five million, but it's only a zero here or there, but five million. The -- the problem is Senator -- Senator Sandoval had legislation yesterday talking about the problems of mortgage lenders and some of the problems of the -- the caliber of people that we have in there, and yet we're sweeping from the very fund that would be out there being utilized to help look into these concerns. Second question I had, how much has the State spent litigating these sweeps so far?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I'm sorry, Senator. I'm really not trying to use your time. We -- we did have a typo on this. It is 5.2 million. I was

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

correcting that. I didn't hear your question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson

SENATOR SYVERSON:

I'll be quick. How much litigation has the State spent or the taxpayers spent so far litigating and defending these -- the sweeps that were -- have taken place in the last year?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

The bill is silent to that and I don't have an answer for you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

I think it's important. Our estimates are somewhere between nine and twelve million dollars - taxpayer dollars - have been used to defend these sweeps. And my understanding is that we've -- and we've ended up losing or at least had injunctions put into place.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Well, it -- it seemed a matter of principle when the General Assembly chose to reduce the judges' pay and litigate that. Here it's simply, again, a question of -- of principle. We're choosing to litigate the -- this rather than -- than to -- to concede your point.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

To the bill and then a very quick question of the sponsor. Okay. I guess a couple quick questions of the sponsor - I know my time's -- I'm going to talk real fast, Don Harmon. I hope you can answer as quickly as I can... Don, how long ago did you first see language of the -- completed amendment that we're discussing tonight?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

SENATOR HARMON:

Senator Rauschenberger, I'll speak fast, but I didn't check my watch.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, do you know what day you first saw language on this? Was it today? Was it yesterday? Was it...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I can't recall.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, let me say, were you in committee today when this amendment was heard?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Yes, I was in committee.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Do you recall who was sponsoring the amendment when we heard it in Appropriation Committee today?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Senator Schoenberg presented the bill in committee.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Could you share with your colleagues in the Senate why Senator Schoenberg's not carrying the bill now?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I do not know the answer.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Just to close, I -- you got a stinker here, Senator Harmon. It's not a good bill. Senator Schoenberg knew enough not to carry it on the Senate Floor. I think you ought to take it out of the record and ask these guys to send over an implementation bill that we can all support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Our last person seeking recognition, President Jones. And Senator Harmon, to close. President Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I rise in support of the gentleman's motion to concur in the House amendment. I hear all the discussion about the sweeps, but one thing I do understand that the four caucuses budget negotiators all sat down and pared down the list of acceptable funds that would be swept. Only the excess funds will be taken. I -- suggest that you direct all your comments to your own budget negotiator, who agreed to ninety-five percent of the funds to be swept. He was in the room. So, maybe your own budget negotiator should have -- should have said, I agree with the other four caucuses in their recommendation. That's what happened. Again, in the -- in the waning hours of Session you get a lot of rhetoric. You don't get the truth. So I move that we -- I also support the gentleman's motion to concur and it should receive fifty-nine votes and especially the votes of the gentlemen who was in the room when these -- when these agreement was put together.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Harmon, to close, sir.

SENATOR HARMON:

I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to... Ladies and Gentlemen, this is final action. The question is, shall -- shall Senate concur in Amendment No. 1, 2, 3 and 4 to Senate Bill 661. All those in favor will vote Aye. All those in favor {sic}, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

record. On that question, there are 32 Ayes, 26 Nays, 0 voting Present. The Senate concurs in House Amendment No. 1, 2, 3 and 4 to Senate Bill 661. The bill, having received the required constitutional majority, is declared passed. Madam Secretary -- Leader Watson, for what purpose are you seeking recognition, sir?

SENATOR WATSON:

Yes. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Point of personal privilege, sir. Please state your point.

SENATOR WATSON:

Yes. I -- I don't know what room the President was in when that agreement was reached supposedly on that former bill, but we were not a part of that. There was no one from our caucus, no staff that was there in that room when the agreed-to sweeps took place and I just want to make that perfectly clear. And I -- I don't know -- I think he just must have misunderstood. But I want to make it a -- a clear point here that we were not part of that. We did not agree to it. No one on our staff and no -- certainly no Senator, nor I, was in the room.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The record will so reflect. Madam Secretary, Messages from the House, please.

SECRETARY HAWKER:

A Message from the House by Mr. Mahoney, 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 1548, together with House Amendments 1 and 2.

Passed the House, as Amended, May 31, 2005.

I have a like Message on Senate Bill 1815, with House Amendments 1, 2 and 3.

Passed the House, also as Amended, May 31, 2005.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, for the purposes of an announcement. For the purposes of an announcement. The Rules Committee will meet immediately in the Senate President's Anteroom. The Anteroom. All members of the Rules Committee please report to the Rules Committee immediately. And we will

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

stand at ease for just about thirty or forty-five seconds. Thank you. Senator Silverstein, for what purpose do you rise, sir?

SENATOR SILVERSTEIN:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SILVERSTEIN:

In the waning days of the Session, I know we're trying to get out of here by a decent hour. I know Reverend Meeks is praying, but I also brought Reverend Meeks some help. A Rabbi from my district, Rabbi Yehiel Kalish is here also trying to help both sides to get out by 12 o'clock. Welcome to the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Rabbi, please stand -- please stand and be recognized, Rabbi. And welcome to the Illinois State Senate, sir. Thank you. And, Rabbi, we need all the help we can get.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Committee Report.

SECRETARY HAWKER:

Senator Viverito, Chairperson of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment No. 2 to Senate Bill 932, Motion to Concur with House Amendment 1 to Senate Bill 1435, Motion to Concur with House Amendments 1 and 2 to Senate Bill 1548, Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 1815, and Motion to Concur with House Amendment 1 to Senate Bill 1821.

PRESIDING OFFICER: (SENATOR HALVORSON)

CBS Channel 2 News seeks leave to record. Leave is granted. Squires photography seeks leave -- seeks permission to take still photography, working for the Associated Press. Leave is granted. WCIA-TV seeks leave to record. Leave is granted. Senator Link, for what purpose do you rise?

SENATOR LINK:

For a motion, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

State your motion.

SENATOR LINK:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 316 failed.

PRESIDING OFFICER: (SENATOR HALVORSON)

Having voted on the prevailing side, Senator Link moves to reconsider the vote by which Senate Bill 316, as amended, by the House, failed. The question is, shall we reconsider the vote. 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 Yeas, 27 Nays, none voting Present. The motion carries and the question now before us is, shall we concur in -- Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 316.

Motion filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question before us is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 316. 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 Yeas, 25 Nays, 0 voting Present. And the Senate concurs in House Amendments 1 and 2 to Senate Bill 316. And the bill, having received the required constitutional majority, is declared passed. Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Thank you, Madam President. I had earlier sought recognition to compliment the Chair on doing the motion the right way. There had been a lot of discussion that there was going to be another procedural move and I was going to compliment the Chair. There is, however, the tradition of the Senate of debate on motions. And you overlooked several Senators on this side that wished to debate Senator Link's motion, and then also wished to debate Senator Harmon's motion. Now, having had the previous roll call, I would request a verification of those voting in the affirmative.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Senator Roskam, that's always in order. Senator Roskam seeks verification. Will everybody voting Yes please be in their seats? Senator Roskam has requested a verification. Will all Members be in their seats? The Senate -- Secretary will read the affirmative votes.

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Demuzio, Forby, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Raoul, Ronen, Sandoval, Schoenberg, Silverstein, John Sullivan, Trotter..

PRESIDING OFFICER: (SENATOR HALVORSON)

Excuse me, Senate -- Madam Secretary. Senate President, for what purpose do you rise?

SENATOR E. JONES:

Just a question as to, how can a Member who did not even participate in the process even challenge another Member who did? And -- and that Member -- it's not for you to answer, Madam President, but I think that his motion to -- to confirm this vote, how can you confirm when you didn't even participate in the process? That's a poor start trying to run for Congress.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, please resume.

SECRETARY HAWKER:

Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR ROSKAM:

Well, Madam President, I'm here to compliment you to thank you for recognizing that a verification request is always in order by any Member of the Senate and as is our right and is our duty. My congratulations to Senator Hendon, whose quick action scared all the Members into the Chamber and I see that they're all present and I don't have any other questions. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Roskam. On a verified roll call, there are 30 Yeas, 25 Nays, 0 voting Present. And Senate Bill 316 -- and the House {sic} concurs in Amendments 1 and 2 on Senate Bill

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

316. And the bill, having received the required constitutional majority, is declared passed. T.J. Salsman of the Journal-Register seeks leave to photograph the proceedings. Leave is granted. On Calendar -- on Supplemental Calendar No. 3 on the Order of Concurrences is Senate Bill 1435. Senator Link, do you wish to proceed? Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1435.

Motion filed by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This -- House Amendment 1 is IDOT's annual land transfer bill. There are twenty-seven -- transactions included in this bill. I will read the counties that these participate in. They are LaSalle, Henry, Logan, Rock Island, Kankakee, Sangamon, Montgomery, Pulaski, Monroe, Madison, Williamson, Woodford, St. Clair, Will, Cook, Kane, Bond and DuPage Counties. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ROSKAM:

Senator, to your knowledge are these all unanimously supported by the Senators in their districts and their House members? And is there any controversy to your knowledge about any of these conveyances?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Well, the House amendment passed out 113 to 1. So I presume that all those House members were onboard.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Is there any knowledge that you have of -- 'cause you know more about what's in this conveyance bill, Senator, than we do. Yeah, okay. You're scaring me, actually, right now when you're shaking your head no. So, I think the best question to ask is, to your knowledge, is there any controversy about any of these conveyances?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

No, there's not.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1435. 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 54 Yeas, 3 voting Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 1435. And the bill, having received the required constitutional majority, is declared passed. Senator Trotter, on Senate Bill 1548. Do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1548.

Motion filed by Senator Trotter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Hello. Thank you, Madam President and Members of the Senate. This is what most of us have been waiting for. This is certainly a -- Senate Bill 1548 is certainly what the people of -- Illinois have been waiting for. This is the FY 2006 omnibus appropriations bill. In this bill, it proposes that we will have twenty-four billion four hundred and six million dollars in general funds; 22.5 billion dollars in other funds for a total of 46.9 million {sic} (billion) dollars in the appropriation lines. Add another ten million {sic} (billion) dollars of capital for new and reappropriations, we have a budget of fifty-six billion nine

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

hundred million. In this bill - a brief overview, and many of us have hopefully read through the bill by now - it gives increases in education. Increasing the education foundation level by two hundred dollars per student from four thousand nine hundred and sixty-four dollars to five thousand one hundred and sixty-four. It provides for thirty million dollars for early childhood education. It maintains transitional assistance grants for education. It provides an increase of 25.4 million dollars for education categoricals. It increases the line for the Healthy Kids/Healthy Minds program by three million and it has an increase of 11.7 million dollars for after school and mentoring programs. In higher education a total of 1.3 billion dollars is provided for public universities. And it also provides 11.7 million -- dollars for the Monetary Award Program. In health care, there's a full funding of the Medicaid line. Fifty-six thousand more people will get covered through KidCare and FamilyCare. It includes a new hospital assessment program which means nearly six hundred million dollars in increased federal funding for Illinois hospitals. Senior citizens; it creates and Leaves No Senior Behind Program to provide a bridge in the federal RX drug program so seniors would not lose any benefits. It provides a 4.5 -- 45.9-million-dollar increase for Community Care and homemaker services program. And in the adult day care line, it provides for a four hundred and twenty-four thousand dollars in new funding. And over one million dollars in new funding would be provided for elder abuse and neglect investigations. Agriculture will see an increase of four hundred and sixty-six thousand dollars in additional funds for the AgriFIRST grants. Two hundred and three thousand dollars in new dollars for the National High School Rodeo Finals. And in human services line we will see 28.8 million dollars for...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter, your time is up. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

I move the previous question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. Well, I'm getting a sunburn up here from all the flashing lights. Let me count 'em. Well, you know what?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

There's at least fifty-nine. Let's just leave it at that. The Parliamentarian will make a list. Thank you. First person, Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I -- I rise in opposition to this bill and, you know, it's not typical that -- that you rise in opposition to a bill that provides a lot of money to a lot of people for many worthy causes, no doubt. But I have a fundamental problem with this budget in the way that it attempts to fund education. The fundamental problem is, Ladies and Gentlemen, it -- it's based on a monumental shift. It's based on a monumental transfer of money. It's based on -- redistribution of wealth from the suburbs into the City of Chicago and don't be mistaken, don't be fooled for a moment, Ladies and Gentlemen. The Governor that's proposed this budget, he is not a Governor for the suburbs. He is not a Governor for downstate. Follow the money, follow the dollars, you'll see what the priorities are. Let's not forget where the money came from to fund the education portion of this budget. Let's not forget how the pockets of the suburban teachers were picked. The retirement incomes of the teachers was picked -- and redirected into the City of Chicago. There are monumental amounts of money directed into the City of Chicago. And I, for the time I've been here in Springfield during my career, I have never engaged in the suburbs versus City debate and I regret that I have to point out the great disparity today. Ladies and Gentlemen, we've had a practice around here when it came to categorical funding. Categorical funding benefits the suburbs. For years it was a ratio of two, maybe three to one. Today we're looking at ten to one ratio. Ten to one, Ladies and Gentlemen. This budget is about shifting money from the suburbs into the City. Shifting money from downstate into Chicago. I'm sorry I cannot vote for this budget. I think we can do better. I think this Governor has shown where his priorities are and they certainly are not with education and they are not with the educators and the schoolchildren of the Chicago suburbs. Please vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Cronin. Senator Risinger.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

SENATOR RISINGER:

Thank you, Madam President. To the bill. This bill, as I read it, bails out this Chicago Transit Authority to the tune of fifty-four million dollars. It provides in it absolutely no reform for the ill-managed Chicago Transit Authority. The money comes at the expense of downstate and suburban teachers. The -- the funding that we did, the -- the reform for the teachers' pensions without no reform for the pensions of the Chicago Transit Authority. The Chicago Transit Authority's pension system is very similar to what the tollway's used to be. It's a very lucrative system. It has -- it's a two-tier system. It's one that we should have looked at when we looked at the pension system, but we didn't. There is absolutely no reform in this bill at all for the -- for the Transit Authority. And I think it's a sham. I think that -- there's a better way of doing things, and I think we ought to vote No on this.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you very -- very much, Madam President. Nice to see that you're following a logical order of coming right down the row here so we know when our turn is up to speak. But very briefly to the budget that's before us tonight, I rise in opposition like many people. Don't serve on the Appropriations Committee, so I don't know all the ins and outs and the details of the budget. But a few minutes ago this rather large book was put on our desk and as we were going through some of the other debates, had an opportunity to just look at the eight-hundred-and-twenty-nine-page budget book that's represented here as House Amendment No. 2 to Senate Bill 1548. And just started to look at it and see what I could find that would be missing, and lo and behold on page 36, I find the area for the Department of Corrections. And the second facility indicated there is the Thompson Correctional Center. I don't know how many of you've been to Thompson, Illinois, but five or six years ago the State of Illinois built a state of the art maximum security prison in Thompson, Illinois, because we needed it. There was a process to locate that prison there and there have been promises made for the last five years that next year we're going to open Thompson,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

and next year we're going to open Thompson. And as I go down page 36, I see for personal services, zero. For employment retirement contributions paid by employer, zero. For student member, et cetera, et cetera, et cetera for the line items. Not a single dollar again in this year's budget for Thompson Correctional Center. Another area of importance to my part of the State and many of us downstate is the Department of Agriculture. So, I flip over to page a hundred and seventy-six and I look at what's in this budget for the AgriFIRST program to help promote Ag industries in this State. This is of importance to many people. I see a measly six hundred thousand dollars. This used to be a three-million-dollar project. I see another two hundred and fifty thousand dollars for AgriFIRST value added economic development grants. A pittance, when we have hundreds of millions in new dollars of revenue...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sieben, your time is up. Thank you. Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, this -- this bill certainly -- denies the benefits for the downstate and suburban teachers. They -- they've been reduced. The Chicago teachers have been exempt, but the -- the -- the downstate and suburban teachers are the collar county teachers and all the rest of the State. And Chicago is by itself. Another thing is, the -- the -- the teachers' pensions have been underfunded by half a -- the downstate and suburban teachers have been underfunded by half a billion dollars. And yet the -- there's seventy-five million for the Chicago teachers' pension to fully fund that system. I don't think it's fair. I mean, when you're raiding -- funds from downstate and suburban teachers' pensions to -- to pay for government programs and pork you're mortgaging in the future. The education funding is down. The welfare spending is up. Managed care has been scaled back. The suburban schools are snubbed. And what are we doing here? We are not being fair to the teachers and certainly to the downstate teachers and the suburban teachers. And all the rest of the State, except Chicago, is the downstate and suburban teachers. And their benefits have been reduced and that's not fair. They

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

should never, never reduce their -- pension funds. And they're doing it and I think it's wrong. And I certainly speak against the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Geo-Karis. Senator Dillard.

SENATOR DILLARD:

...thank you, Madam President. I've seen every budget around here since Governor Dan Walker. Some have stunk, but this is the most irresponsible budget I've ever seen since the new Illinois Constitution, because it's going to cost our children thirteen dollars for every dollar you stole on Sunday nights from pensions to increase welfare rolls and put more money in the State bureaucracy. This budget is premised on a payday loan for State government. You know, shame on the Democratic Party for taking the easy way out, for being lazy and stealing billions in pension funds so every child will bear twenty to thirty billion dollars in compounded interest. The CTA is funded by, not Chicago teachers, but every suburban and downstate teachers' pension. If you back out pensions in this budget for education, this is a forty-two-million-dollar cut for education - forty-two-million-dollar cut - while welfare skyrockets. The Democratic Party's been in control for three years in Illinois government and the fiscal condition gets worse and worse. We're deeper in debt with ethical and budget competency issues a daily headline. Governor Edgar had a billion-dollar deficit and then a year later we were back in the black. Why don't you manage instead of borrowing and borrowing and borrowing?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Brady.

SENATOR BRADY:

Thank you, Madam President. To the budget. You know, Ladies and Gentlemen, here we are again helping Governor Blagojevich once again rob Peter to pay Paul. Governor Blagojevich has irresponsibly shoved a thirty-billion-dollar mountain of debt onto our children and grandchildren. At the same time, he cut funding for education, raided special funds, slashed funding for road construction, scaled back healthcare options for thousands of Illinois citizens and has jeopardized our State's fiscal stability. This is a budget of deficits,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

deferrals and decline - not a budget of discipline or one with debate. Illinois cannot afford one more year of Governor Blagojevich's budgeting. He first tried to sell off Illinois. Now he's selling it out just so he can get out of Springfield, rather than make the tough decisions. I ask you where is the Blagojevich who pledged fifty-one percent of new general funds for education? Where is the Blagojevich who pledged not to raise general State taxes, but is passing along hidden taxes to future generations? Where is the Blagojevich who pledged to resolve the State's pension funding crisis? Where is the Blagojevich who pledged to revolutionize the State's anticorruption in campaign finance laws? Where is the Blagojevich who promised economic opportunity for all Illinois? Who -- has presided over the loss of thousands of jobs over his administration. He has sacrificed our State and put us in a position of fiscal irresponsibility. Now you can feel good about adjourning on time and going home, but the truth of the matter is, you are saddling our children and our grandchildren with...

PRESIDING OFFICER: (SENATOR HALVORSON)

I'm sorry, Senator Brady, your time is up. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. We have before us the State budget financed in large measure by the first-time overtly walking away from our responsibilities in the 1995 pension reform law. But I just wanted to stipulate for the record, so everybody knew kind of from our point of view, that the gross general revenue budget rises by five hundred million dollars over last year's appropriated level. In real programmatic spending, it actually rises by 1.2 billion dollars because we have a seven-hundred-million-dollar general revenue decline in pension funding, which offset seven hundred million dollars in growth in program in State government. I wanted to highlight some of the programs that Senator Trotter didn't get a chance to highlight. We know the retirement benefits for downstate and suburban teachers are being reduced, but Chicago teachers in this budget are exempt from any kind of reforms or exemptions. The downstate suburban teachers' system, which is funded at less than sixty percent and

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

is selling assets to meet its obligation is underfunded by five hundred million dollars of general revenue, while the State provides an -- an appropriation of seventy-five million dollars to the Chicago teachers' pension system that's funded at ninety percent. Fifty-four million dollars is budgeted in this State budget for the bailout of the -- Chicago Transit Authority. Fares will not be increased. Services will not be reduced and there's no reforms in the CTA pension which is estimated to be underfunded by about thirty million dollars. There's a 1.25-million-dollar subsidy for the Cook County boot camp. A 7.5-million-dollar subsidy for Cook County Detention Center. A thirty-seven-million-dollar fare subsidy for the CTA. A 2.7-million-dollar subsidy for the Cook County State's Attorney's Office. A 1.7-million-dollar grant to Chicago Public Library. Fifteen million dollars for a direct grant to the City Colleges of Chicago, in addition to their formula. Five-million-dollar grant to the Cook County Cooperative Extension Service - very large agricultural base there. A five-million-dollar -- a -- a one-million-dollar grant to Chicago Manufacturing Center...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger, your time is up. Senator Syverson. And I'll be going down the row. So, be ready.

SENATOR SYVERSON:

Thank you. We appreciate -- I appreciate the fact that after six months and working on -- and being down here, I should say, that we're limited to two minutes to talk about a fifty-four-billion-dollar budget. We talked in committee, Senator, about the lump sum that's in here. Were we able -- we able to come up with the answer? There's 1.5 billion dollars of lump sum capital in this budget that we have no idea what it's used for. Do we -- did we determine whether or not the administration has the authority to issue those billion-five?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Senator Syverson, yes. I've been told that the OMB does have the authority for reauthorization of those dollars -- reappropriation of those dollars.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Senator Syverson.

SENATOR SYVERSON:

Is there any way we can get a list? I mean, it's interesting just a day ago we were told that we couldn't do a billion-five for Opportunities returned and how important that was to Illinois. And yet, here we've got 1.5 billion in capital that we have no idea what that billion-five is going to be used for. And it could have gone for Opportunities Returned. I know some others will be covering it. When I look through the list, just one quick question, 'cause I know we don't have much time, but in here we have eighty-five million dollars to build a new prison. I don't know at a time -- it's in Section 40 -- page 280, 826, Section 40, lines 22 through 28. Eighty-five million dollars for the purpose of State prison and correction centers. Can you explain what that is, or where the -- where we're talking about in that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Senator Syverson, no that has caught me a little off guard. If you can tell me -- you have a page numbers in your book or where is it and I can answer. Senator, I will get back to you with the answer. I will look at it.

PRESIDING OFFICER: (SENATOR HALVORSON)

We'll get back to you. Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President and Ladies and Gentlemen. I just want to go into a little more detail on something Senator Cronin mentioned a little earlier and that is the impact of this budget on suburban schools. He alluded to the fact that we've tried to balance the division of the new money between suburban and downstate and Chicago interests. And as you know, generally speaking, the suburban areas benefit by the categorical funding. Last year the new money was a two-to-one ratio between the suburban -- between the formula and the categoricals. So, for every two dollars that went into State aid, one went to categoricals. What's alarming this year to put that in perspective, is this year the ratio is ten-to-one. So for every new -- ten new dollars that go into the -- the formula, only one

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

goes to the suburban schools. So, just to put some numbers on what Senator Cronin was talking about with respect to how this shift is occurring. Another thing that was mentioned this morning I'd like to draw people's attention to is we eliminated the fast growth grants, which was something else intended to benefit suburban areas. And finally, there's twenty-five million dollars in brand new programs. Programs we didn't even have last year, including a teacher mentoring program, Chicago aerospace education initiative. But also in that twenty-five million of new programs, there was a lump sum. It was three million this morning. It's been reduced to two million seven -- seven hundred thousand this afternoon. And, Senator Trotter, you told me you would explain to me exactly what that was for.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Just the last question. I -- I will talk about the -- just the last question. Well, on -- on the -- managed care -- excuse me -- on the mandated categoricals, it's my understanding that, as you know, that another twenty-two million dollars has been put into that line. That has been prorated at the same level as it was in '05. So, there should be no loss to those grants that you should get. And then additional dollars were placed into the ADA line, which, as you know, is driven by enrollment which is based on last year's enrollment in those classes. So, no one should lose money in the transition -- with the dollars we put into the transition lines and the ADA, and certainly not in the mandated categoricals.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld. Wait a -- have you answered Senator Radogno's question? Senator Trotter.

SENATOR TROTTER:

Another line before Senator Luechtefeld speaks. If I can answer Senator Syverson's question, Senator Syverson, in Section 4, it says, The sum of eighty-five million dollars or so much, thereof, as may be necessary is appropriated from the Capital Development Fund to the Capital Development Board for correctional purposes at a State prison and correctional centers -- centers. This is just maintenance language for the prisons

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

that we already have.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the Senate. You know, I -- my biggest objection to what we're doing and -- and -- and to the spending that's in this budget is the way we're paying for it, obviously, I think which was made very clear last night. You know, something that's often said in southern Illinois is -- and sometimes it's true and sometimes it's not, that all the money's going to Chicago. And there have been years when that has not been the case. And I know you're in charge completely and it's been made very clear by, in particular, one Member on that side that we're in charge and we're going to do it and we're going to do and you like it or not, we're going to do it. But I -- there are a number of downstate legislators over in -- on -- on that side of the aisle that have to really be concerned about just where the money's going this year and an awful lot of it, I think, basically is going to Chicago. A -- a question of the sponsor. I've always had some thoughts about things like fifteen million dollars for City Colleges. Don't they -- don't they share in the formula for all colleges throughout the State, Senator?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Yes, they do, sir. And that's a very flawed formula that the downstate community colleges recognize and they have agreed to this to try to make the City of Chicago Colleges whole.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

I understand that that has been changed, Senator. That that formula was rewritten and has been changed.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Sir, they have not been made whole by it and I believe that was 1983. Since that time, the downstate colleges have been the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

beneficiaries of dollars that were supposed to go to the City of Chicago, but with reluctance of the schools wanting to change it because they had a bonanza of funds, that Chicago has been shortchanged for the past fifteen/twenty years.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld, last question and you got about seven seconds.

SENATOR LUECHTEFELD:

Also, four million dollars for Chicago State. Are they -- do they get money each year or do that -- we just give them a certain amount of money? Don't -- or don't they share...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter, to answer Senator Luechtefeld.

SENATOR TROTTER:

Yes. We have been giving dollars in the past recent years for that. Chicago State, as you know, is a hundred-year institution that has been woefully underfunded -- or unfunded for probably ninety of those years. We're just trying to bring them into compliance with the other great universities we have in this country and -- in this State.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Madam Chairman and Members of the Senate. The Governor told us in 2003 that he had solved the State's budget problems. But here we are again using gimmicks and one-time sources of revenue to prop up a bloated budget. We haven't really solved anything. All the Governor has done is to make the problem worse with his poor financial choices. Here we are in a fiscal crisis and we are increasing spending, adding new programs and increasing welfare, and we're adding new programs before we pay for the old programs. The taxpayers of Illinois are being duped. Let me summarize it in the essence of time here and give it an acrostic view. You take BLAGO and spell it out, you have B for bloated budgets, L for looting pensions, A for absconding with dedicated funds, G for gouging truckers and businesses and O for orchestrating a coming fiscal calamity. I urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Pankau.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

SENATOR PANKAU:

Thank you, Madam President. During our period of being at ease today, about 5 o'clock I was downstairs in my office and I was listening to the news. And it seems that today the identity of "Deep Throat" was revealed. The person revealed himself to the public and said, yes, I was "Deep Throat". And if you remember the movie that was made from the whole "Deep Throat/Nixon" incident where in all -- All the President's Men, "Deep Throat" meets with the two reporters from the Washington Post and he says to them, "Follow the money. Follow the money. Follow the money." Well, in this budget we're following the money. We're following the money away from our suburban teachers and over to the Chicago school teachers. We're following the money away from our schools and the things that we enjoy over to the list of the Chicago goodies that are out there. All of this pork, all of this goodies. I yield the rest of my time to Senator Radogno, Madam President, 'cause she asked a question in committee today that Senator Trotter promised her that he would give her an answer to and he -- she was not able to get that answer.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno, for the remaining time.

SENATOR RADOGNO:

Thank you, Madam President. Once again, the lump sum that is the -- the pork language that appears not only in the education budget, but also the Human Services budget, the DCEO budget, as well as the Capital Development Board, the grants to local government, not-for-profit organizations, community organizations and so on for lump sums. Specifically, this morning, you told me you would tell me what the education was for, what are the criteria for those grants, how do people apply for those grants, what will they be used for? And I'd also like to know the same answer to the other lump sum grants that are included in the budget. That -- that's the traditional pork language rippled throughout this whole budget, even though we have this budget crisis.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Not to play into the rhetoric, because you know -- you know I don't do that. So, I don't -- I don't know where the pork line is, but I do -- know about the issues that you're talking about. And -- and, Senator, those are discretionary funds that has gone through the Department of -- of State School Board. They will spell out strict criteria in which those grants can be let. I do not have the information of how -- what that criteria is, but there is a plan and a formula that's going to be put in place.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. To the bill. You know, we've already heard a lot of people talk about the pork that's in this bill, the bonding that's in this bill - 1.5 billion dollars worth of bonding that's in this bill. We asked in committee, we said, "Well, where are the projects that are tied to this?" And -- and Director Filan said, well you had that list back in February and those are the projects we're going to choose from. Well, you know, lo and behold, I got my list back out from February and I started looking at that. And I said, there's no rhyme or reason to this list and if we've had this since February, why isn't it incorporated into this bill? Why isn't it incorporated line item by line item so that all of us know what we're voting on? We know the projects that we're voting on, the pork that we've voting on. But no, it's not that way. It's discretionary. It's discretionary at the whim and the will of the administration on the Second Floor. They can do exactly what they want to do. I'll give you an example. We have a capital development list that's developed by the Illinois Board of Higher Education. They list projects over a period of years. It means nothing. On the capital list we had presented to us back in February, if that's when it was, I think it was more like March. We had lists that were in there and we had universities receiving projects and funded projects that weren't even on the Board of Higher Education's capital list. When we've got buildings falling down on our campuses that can't be taken care of, and yet this administration refuses to do anything about it. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Sponsor indicates he'll yield.

SENATOR BURZYNSKI:

Thank you. Senator, and -- and relative to higher education, I mentioned in committee, as well, that higher education is being held flat this year as far as any kind of increases, or at least major increases. My question was, last year in order to reserve and make sure that we didn't have monies rescinded from higher education, we had memorandums of understanding signed. Is that going to be the case this year, or will there be a rescission or do you know that for sure?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter, very quickly.

SENATOR TROTTER:

I've been informed that there will be no -- rescissions of any of the dollars that are there. To my knowledge, those memorandums of understanding are negotiated with your Leader with the Governor and I think that's the route it should go again.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President, and to the motion. In 2002, the keys of government in the State of Illinois were handed over to the Democratic Party and the Governorship and in the House and in the Senate. Since that period of time, we have observed what I think is going to be your legacy of borrowing, taxing and of diverting funds to try to keep the "Ship of State" of -- in Illinois afloat. Unfortunately, it has come with an -- massive increase in spending, more programs to spend the money on. Now, Lord Acton, more than a hundred years ago, said that absolute power corrupts absolutely. Andrew Jackson, who was the first Democrat President, said that to the victors, go the spoils. And I guess because the keys of government were turned over to your side of the aisle, you're continuing that legacy of -- of -- of our seventh President. Two hundred and twenty million dollars are headed towards the City of Chicago - one hundred fifty million dollars of new programs with more spending. But not even crumbs off of a baked cake are given to the collar counties in connection with fast growth grants. Grants that were placed in the budget last year because we were seeing a massive influx of

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

people from the city and from the near suburbs of Chicago were literally were refugees from the high crime, the taxes and the corruption in the areas they left. It is really a sad commentary that this budget is in the shape that it is in, and unfortunately most people don't even understand it. This is an easy No vote. It is a type of a budget which is really a disgrace - a disgrace - to this Body.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito. Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. You know, I haven't said much today. I'm sure you all appreciate that. I don't want to be called Pat Welch today again and again, 'cause Pat's in the -- in the Chamber and he's certainly tall enough and strong enough to speak for -- for himself. But I want to commend Senator Trotter for taking all of this abuse from the other side of the aisle. And you keep bringing up Chicago, Chicago, Chicago, because you know that's the only chance that you have to get any kind of victory with your rhetoric. You talk about Governor Blagojevich. He was on the Floor the other day. And I've been here thirteen years. I've never seen Senators disrespect the Governor like you -- all did Governor Blagojevich. You just don't like the man, because he's a Democrat. If he was a Republican you would have his picture up in your office. You'd kiss it every day, and honor him. But he's a Democrat and that's the only thing that's wrong with him, to you. You talk about what we didn't give you, but you weren't going to vote for anything. You made it perfectly clear you weren't going to pay for the meal, but you want to eat and order seconds and order desert and take a doggie bag home to your children. Well, it don't work like that, Ladies and Gentlemen. If you're not going to put any votes on it, you don't deserve to get anything and you shouldn't get anything. You are lucky that Emil Jones, Jr. is such a nice guy, because some of us on this side of the aisle wouldn't -- wouldn't give you the time of day, because you made it clear that you don't care...

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you -- thank you, Senator Trotter. I mean, Senator Hendon. Senator Hendon, thank you. Senator Righter.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

SENATOR RIGHTER:

Thank you, Madam President, for - and this is not aimed at you personally - for the two minutes that I have to speak on behalf of my two hundred and twelve thousand constituents. You know, it's a big budget and this is a really, really bad budget and there are a lot of areas that I would like to talk about. And I was supposed to talk about managed care, which I hope we have something that resembles a promise that we're not going to step away from that program and leave a hundred and eight thousand people without their health care. I hope that promise is kept. And I'm supposed to talk about the burgeoning welfare caseload in this State. Over the last eighteen months the TANF caseload has gone up by close to thirty thousand people, which ironically, the State lost thirty thousand jobs between January, 2003 and December of 2004. There's been a lot of criticism, as the previous speaker said, about the Governor in this Chamber. But you know what? The Governor does not have a vote in this Chamber. And none of us in this Chamber work for the Governor. None of us in this Chamber work for the Senate President or the Minority Leader. These are some bad, bad decisions have been made in the last two years and this is a chance to be something more than the rails under the train that we keep hearing about. I've sat and watched the Members on this side of the aisle with - - sit there with extreme discomfort as they have had to vote Yes on proposals that you only saw minutes before and not one of your constituents would be proud of the process that has been shoved down your throat. Well, that can stop now. You can vote No. Yes, we can go -- into overtime, because I don't believe that the fifty-nine collective minds that sit in this room aren't smart enough to come up with a better plan than what we've had rammed tonight.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you.

SENATOR RIGHTER:

Please think about that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Righter. Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Raise your hands if you love

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

the scene in Animal House where John Belushi goes into the cafeteria, 'cause I love that scene. Yeah. He's walking in and what is he doing? He's got that frisky look on his face and what's the first thing he reaches for? I think it may be the mashed potatoes. We've been debating that over here. But the best scene, right, is the Jell-O scene. Where he takes it up and he goes (slurp) and he drinks the whole thing right down. There's a lot of similarities.

PRESIDING OFFICER: (SENATOR HALVORSON)

Can you do that again, Senator? Senator Roskam.

SENATOR ROSKAM:

Did that blow the whole thing? Did I -- did the -- did the slurping sound blow the whole thing?

PRESIDING OFFICER: (SENATOR HALVORSON)

I -- I would speed it up if -- if I were you.

SENATOR ROSKAM:

All right. Look, this is a Governor that slurped up left and right. He had a ten-billion-dollar pension deal that he told us was going to solve the budget problem. He came up with a scheme to mortgage the Thompson Center. He did the -- the fund sweeps that took our breath away the first time. Did it so much the second time that Senator Harmon could hardly give anybody eye contact. Three hundred fees he grabbed. The pension raid, couple nights ago, that were just outrageous. The flu shot deal with 2.3 million dollars still in unpaid bills. Remember the federal courts had to slow him down from stealing money from the Clean Energy Fund? Remember that? That's what this Governor is like. He is like the kid that goes -- that is invited to the birthday party, that when all the other kids are doing what they're supposed to do and they're playing pin the tail on the donkey, he's scraping the icing off the cake. And he leaves it for all the other children for another...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam. Senator Roskam, does this have something to do with the budget? Please stick with the budget. Senator Roskam.

SENATOR ROSKAM:

Well, this is all about the budget. This is somebody on the Second Floor that has no discipline, that's grubbing the -- the -

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

- icing off the cake and he wants the other kids to pay for it.
Vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Roskam. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. To the budget. Supreme Court Justice Louis Brandeis said, "The essence of good law is balance." Not only is the 2006 Illinois budget not balanced, it should have Chicago Members of the General Assembly proclaiming "jackpot". Who needs a casino in Chicago when their politicians control both the Senate and the House and the Governor's Office? And it's going to be pretty hard for them to credibly disagree when their mouths are so full of pork chops. This budget is not balanced. With voodoo accounting and smoke and mirrors, Enron, WorldCom and Global Crossing committed fraud as they went bankrupt reporting profits when they were actually losing money. Illinois takes another giant step towards bankruptcy by claiming that its budget is balanced when in reality, an account on the State's balance sheet called accumulated deficit in net assets continues to grow like a gargantuan Goliath that will some day need to be faced by a diminutive David with little more resources than a slingshot. And for what? For what are we playing chicken with fiscal failure? Two hundred and nineteen million dollar of pork and bailouts for Chicago and the list is too -- too long to go into, but ninety-four thousand dollars for the official orchestra of the Joffrey Ballet of Chicago - it will makes minds of taxpayers in my district not only spin, but they'll pirouette. So, in this budget, education funding is down, welfare spending is up, Chicago wins big and many others lose. Vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Madam President and Ladies and Gentlemen of the bill {sic} (Senate). This budget, for the third consecutive year, provides more money for education. This money -- this budget provides more money for health care and the funding for the -- and the funding for that largely came from the hospital assessment that everybody, except six Members on the other side, voted for. There was plenty of strong bipartisan support. This

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

budget provides more money for other critical needs. In short, this money puts people first and it puts people first, regardless of where they live. I'm troubled by the code words, not just the references to Chicago, because I'm a suburban legislator. For fifteen years, I've represented almost an exclusively suburban area. But the references to the City and running, and people who flee in the dead of night to get away from certain problems, or the references to the increased welfare rolls - we've heard everything -- we've heard virtually every stereotype, except some of the more offensive ones. This budget helps people regardless of where they live, because this budget provides more resources to where the needs are. Whether it's educating our children, whether it's in -- in Chicago or the suburbs or downstate, whether it's keeping hospitals open in downstate suburban or Chicago communities, whether it's providing for open space and restoring that program so that we can do that in the suburbs and in downstate - because there is no open space in the City of Chicago - this budget targets the needs more specifically and puts the resources there. I'd like to commend Senator Trotter. I'd like to commend Senator Hunter. I'd like to commend our -- our staff for all their hard work and I'd like to commend the administration and everybody who calls themselves a Democrat, because democratic values are values that in difficult times don't throw people out in the street the way the first year of the Edgar administration did.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Trotter -- I mean, Senator Schoenberg. Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam -- thank you, Madam President. I rise on a couple of particular issues, but one I would like very much to commend Senator Trotter on is that we had a significant day here yesterday for Memorial Day. And there's a significant funding increase in the Department of Veterans' Affairs for the field services and field office personnel. There'll be an increase of 1.6 million increase. I would like to point out what a positive impact this will have on the veterans across the State of Illinois of Illinois. Field services and field staff service and outreach organizations for veterans. Field service helps to

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

implement many programs and services for Illinois veterans and their families. These field offices serve as places veterans and their families can go in order to inquire about programs and organizations that are available to vets. I think this is a funding -- is a great improvement for the veterans of Illinois and I appreciate the fact that the General Assembly and Governor Blagojevich are doing their part to take care of our veterans and to thank them for their dedication and service to our country. I think it says a great deal where we see the confusion and the anxiety of an awful lot of young men that are coming home today from Iraq and other places. We increased from twelve thousand to two hundred and fifty thousand dollars, the death benefit. I talked to Senator Trotter about that and he tells me the Court of Claims have a line item in their budget to cover grants to families of fallen soldiers. As our dear friend, Dave Sullivan's nephew fell that day that I introduced that bill. I thought that this is something that we -- we all ought to be proud of and something that we should feel is good in this budget and that we can all come together and know that our veterans are going to be taken of better in the State of Illinois. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter.

SENATOR HUNTER:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I rise in support of this motion. The fiscal year '06 budget, as drafted, contains three hundred and seventeen million in new general revenue funds for our schools. The allocation of these funds is equitable. It is fair and it works towards addressing the needs of our schools. This budget provides for thirty million dollars in new funding to early childhood education, which will enroll an additional twenty-five thousand more kids in preschool. It gives twenty-five million to new reimbursements for mandated programs and it increases the ADA block grant for ten -- by ten million dollars. It increases bilingual education, funds for Grow Your Own Teacher Program, and funds for the Golden Apple Foundation. We spent a lot of times in Appropriations III Committee talking through education issues and I feel that this is a balanced budget to allocate significant increase to our schools. I rise in support of this budget and I

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

urge my colleagues to support it as well. I would like to commend Senator Trotter and Senator Schoenberg for working extremely hard during this particular time. Thank you very much, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Thank you, Madam President, Members of the Senate. You know, as a downstater I'd like to talk about what is in this budget. Senator Hunter mentioned three hundred and seventeen million in new education funding - a two-hundred-dollar increase in the foundation level. Money for the poverty grant - hold harmless, transitional aid, general State Aid - hold harmless. This budget, as mentioned, does not provide money for the fast growth grants. Instead those funds under this budget are now distributed through the ADA block grant giving every district - not just a handful of the wealthiest districts - access to those dollars. This budget restores 1.3 million in operational cuts at DNR. This budget provides new dollars for the operations at the Sparta shooting complex and the Abraham Lincoln Presidential Library. What about agriculture? This increases the Ag education line item and the AgriFIRST grants each by a half million dollars. It preserves C-FAR funding, Ag research funding. It increases support for the soil and water conservation districts and the Conservation 2000 by over two million dollars. And it funds additional activities of the Grape and Wine Council. I know that's a tribute to our retiring Senator Wojcik. The -- what -- we talked about mass transit. What else is in this budget? There is money in here, seventeen million dollars to increase to downstate mass transit funding. The budget provides twelve million dollars to support AMTRAK. The budget -- the budget has 1.7-billion-dollar road -- program to -- repair bridges and -- begin repaving projects. This budget caps Road Fund diversions. It protects funding for OSLAD. It provides nearly one million dollars for the SIU School of Pharmacy and nearly a half of million dollars for nursing scholarships - two -- two programs that help fill a critical need in rural areas of the State. It is clear to me, as a downstater, that the interests of downstate are -- protected. And, Madam

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

President, I urge all to vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. I rise to echo the voice of Senator Todd Sieben, who talked about -- Thompson Correctional Center that's in my district. Thompson Correctional Center was built under a former Governor at the cost of a hundred and twenty-eight million dollars. The people in that community didn't want it in their community, but people made the best of it. They began to build hotels. They began to built restaurants. And the fact is, is that -- prison sits -- sits empty. There's one gentleman that goes around and flushes the toilets every day. You know, this State is -- is highly mismanaged. We need to look at what we're doing in this State and make some structural changes. I have to tell you, as a freshman, I've been disturbed by seeing analysis late, finding out information late. I'll tell you, we need some wholesale change and it seems to me that we can't make everything perfect in a day, but the simple fact is there's a hundred-and-twenty-eight-million-dollar prison sitting in my district that's empty and I can't get anyone in this building to address it. I'm going to vote for this -- this budget amendment, Mr. President, but this is the last time I'm going to go through this process.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. Thank you very much, Madam President. I guess some people were talking about what's in this budget. One individual forgot to mention that the Quincy Veteran Home was actually cut by one million dollars in this budget. So -- but -- and others have talked about who's put first in this and I'll tell you who's put last, and that's the taxpayers. They're the ones who are going to have to pay for this. When we raid the pension system by billions and billions of dollars, somebody is ultimately going to pay. It's going to be our children, our grandchildren. Somebody is going to -- be held accountable for what we're doing and what -- not necessarily what we're doing, but what you're doing and this administration's doing today.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

We're sending hundreds of millions of dollars to the City of Chicago with no true reforms whatsoever. And I've worked closely with many of you on the other side of the aisle to try to help enhance the future of the City of Chicago, the O'Hare Airport and the -- McCormick Place expansion and tourism, Bears' stadium. I've worked closely and tried to help in regard to make the -- that city the best city in the country, which I think it is. But this is totally unfair. We find two hundred and nineteen million dollars - two hundred and nineteen million is all we can find - that's all we can document that's going to the City of Chicago. That could be a 2.7-billion-dollar road program. A road program for downstate roads, suburban roads. It could go to schools and what we're doing is we're putting it into the City of Chicago. That's a real -- real problem for most of us on this side of the aisle and it should be for many of you also. We had Build Illinois at one particular time and we had Illinois First at another particular time, but this particular administration it's always about mortgage Illinois. That's what this is about. Mortgaging the future of this State. And I urge everyone to vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

President Jones.

SENATOR E. JONES:

Thank you, Madam President. I rise in support of the motion on this FY'06 budget. I'm really shocked at the comments that I heard as relate to this budget. I -- I listened as some Members -- sat and talked about the infrastructures of our universities are crumbling. When a Member on your side of the aisle recognized that we had a problem in funding higher education and funding elementary and secondary education, but you -- most of you didn't even have the courage to even support your own Member. When it come to the -- the construction for our schools, the buildings and so forth, it takes a revenue stream to do it. I haven't heard a single one of you on the other side of the aisle say, I will stand up and sponsor the necessary tax revenue to -- to fund the bonding program so we can deal with the infrastructure at our universities across this State. You keep making references to the City of Chicago versus downstate. That is not the issue. It is one State. It's one Illinois. The

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

people in Chicago should be crying, screaming. You talk about the pension system, how many hundreds of millions of dollars is going into the State pension system? In excess of five hundred million dollars going to the -- the State teachers pension fund. A mere seventy-two million dollars is going to Chicago. Tell it the way it is. At least tell the truth. This is a good budget. The Governor promised to increase funding for education. It's in there, despite your lack of support. He said he wanted to increase spending for early childhood education. It's in the budget. He wanted to help those persons who did not have health care, the working poor, child care. It's in the budget. So what are you complaining about? We sat downstairs on the Second Floor week after week after week. It remind me of that dog in the -- in the -- Minority Leader's district...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senate President.

SENATOR E. JONES:

...going around.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator -- Senator Jones, to finish up.

SENATOR E. JONES:

Thank you, Madam President. I will obey -- obey the rules just like anyone else, but a Majority Leader should never cut off her President. So, I -- I encourage each and every Member to stand strong behind this budget. It should receive fifty-nine votes. If you're not willing to vote for the budget, then you are against education.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much. I'm not going to be redundant or try to reiterate all the great things that are in this budget. You heard 'em. But I do want to say that this is a budget we all can be proud of. We're sent down here to bring back -- to enrich the quality of life of individuals. This budget does that and it's done that by not raising taxes, by not expanding gambling. It has done that by making structural changes in our budget. We have done that by closing corporate loopholes. We have done that by pooling those excess dollars and using to them to help fund

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

this -- our -- our government and our programs. We have done this, one, by reforming our pensions. We have a pension that was being laden with fraud - individuals who were getting rich off the taxpayers' dollars. Changes have been -- been made, but no pensioner today that's in the system will be affected by it. There would be no diminishment of wages. There'll be no diminishment of benefits. What we're doing is what other people are -- should do when they need to tighten their belt. They look at how to make things run smoothly. This budget has incorporated all of those good things and by doing that, we have made -- put more money in for education. We have dealt with the most vulnerable here in this State. We have taken care of downstate. We have given more dollars to the transportation. We've insured that public safety is still addressed in this bill. This is a good bill and I ask all for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

This is final action, and the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1548. 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 32 Yeas, 26 Nays, none voting Present. And the Senate concurs in House Amendment No. 1 and 2 to Senate Bill 1548. And the bill, having received the required constitutional majority, is declared passed. Senator del Valle, on 1815. On the Order -- Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 1815.

Motion filed by Senator del Valle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, to explain your motion.

SENATOR DEL VALLE:

Thank you, Madam President. I move to concur with House Amendments 1, 2 and 3 to Senate Bill 1815. This is the education budget implementation bill. The bill includes the following: It increases the foundation level of per pupil funding from four thousand nine hundred and sixty-four dollars to five thousand one hundred and sixty-four dollars; maintains transitional assistance

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

grants; it gradually and predictably phases out the poverty grant - hold harmless for districts whose eligibility for State aid has decreased since the institution of the current poverty grant formula; it removes an existing cap on the State's discretionary funds under the federal IDEA to allow for increased reimbursements of school districts when students must receive residential treatment; and it allows ISBE to access federal money that was never allocated as a grant and was returned unused for - - from a grant recipient. This would allow ISBE to return those federal dollars. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. Senator del Valle, I know you presented this bill in committee. Can you share with us -- we asked a question and I think the State Board was unavailable. In this implementation bill we renew the quote, unquote transitional assistance or hold harmless, which is essentially a program which says to a school district, if you have rising property wealth or declining students, we're going to give you extra State money. So that even though you may have more local resources, we'll hold you harmless so that you don't get any less State money, which some would argue is a good political goal, because it makes us all -- it makes it easier for all of us. But in doing so, this - - this budget also and this implementation bill walked away from a commitment to fast growing districts across the State, districts where they actually have more children and not enough money. Did they -- did you ever get an explanation from the -- the -- the -- the interim superintendent of the State Board - now controlled by the Governor - of what their rationale was in eliminating fast growth and reinstating transitional assistance?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

First of all, on -- on the fast growth. Senator, last year forty-four districts qualified for fast growth grants. Now, in this bill, as a result of the increase in the foundation level, these forty-four districts combined, these forty-four districts

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

that received the fast growth grants last year will receive nineteen million dollars more than what they received last year when they received the fast growth. In addition to that, in the absence of a fast growth grant, it puts any district's funding -- if it puts any district's funding below the level from previous year, that would be when the transitional grants kick in. And so these districts would receive those transition dollars. And let me just say that based on ISBE's analysis, transitional assistance for these districts - the current districts - would amount to about 2.9 million dollars for these districts from the transitional line.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

To close, quickly, 'cause I know we're on timer. I -- I understand that when school districts grow, they'll get more general State aid. When you add three hundred million dollars to the budget it means fast growing districts, lots of kids get more money. But this budget, this implementation bill, specifically walks away from the commitment to help schools that are growing at the fastest in the State, where they have an eighteen- to twenty-four-month lag period before their property taxes kick in to help them pay. I would urge a No vote on this -- this budget implementation. It breaks a commitment to school district with more kids and less money in favor of a commitment, politically that helps us, but doesn't do anything, because it sends money to schools that have less students and more money.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, to close.

SENATOR DEL VALLE:

Well, Senator, and quickly, the hour is late. I would encourage you to join me in -- in the effort to change how we fund public education to come up with the dollars for a capital program that would include school construction so that we could deal with fast growth districts. Obviously, we need more dollars for education than we have in this budget, but we didn't get very many takers during this last Session when we called for a change in how we fund public education. We didn't get very many takers on Senate Bill 750 from that side of the aisle. And so, I would

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

encourage you, if you want to deal with the growth that's taking place in these districts in the suburban areas throughout the State, and I truly care about these areas, then we're going to have to look at how we generate additional dollars for education and that means that you have to take a position. You have to take a position on the proposals that have been put on the table. If you don't take a position on those proposals, then give us one of your own. But it has to be a proposal that helps us increase the foundation level once and for all to the EFAB recommended level and helps us do the school construction that we need to do and helps us fund categorical -- programs at a hundred percent and early childhood at the level that we need. We need your help and I hope you'll join us next Session in that effort.

PRESIDING OFFICER: (SENATOR HALVORSON)

This is final action. And the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 1815. 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 37 Yeas, 20 Nays, 1 voting Present. And the Senate concurs in House Amendments 1, 2 and 3 to Senate Bill 1815. And the bill, having received the required constitutional majority, is declared passed. Senator Watson, on 1821. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1821.

Motion file by Senator Watson.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson, to explain your motion.

SENATOR WATSON:

Yes. Thank you very much. I do move to concur with House Amendment No. 1. That actually becomes the bill. The first -- when it passed here, this was the agreed-to firework legislation. It went over there. We worked with the Fire Marshal a little more and the fire service people put on an amendment on there in the House that kind of lived up to the memorandum of understanding that was signed last year that had some concerns of the fire service. It comes back. That's a technical part of

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

this. It's agreed to. No one opposes it. The Fire Marshal, the Illinois Fireworks Association, the Pyrotechnic Display Association, fire protection districts, Fire Service Association and the Illinois Fire Safety Alliance. So there's no opposition. Passed a hundred and fifteen to one. Appreciate your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank -- yes, thank you, Madam Chairman -- and -- Madam President and Members of the Senate. I just rise to say that I want to thank Minority Leader Watson. He did say he was going to try to get everything together and to work it -- work this out and I appreciate him doing that. It came through our Licensed Activity Committee, and I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Madam President. We normally go out of here with a lot more fireworks than we did tonight. So let's give this one fifty-nine votes and go home with a bang. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. I just want to say it was so good to see that bipartisan cooperation on the last bill and to get some votes from that side of the aisle. So, doggone it, I urge all the Democrats over here to show 'em how it's done and put some Democratic votes on a Republican bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Brady.

SENATOR BRADY:

Thank you, Madam President. I just wanted to compliment Senator Watson. I know that he complimented Senator Wojcik yesterday on her legacy being the wine industry. Fireworks.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson, to close.

SENATOR WATSON:

Well, I don't want to blow this place apart. So, let's vote yes.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1821. 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 57 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 1821. And the bill, having received the required constitutional majority, is declared passed. Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

I've never done this before, but I know it's monumentally important to my Leader. So, if I voted for this, I think I would have intended to vote Yes. I would have voted Yes for my Leader.

PRESIDING OFFICER: (SENATOR HALVORSON)

The -- the record shall so reflect. I thought you were going to ask for a verification. Senator Hendon.

SENATOR HENDON:

Verification. No, I'm just joking.

PRESIDING OFFICER: (SENATOR HALVORSON)

Oh. You were going to call for a verification. Okay. Our next order of business is on page 36 of the regular Calendar. Senate Bills 3rd Reading. On Senate Bill 932. Senator Demuzio. Senator Demuzio, on 932. Oh. The sponsor has changed. I apologize. The paperwork has been done. The new sponsor is Senator Link. Madam Secretary, read the bill. Senator Link seeks leave of the Body to recall Senate Bill 932 to the Order of 2nd Reading for the purpose of an amendment. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 932. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Madam... Senate Amendment 1 is the bill that I will explain on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Senator Jones, do you have any discussion on the amendment before 3rd Reading? Senator Burzynski. Senator Link moves the adoption of Amendment No. 1 to Senate Bill 932. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. On the Order -- are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain Amendment No. 2.

SENATOR LINK:

Thank you, Madam President. Amendment 2 just adds that there will be one representative from the Home Builders Association of Illinois and one representative from the Municipal Association.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link moves the adoption of Amendment No. 2 to Senate Bill 932. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 932. Senator Link, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 932.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This is the electricians licensing bill. This provides for regulations for electricians and electrical contractors. It creates classifications for electricians to be licensed by the Office of the State Fire Marshal; establishes fines for violation of the Act; creates a State Board of Electrical Examiners; with certain specifications,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

exceptions, requires a license for electricians or contractors for most layout, installations, alterations, and repairs of wiring, apparatuses, and equipment for electrical light, heating or power within or on a building, residence, structure or real property. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Madam Chairman. Couple of questions for the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR W. JONES:

Senator Link, can you tell me what the position of the State Fire Marshal is on this legislation?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

I don't know what their position is on it. We have discussed with the Governor's Office on it. We will be conversing with the State Fire Marshal's Office on this matter. We discussed with them at a previous time. I know Leader Watson has talked to them. The State Fire Marshal himself seemed a little surprised about this, but we have talked to the State Fire Marshal's Office.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

It -- it seems to me if we're going to move a major program like this to the State Fire Marshal's Office, we ought to take this out of the record and sit down with the State Fire Marshal's Office and work it out. Right now aren't these people employed by the Department of Professional Regulation and we're -- we're putting all of this over into the Department {sic} of the Fire Marshal?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

The Governor's Office is for this. The Governor's Office is

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

proponent of this bill. The Governor's Office has designated that State Fire Marshal's Office. I think we could work it out with them.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

Yes. To close on my -- my point. I think -- I think we should take a good strong look at this before we turn all this over to the Fire Marshal. If -- if the State Fire Marshal doesn't know anything about it, it could cause a lot of chaos. Also, I think the homebuilders -- the homebuilders should be involved as well. We need to take a look at this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. I realize the hour is late, but I really don't -- we probably only got a couple people want to talk to this bill. So, I don't know why we've got a timer on. And it is a major change in public policy and hasn't had a lot of debate. So, anyway, Senator, we talked a little bit about this in committee and I just want to kind of walk through some of the concerns that I have. First of all, this says that a registered apprentice must learn the trade through an apprenticeship program approved by the U.S. Department of Labor. And I asked how many apprenticeship programs there might be in the State of Illinois. I don't know if your staffer knows or if you do, at this point. Do you have any idea how many of those apprenticeship programs might exist so people can avail themselves?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

I think -- I think you asked in committee how many licenses there were, not how many apprentice programs this would be, because I don't think -- we know that there is forty thousand electrical -- electrical union electricians in the State of Illinois who had to pass an apprentices program. So I -- I couldn't tell you how many apprentice are.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

SENATOR BURZYNSKI:

Thank you. Well, you know, I did ask about -- Senator, I did ask about the number of programs, because I want to make sure if we're going to license these people, they can get into a qualified course. The second thing is, the bill does not list what experience qualifies individuals to be electrical contractors. And if you're an apprentice you have to work with an electrical contractor. That is not defined in this particular piece of legislation. Another thing is, obviously, Director of -- or the State Fire Marshal is supposed to be involved with this. Again, I think DPR is a better place. State Fire Marshal indicated they didn't want this, to Senator Watson. Have no reason to believe that that's any different. Finally, what this does, seventy-six counties in this State currently do not have any kind of licensure or any kind of -- process for supervision. They have made that decision not to have that. This bill is going to take that autonomy away from these counties that have chosen not to have an inspection process. I don't think that's the right thing that we want to do and I would urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ALTHOFF:

It's my understanding that employees of government entities are exempt from this legislation, they don't need to have a license. Is that true?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Yes, that is correct.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff.

SENATOR ALTHOFF:

And -- and in following in my esteemed colleague's footsteps, may I ask the question, is the City of Chicago

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

included in this legislation?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

No, they're not, because they already have the requirements that they are right now.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. To the bill. First of all, compliments to Senator Link for his previous amendment. Just for the point of clarification, it came up in committee and now the homebuilders are involved in the bill. So -- just so we're all clear. I'm still against it, but in fairness to you, it's a -- it's a better bill. Couple reasons to vote No. First of all is, it's been mentioned before by other Senators, but the State Fire Marshal has no idea what's going on, has no interest in this bill, is not prepared for this bill, is not equipped for this bill. So, here's what's going to happen. If this becomes law, we're going to get a lot of phone calls from people that are trying to get licenses and it's going to be a train wreck. I urge you to vote No for that reason alone. Just the hassle factor is not worth it. Secondly, there is not a family exemption as the Senator sort of thinks there is in this bill. If you look at the language carefully, it's on page 21, paragraph (f), it says, "An owner shall not be required to hold a license under this Act." That's fine. An owner of property. And it says, Nevertheless, the electric work shall -- performed by an owner shall comply with minimum standards and unless otherwise specified in this Act, an owner may not employ anyone other than an electrician licensed in this Act. So, if you're Uncle Wally wants to come over and do something for you for nothing, he can do it. But if somebody wants to come over and you have your neighbor down the street and you want to give him fifty bucks for helping you out, you can't do it under this Act. This is an eleventh-hour thing. I think we can do better. Let's vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Thank you, Madam -- President. I rise in favor of this bill and I want to commend the sponsor of this bill. I think this is an important bill to have licensed electricians where they know who can do the work properly. This is a safety issue. There's an awful lot of fires that have occurred in a lot of homes today. And I think, frankly, a lot of 'em get people that aren't qualified to be electricians and I want to commend the fact that he does have the Homebuilders Association on there and the Municipal League on there, as well. The -- the Senator worked very hard in doing that, and he did a good job. Let's all vote Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Brady.

SENATOR BRADY:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BRADY:

Senator, and I've heard different people talk, who is -- who remains in opposition to this bill, as amended?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

I -- I really don't know of anybody in opposition other than maybe, as Senator Watson said, maybe the Fire Marshal's still mad at me. That might be the only one that we know in opposition. The Homebuilders now are with us, because they are on the board.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Brady.

SENATOR BRADY:

Senator, as I understand it, this -- this moved rather quickly, the Homebuilders were opposed. Do you know if they're still opposed?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

As I just indicated to you, the Homebuilders now are on board, because we put them on the board.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Senator Brady.

SENATOR BRADY:

And -- I know they're for the amendment, but are they for the bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

For the third time, yes, they are for the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Brady.

SENATOR BRADY:

We also had the Laborers Midwest Region in opposition. Are they still opposed?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

That I can't answer. I didn't know they were in -- opposition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President. Just want to speak in favor of the bill. To the last speaker, I was in the committee, they didn't fill out any -- the only people that filled out witness slips that were against it were the Homebuilders and we addressed that with their amendment. I asked them, "Is there any other changes you want to the bill?" And they said, "No. We just to be on the advisory committee." This bill is not that it's not controversial, but it -- it's never been partisan. Remember when Emit used to lobby for the downstate electricians? This was his baby. I've sponsored this bill. Had twenty-nine votes in the past. It's very controversial, but it's very important. We license plumbers, but we ought to license electricians. People -- people's homes can burn down and this is all about safety. It really is and -- and I know it's -- it's -- been controversial, but not by -- not in a bipartisan way. Think about those areas of -- of homes that are being built where there's not being inspectors -- they're not being inspected. If you want Uncle Wally to fix your house, the guy down the street, he better know

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

what he's doing or your house will burn down. So, I -- I really think it's something you ought to think twice about if -- if you're thinking that -- the party line should not be to vote No on this. Please vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

Leader Watson.

SENATOR WATSON:

This is what happens, I think, when you throw a bill in the mix at the last -- at the last hour. And -- and I think -- Senator Link would agree that -- that this is truly being rushed through and -- and people aren't aware. And that's why there was no one in the committee to oppose it. And I don't know how -- I mean, personally I don't have a problem with this. I'd like just to know how -- what people feel about it. I did talk to the Fire Marshal -- Office, J.T. Somer, and I asked him about this and he said, -- that we -- that his office has been opposed to this every time it's been brought before him. I realize he works for the Governor and the Governor's for it, but sometimes you have to do and realize, you know, what -- how do we line up things that people do in this business of -- of government? And the Fire Marshal says that this -- this has nothing to do with the fire service. This is -- this belongs in the -- in the Department of Registration/Education. It just -- it belongs in the Department of Public Health, in Department of Labor. I mean, I -- it -- it does not belong with the Fire Marshal. And then we have the confusion about the laborers. We understand the laborers are opposed to this. We had a call from Brian Hickey of Local 399. They -- they claimed they were opposed to it. We just don't really know. I mean, this would be -- appropriate thing for this to be done is in the fall after everybody gets the light of day, understands what this is all about and has -- has an opportunity to digest what's in this bill. And then maybe we can all come back here and vote green after we have a true understanding. I hope you -- understand that, Senator Link. But I think it's best that we take this out of the record, bring it back in the fall

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

and let's deal with it when everybody has a -- the light of day.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to close.

SENATOR LINK:

Thank you, Madam President. I just want to answer a couple of these questions that were brought up. We talk about the State Fire Marshal Office and maybe this shouldn't be under him. Do you know the State Fire Marshal Office they have a division of Boiler and Pressure for vehicle -- Vessel Safety? They have a division of Elevator Safety. I think electrical safety falls a little bit more under the Fire Marshal when we understand one of the highest problems with electrical safety is fires. So, who better understands fires, but the Fire Marshal? Who better can regulate it but the Fire Marshal? This bill has been worked on, as Senator Cullerton and I have talked about, probably for twenty-some years. This bill was going to be named after a late lobbyist that we were down here, Emmitt McNamara, because he worked on it for fifteen years of trying to get compromises. And I worked with him, with Representative Granberg, from going from meeting to meeting. We made amendments after amendments, exemptions after exemptions for people that came into this room. Low wiring, high wiring, hot wire, cold wire. I knew more about wiring than I even cared to. But one thing we keep forgetting about in this Chamber, we're talking about the safety of the people of the State of Illinois. We talk about seventy some counties that do not have this regulation in their counties. Well, you know what? Those seventy-some counties are underserved, because they need regulations. This doesn't make a big difference in my county, because every one of my municipalities has safety inspections and have electrical...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link. The question is, shall Senate Bill 932 pass. 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 42 Yeas, 13 Nays, none voting Present. And Senate Bill 932, having received the required constitutional majority, is declared passed. Turn to page 4 on your Calendar of Senate Bills 3rd Reading. We will be going to Senate Bill 1353. Senator

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Cullerton, on 1353? Madam Secretary -- Senator Cullerton seeks leave of the Body to return Senate Bill 1353 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1353. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 4, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. I'd like to adopt the amendment and then debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam, do you wish to discuss on the amendment?
Senator Roskam.

SENATOR ROSKAM:

Thank you. Just to request a roll call on Amendment No. 4.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you. Senator Roskam asks for a roll call. The question is, shall the Senate -- Senator Cullerton, the amendment -- Senator Roskam asked for a roll call on the amendment. Okay. Senator Cullerton, to explain the amendment.

SENATOR CULLERTON:

Madam President, what I asked for was normally we adopt amendments by -- by oral roll call and then we debate on 3rd Reading. If they wish to debate the amendment, that's fine. I just wanted to take the opportunity then to debate it. Okay? So, what this bill does is to give the Secretary of Financial and Professional Regulation the authority to hold public hearings concerning rate increases for medical malpractice insurance and upon a proper finding, the secretary may prohibit excessive increases and issue penalties. It increases the reporting of medical malpractice rates and other related information to the Secretary of Financial and Professional Regulation. It creates the Patients' Right to Know law, which is a website containing physician profiles on past convictions. And it amends the Medical Practice Act to increase the number of Department of Professional Regulation investigators; make changes to the disciplinary board

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

to expand the members on the Medical Disciplinary Board by adding two new public members. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Luechtefeld. No. Okay. Senator Raoul, on the amendment? Senator Raoul.

SENATOR RAOUL:

Thank -- thank you, Madam President. I rise in support of this amendment. This amendment gives us an opportunity to do what's -- to do what's constitutional on behalf of the doctors and the hospitals within our great State. So I ask that all support this amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Excuse me. We cannot hear, everybody. I know everybody's excited about being able to go home soon, but we got a few more things to do. Senator Link, on the amendment? Senator Link.

SENATOR LINK:

Thank you -- thank you, Madam President. On this amendment, we're talking about something -- you know, I -- I listened to debate yesterday when we were going and I happened to be in the Chair -- and I listened to debate that was going on here when we were doing this last night. And yesterday afternoon I sat in my office and I listened to all the debate in the House Chamber. And I tried to listen to everybody and their concerns of what they did. And I think the best person that described about reform and what we needed more than anybody was a person that I really -- I might philosophically disagree with a little bit but I admire for his speaking ability on issues and how he gets so passionate about something and that's Representative Black in the House. And he got up there and he was -- he was talking about a personal atmosphere, about what happened to him personally in his life and that there was a mistake made by a doctor and that he had an opportunity to sue and he backed off and he didn't do this and he -- and he said that they needed reforms and they needed things and he just stayed away. And he said, but he was fortunate enough in life to become a Legislator and a school teacher and all of that. And I think these are the type of things that we need in here, are reforms so that other people have these rights, have these abilities, have this chance to

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

become the things that they want to in this State. I think this is what we need. This is a step forward. This will help remedy a problem and help doctors stay in the State of Illinois. I ask for your strong support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis, on the amendment. Senator Geo-Karis?

SENATOR GEO-KARIS:

Thank you. It seems to me that there are many facets in this bill -- in this amendment, that were already covered when we passed it last night - the medical malpractice. So I think we're -- we're just repeating time and time we're doing things over again and I -- I speak against it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. I -- I -- I want to thank Senator Cullerton for affording us this opportunity. You know, last night I said that I was really disappointed with the strategy that was being used by the Med Society in insisting on a bill with a inseverability clause, and basically saying to us and saying to the public that if the court declares the caps unconstitutional, then they don't want the insurance reforms. They don't want the regulatory reforms, even though they said with the caps it's great. They like it. They could -- have it. They could accept it. It's good. But without the cap, I guess they're saying it's bad. Well, some of us disagree with that. And what we'd like to do is be able to get a bill to the Governor and ask the Governor to sign both bills. He can sign the bill with the caps. He can sign this bill and if the bill with the cap is declared unconstitutional, then we will still have the insurance reforms in place that will have already been put in place once the Governor signs the bill with the caps. This process will take time in the courts, and so we want to make sure that we have the insurance reforms that everyone agrees are necessary and the regulatory reforms that everyone agrees are necessary. We want to make sure that those stay in place. Now, what's wrong with that? What is wrong with that? I don't understand all the resistance. If you believe in two-thirds of the bill that you voted on yesterday, then you're going to vote

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

for this bill, because this bill is two-thirds of what you voted on yesterday. Now, if you think and if you believe that caps are tied to the other part...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, your time has expired. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President. Senator, I -- I take -- I -- I take it there -- there -- I know there are no caps in this bill. Is there any form, any form of tort reform in this bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link. Or -- Senator Cullerton.

SENATOR CULLERTON:

No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, is -- is there a reason why there is no tort reform? I understand that you're against caps and -- and philosophically against that, and I can -- I can -- I can respect that, but there is no form of tort reform. Is there a reason why you've not chosen to put any tort reform in the bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Senator, I assume, after the court throws out the bill and declares it unconstitutional for a third time, that we will have to sit down with all the parties and negotiate a new tort reform bill. My thought was these basic principles, insurance reform, to make sure that the -- the profession is regulated better and to have the patient right to know. I want to make sure that that is in the law. We're making that basic decision right now. The tort reform provisions will all be -- renegotiated after the court throws out the -- the -- the caps bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, it would seem that if you're really serious about bringing down premiums and if you're really serious about making

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

something happen that's worthwhile, I would think you would maybe have left the caps off and put some tort reform in it, because the Supreme Court doesn't declare all tort reform unconstitutional.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Well, which tort reform provisions do you think I should add here? The forty-two that everybody agreed to that we never called? Which ones? Patients -- which -- which tort reform provisions would you like to put in? You said you want caps. You got caps. You oversold caps. You got your caps. Everybody should be happy. But when it's declared unconstitutional, because the cynical drafters of that legislation said we want a nonseverability clause, this stuff will be thrown out. So, if you want to vote against patients' right to know, if you want to vote against insurance reforms and if you want to vote against getting tough on bad -- doctors - which does bring down premiums - then vote for this bill. When it's thrown out, we will renegotiate all those forty-three issues which we offered which were rejected by the doctors' insurance company last year.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld, your time is up. Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. To the amendment, briefly. Thank you. Ladies and Gentlemen, first of all, to the comments that were just made by the sponsor regarding, well if you want to -- vote against a patients' right to know and you want to vote against insurance regulation - those of you who voted for the tort reform package last night already voted for that. So, first of all, let's not be spooked by the notion that, gee whiz, you'll be attacked for voting against that. You already voted for that. Most of us in this Chamber - almost all of us in this Chamber - recognize that the solution to this problem has always been a three-legged stool. This bill is for the people who believe there are no problems with our court system. It needs no reform whatsoever. That the two legs of the medical community and the insurance industry are the only two this needs to stand on. I would urge a no vote.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford. Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. Thank you, Mr. -- Madam President, Members of the Senate. The bill that you did vote for last night has been declared unconstitutional on two prior occasions by the Supreme Court. I truly believe and I'm sure many of you who even voted Yes believe, it will once again be found to be unconstitutional, which means, because it's nonseverable -- if the court finds that it's nonseverable anyway, then these provisions will not be the law and so this is just a backup. It's a real simple thing to vote for. It's not trying to -- it's not going to have any effect on the outcome, I'm sure, of the -- the court's decision. It's just meant to say, we need some basic provisions that were agreed to -- reluctantly, but agreed to by the medical insurance company. We want to make sure they become law. It's that simple. It's a -- really a vote on the -- the -- the mistake in correcting the mistake of the nonseverability portion of the bill that passed last night. I really urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton moves the adoption of Amendment No. 4 to Senate Bill 1353. 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 23 Yeas, 32 Nays, 3 voting Present. The amendment fails. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. -- Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Geo-Karis.

SENATOR GEO-KARIS:

You said the amendment passed. You meant it failed, didn't you?

PRESIDING OFFICER: (SENATOR HALVORSON)

The amendment failed, ma'am. I did say it failed.

SENATOR GEO-KARIS:

I'm sorry. I thought you said passed.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Now, on the Order of 3rd Reading is Senate Bill 1353. Senator Cullerton, do you wish to proceed? Out of the record. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point, please.

SENATOR GEO-KARIS:

I would like to wish everyone here a happy and healthy summer. Enjoy your lives, 'cause it's later than we think and bygones be bygones. We -- that's the bipartisan spirit for all of us and I wish all of you well. We may -- we may disagree, but we don't have to be disagreeable. And I love you all and I hope you all have a good summer.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Geo-Karis. Chair recognizes the Governor Rod Blagojevich on the Floor. Welcome, -- Governor. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Well, you did it, but I want to do it the right way. We'd like to acknowledge the presence of the greatest Governor the State of Illinois has even seen. Rod Blagojevich.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. Rickey, you're a little more Hollywood than I am. Thank you. We'll be at ease for just a moment or two while we figure out what's next.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon in the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

With the leave of the Body, we'll turn to page 67 on your Calendar. Top of page 67 on the Order of 3rd Reading is -- House Bill 3472. Senator Halvorson, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3472.

(Secretary reads title of bill)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. House Bill 3472 amends the Illinois Lottery Law and the State Finance Act regarding a new scratch-off Lottery game for Illinois veterans. What we found is there are a lot of people and many women that are coming back with a lot of post-traumatic syndrome and this legislation will create a special instant Lottery game that will start January 1, of 2006. This legislation creates the Illinois Veterans Assistance Fund in the State Treasury and provides that the net revenue from the scratch-off game will be deposited into the Fund for appropriation by the General Assembly to the Department of Veterans Affairs for making grants, funding additional services or conducting additional research projects.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall -- Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Are those blue shoes on?

PRESIDING OFFICER: (SENATOR HENDON)

Certainly, Senator Roskam, and I intend to get us out of here by 10:20, so let's rock. Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Roskam.

SENATOR ROSKAM:

Senator, this didn't come through a committee that I was on, but our analysis indicates that there's some folks who fear that this may have an impact on the Common School Fund. Can you tell me what that argument is and why it does not concern you?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

This Lottery game will not go into the Common School Fund. This will go for our veterans and at -- other issues with regards to the veterans' issues and we would believe that this would be

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

new money coming in, it would not be taking anything away.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Last -- last question, Senator. Is this -- does this create a new - and I can -- I can barely see you through everybody - does this create a new -- a -- a new game? Does it -- here's my question, does it replace an existing game, Senator, or is it a new game that's created?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

Senator Roskam, thank you for that question. It's a new game that will be created and we hope to attract people that wouldn't normally play the Lottery, but they want to help the veterans like many of us here.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I certainly support the efforts of Senator Halvorson on this bill. It's -- it's for the veterans and all -- we need to do all we can for them and it's time that we did even more. So, it's certainly -- let's put fifty-nine votes on that. I'm all for it and -- for your bill and I support it wholeheartedly. And ask for -- vote Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Is there further discussion? Seeing none, the question is, shall House Bill 3472 pass. Those in favor will vote Aye. Opposed will vote 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 49 voting Aye, 6 voting Nay, and none voting Present. House Bill 3472, having received the required constitutional majority, is declared passed. Madam Secretary, Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

passage of a bill of the following title, to wit:

Senate Bill 572, together with House Amendments 1 and 2.

Passed the House, as amended, May 31, 2005.

I have a like Message on Senate Bill 1442, with House Amendments 1 and 2.

Also passed the House, May 31, 2005.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter, for what purpose do you seek recognition, sir?

SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point, Senator Trotter.

SENATOR TROTTER:

Thank you very much. I just want to thank -- and if I could just get a little quiet, I just want to thank all of our staffs that have just done a yeoman's job this year. We know that many of the things that we do and how good we look back home, that wouldn't be the case if we didn't have a hardworking staff who wrote those press releases, who did all that research. So, please give 'em a hand.

PRESIDING OFFICER: (SENATOR HENDON)

Let's -- thank the staffs on both sides of the aisle. The staffs have been wonderful on both sides of the aisle. Senator Trotter. Senator Trotter.

SENATOR TROTTER:

And of course we can say they're paid staff. They're supposed to do that, but there is also those individuals, who are not paid, who labor around here and who come down here just to learn our process and that -- that is our Pages, who are out here. And in particular, I want to thank Jasmine Illa on our side, Khayere Erewele, Nick Lipe and Daniel Sullivan, who are leaving and all going away to college. And we wish you all luck and then hope you learn some positive things.

PRESIDING OFFICER: (SENATOR HENDON)

Congratulations and let's get straight A's in the college and leave those boys alone. Leader Watson. There will be a

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

meeting of the Rules Committee immediately. Senator Watson.
Leader Watson. Senator DeLeo in the Chair. Senator Watson.

SENATOR WATSON:

Yes. Thank you. While we're kind of at ease here while the Rules Committee meets once again, I just want to make a point to tell our staff and especially one individual whose birthday it is today, Tim Nuding, who is our Appropriations Director. Can you imagine having May 31st as your birthday and being our Appropriations Director? He spent the whole night here last -- last night, as did all of the approp people on our staff. But I just want to wish Tim a good another hour and a half of -- of -- a -- a hopefully it will be a very Memorial Day for him as far as his birthday is concerned. Great guy. Does a lot of work for us, but certainly we want to thank all of our staff.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, Leader Watson. Congratulations, Tim, and happy birthday to you. Madam Secretary, Messages from the President, please.

SECRETARY HAWKER:

To all Members of the Senate, attached is the Senate schedule for the 2005 Fall Veto Session.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg, for what purpose do you rise, sir?

SENATOR SCHOENBERG:

I'd like to rise on a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir. Give the gentleman your attention, please.

SENATOR SCHOENBERG:

Thank you, Mr. President. Along with the other stream of dignitaries here today, we've also been joined by the Deputy Governor, Bradley Tusk.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 264, offered by Senator Sandoval.
It is substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Madam Secretary, Messages from the House, please.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 42.

Is being sponsored in the Senate by Senators Demuzio, President Jones and Leader Watson.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages from the Governor.

SECRETARY HAWKER:

A Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs. May 25, 2005.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the Honorable Members of the Senate, 94th General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Rod Blagojevich, Governor.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur with House Amendments 1 and 2 to Senate Bill 572, and Motion to Concur with House Amendments 1 and 2 to Senate Bill 1442.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon in the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Joint Resolution No. 50, offered by Senator Shadid.

(Secretary reads SJR No. 50)

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Senator Shadid moves to suspend the rules for the purposes of the immediate consideration and adoption of Senate Joint Resolution 50. Those in -- just for the record, we're only adopting the resolution. There will be further action. Those in favor of the resolution will say Aye. Those opposed will say Nay. The Ayes have it, and the rules are suspended. Senator Shadid now moves for the adoption of Senate Joint Resolution 50. All those in favor will say Aye. Those opposed will say Nay. The Ayes have it, and the resolution is adopted. Please turn to your Supplemental Calendar No. 4. On the Order of Concurrence, Senate Bill 572. Supplemental Calendar No. 4. President Emil Jones. President Jones.

SENATOR E. JONES:

Thank you, Mr. President. I move to concur in House Amendment No. 1 and 2 to Senate Bill 572. House Amendment 1 merely guts the bill. And House Amendment 2, what it does is authorize municipalities that designate intermodal terminal facility areas to establish its -- a redevelopment in blighted areas and where you have abandoned railroads in the southern suburbs and other portions of the State. This is what we are attempting to do to -- to -- to -- to -- to deal with those railroad industries that are no longer in competition in those areas. At the same time, when you set up the intermodal, you're recruiting jobs, you'll set up a tax exempt district. And this would be similar to what we did with the intermodal in Joliet. This legislation passed out, I believe, out of this Body by -- a unanimous vote. But in the House they had some concerns as relate to the TIF districts as it -- also as relate to imminent domain powers, but agreements have been worked out. That's what the amendment does, and I move that we concur in House Amendment No. 1 and 2.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. I rise in support of the -- of the motion. As President Jones said, this did pass previously, unanimously out of the Senate. And if anything, it's in -- an -- easier vote now, frankly - the House -- version. And I would urge an Aye vote.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR HENDON)

CBS -- CBS News Channel 2 seeks permission to -- leave to record. Leave is granted. Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. Chairman. Since you said that CBS News was recording, I thought I would rise to speak to this very important piece of legislation since CBS News is recording. This is a very important piece of legislation to our district and we have a very depraved and depressed community. This legislation will help us tremendously, and I ask for all of our colleagues to support us.

PRESIDING OFFICER: (SENATOR HENDON)

President Jones, to close.

SENATOR E. JONES:

I simply ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 572. Those in favor will vote Aye. Opposed will vote 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 57 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and 2 to Senate Bill 572. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1442. Senator Silverstein. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1442.

Motion filed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

...thank you, Mr. President. I wish to concur in House Amendment No. 1 and 2 of Senate Bill 1442, which authorizes a payment -- a program of payments to the members of the State Employee Retirement System for early termination of State employee. This is a -- the program is essentially the same that we authorized last year. I'll take any questions.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I was asked by this side of the aisle to ask if this is the last bill.

PRESIDING OFFICER: (SENATOR HENDON)

Very close. Senator Roskam.

SENATOR BRADY:

No, wait.

PRESIDING OFFICER: (SENATOR HENDON)

Oh, I'm sorry. Senator Brady.

SENATOR BRADY:

Thank you. Senator, this -- just a point of clarification. This deals with DCCA and yet you're -- the areas of the statutes that you're dealing with are not inclusive of DCCA, they're in other areas.

PRESIDING OFFICER: (SENATOR HENDON)

Would you repeat your question, sir?

SENATOR BRADY:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Quiet in the Chamber. Senator Brady.

SENATOR BRADY:

Senator, the original bill deals with the Department of -- or Commerce and Economic Development Committee -- I mean, DCCA. I'm sorry. Department of Commerce and Economic Opportunity. And then the bill deals with other areas of employment in State government. Is that going to serve your purposes?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

The Act deals with State government, so it is germane. So, I don't see any problem -- constitutional problems.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady.

SENATOR BRADY:

And this is simply similar to what we did last year? I couldn't hear you either. So, it's...

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Senator Silverstein.

SENATOR SILVERSTEIN:

The program is essentially the same that we authorized last year.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Roskam.

SENATOR ROSKAM:

Senator, this, I think, is a good idea, but can you explain it? This is where we're giving -- we're basically giving people sort of a lump sum incentive to disengage from future State liabilities. Could you just explain that so everybody knows?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

It allows -- certain members of the State employee retirement system to receive a lump sum payment equal to their retirement contributions, plus interest times two if they terminate their employment no later than October 31st, 2005. It will save the State approximately five -- five million dollars in '06.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Good idea. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur to House Amendments No. 1 and 2 to Senate Bill 1442. All those in favor will vote Aye. Opposed -- vote -- 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 58 voting Aye, none voting Nay, none voting Present. The Senate does concur to House Amendments No. 1 and 2 to Senate Bill 1442. And the bill, having received the required constitutional majority, is declared passed. House Bills 3rd

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Reading. House Bill 4053. Patient, Ladies and Gentlemen, we are almost done. House Bills 3rd Reading. House Bill 4053. Senator Schoenberg. Senator Schoenberg seeks leave of the Body to return House Bill 4053 to the Order of 2nd Reading for the purposes of an amendment. Is leave granted? Leave is granted. Now on the Order of 2nd Reading is House Bill 4053. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

I move to table Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR HENDON)

Floor No. 2 is tabled. Are there any -- that motion is always in order. Are there any objection? That motion {sic} is tabled. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg, on Amendment No. 3.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 3 becomes the bill. It creates the Illinois Global Partnership Act, which provides for a non-for-profit entity that better synchronizes, increases the capabilities for international trade through a -- permissive relationship with the Department of Commerce and Economic Opportunity, absorbing some international trade functions of the Illinois Department of Agriculture. There are governance provisions in here, which provide representation for the chairperson of the Illinois Arts Council as an additional nonvoting member to the board of directors. This is...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Raoul.

SENATOR RAOUL:

Yield for a question?

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

He indicates he will. Senator Raoul.

SENATOR RAOUL:

Will -- will the -- entity established in any way diminish or override international tourism grants to the Chicago Convention and Tourism Bureau or the Chicago Office of Tourism?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

No, it will not. It will -- it will enhance our overall capabilities.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg. And we will come to others -- moves the adoption of Amendment -- any other questions on the amendment? No. Senator Schoenberg moves the adoption of Amendment No. 3 to House Bill 4053. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4053. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4053.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Roskam.

SENATOR ROSKAM:

Senator Schoenberg, as you know, this came unanimously out of the Executive Committee and I'm here to urge its passage. Senator Raoul's line of inquiry made me a little bit nervous though. Are there other -- I mean, should I ask you the same question about other areas? You know what I mean? I -- I would assume that -- that your point in answering that question is that

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

this isn't going to change kind of anything for anybody geographically. Right? Was that kind of your point and could you address that?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

That's correct. It's going to -- absorb some -- existing functions of the Department of Agriculture's international trade. It's going to establish a -- a working partnership with the Department of Commerce and Economic Opportunity that retains our trade office, our international trade operations so as to enhance those capabilities abroad and benefit Illinois businesses. And through this structure, we'll have greater private sector participation as well.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank -- thank you. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for question?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Geo-Karis.

SENATOR GEO-KARIS:

Were you the original sponsor of this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

I -- I'm sorry. I didn't hear the question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Were you the original sponsor of this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

I believe I was. And -- and yes, in the Senate I am.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Senator Geo-Karis.

SENATOR GEO-KARIS:

And your bill is limited to your -- to trade and -- and development. Is that right?

PRESIDING OFFICER: (SENATOR HENDON)

Madam Geo-Karis, would you repeat your question? We need a little quiet in the Chamber. Senator Geo-Karis.

SENATOR GEO-KARIS:

And your bill is limited to improving trade and development. Is that right?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

That's correct.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Watson.

SENATOR WATSON:

Yes. Thank -- thank you, Mr. President. I guess there's some confusion on this. Senator, was this -- the President of the Senate, myself and Minority Leader Cross attended a function in Chicago with the Speaker Madigan concerning international trade and is -- is this the Speaker's legislation to move forward in that effort?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Yes -- yes, it is.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Watson.

SENATOR WATSON:

Well, if the Speaker says it's a good idea, and I'm sure the President of the Senate says it's a good idea. I'm sure Tom Cross thinks it's a great idea. How could I be wrong by saying let's support this and go home?

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4053 pass. Those in favor will vote Aye. Opposed will vote 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 57 voting

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

Aye, none voting Nay, none voting Present. House Bill 4053, having received the required constitutional majority, is declared passed. Madam Secretary, Messages from the President.

SECRETARY HAWKER:

A Message from the President, dated May 31, 2005.

PRESIDING OFFICER: (SENATOR HENDON)

Just a moment, please. On page 73 of your Calendar is the Order of Consideration Postponed. House Bill 4050. As the bill has already been presented and debated on the Floor, debate on the bill will be limited to one proponent and one opponent. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 4050.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President and Members of the Illinois Senate. I appreciate all the advice and counsel from Members on both sides of the aisle, especially support from Members on this side of the aisle. And I appreciate the leadership provided by the greatest President the Illinois Senate's ever had, President Emil Jones, and I ask a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I don't know if this is our last bill, but assuming it is, it's probably an appropriate bill for us to end on, because I think it'll help remind us that we need to come back, because we still have problems to work on. I don't live in Chicago. I don't live in Cook County and I don't know exactly how bad a problem it is that Senator -- Senator Sandoval's trying to address here. But regardless of how bad of a problem it is, this is not a good answer. As I said in our comments earlier, this is going to lead to the practice of brokers, who will be financially liable to pay the cost of the credit counseling, not showing homes to individuals in neighborhoods if they think they may not

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

be deemed creditworthy. It was said earlier by a speaker on that side of the aisle that what they feared perhaps was this could lead to is redlining, people being denied an opportunity to -- to bid on a house of their choosing, to live in a neighborhood they want to live. It treats people based on where they live and not on their individual characteristics and I think that's something we've tried to get away from. Mr. President, I'd urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4050 pass. Those in favor will vote Aye. Opposed will vote Nay. And 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, 24 voting Nay, and 3 voting Present. House Bill 4050, having received the required constitutional majority, is declared passed. Leader Watson, for what purpose do you seek recognition, sir?

SENATOR WATSON:

I'd like to ask for a verification.

PRESIDING OFFICER: (SENATOR HENDON)

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

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Does Leader Watson question the presence of any Member voting in the affirmative?

SENATOR WATSON:

Yes. Thank you. Senator Halvorson. Oh! I'm sorry.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Debbie Halvorson. That's her in the effervescent red color.

SENATOR WATSON:

I couldn't see her. Senator Jacobs.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs is right here at the door.

SENATOR WATSON:

Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

On a verified roll call, there are 30 voting Aye, 24 voting Nay, and 3 voting Present. House Bill 4050, having received the required constitutional majority, is declared passed. President Emil Jones, Jr. President Jones.

SENATOR E. JONES:

Thank you -- thank -- thank you, Mr. President. It is fitting that we conclude on such a very important bill and even though it was verified, this is a bill that impacts the residents of Cook County. We've had a great Session. We -- it's the first time in nine years that we concluded Session prior to midnight and I want to thank the staff on this side, as well as the staff on the other side, for working together. I -- as I -- as I pledged early in January, there were certain issues that we had grave concerns with. I made a promise that we going to do something about education. We didn't get all that we wanted, but we did improve. We put more money into education, as well as, help more people across this State have health care coverage. I -- I made a pledge that -- and my counterpart didn't believe me. I said we must do something about the medical malpractice issue in the State of Illinois. Legislation was finally passed. It's good -- some people supported certain aspects, some didn't like it, but it had to be a compromise in order for us to deal with that problem. There was a conference just this past week. We -- we -- we took care of very critical issues. The House finally passed our number one bill, which is Senate Bill 1, the "Ticket For The Cure" to deal with in-State research as relate to breast cancer, as relate to treatment, as -- relate to awareness programs so that more women, who are afflicted with this disease, can get treatment. And if they're treated early on, they can be breast cancer survivors. So it was a great, great Session. I want to thank my Chief of Staff. This is her first year as Chief of Staff. Jill Rock. Jill is a outstanding young lady. It's her first year as Chief of Staff, but we worked together for many, many years and I'm -- I'm glad the Members here and on the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

other side of the aisle learned more about her. But she's a very, very dedicated, hardworking person and she did such a tremendous job. But I'm really pleased with this particular Session. I know many of you did not want to go into the month of June, the month of July. But we attempted to work cooperatively together so that we could get out of here on time. And I believe the families of all of us put the pressure on us and I -- I heard Members -- many Members from both sides of the aisle was said to me, "Get us out of here. Get us out of here." And so, we're getting out of here at an early time. It -- it's been a great Session and I look forward to each of you driving safely. And have a wonderful summer. We may come back for special session to deal with another critical issue. We still must deal with the issue of school construction. We got to find a revenue stream to get that job done. So, again, thank all of you and have a wonderful summer.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, President Jones. Madam Secretary, Messages from the President. Mr. Secretary, Messages.

ACTING SECRETARY KAISER:

Message -- Message from the President, dated May 31, 2005.

Dear Madam Secretary - Pursuant to the provisions of Senate Rule 2-10, I hereby establish December 31, 2005, as the 3rd Reading deadline for the following Senate Bills: 2, 4, 5, 8, 9, 11, 19, 51, 257, 278, 321, 332, 388, 389, 390, 391, 392, 393, 399, 403, 404, 405, 415 -- excuse me, 414, 436, 457, 467, 750, 851, 1266, 1302, 1324, 1447, 1448, 1484, 1619, 1621, -- 1628, 1671, 1703, 1791, 1793, 1817, 1822, 1823, 1834, 1839 and 1974.

Signed by President Jones.

PRESIDING OFFICER: (SENATOR HENDON)

Resolutions Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

ACTING SECRETARY KAISER:

Mr. President, there have been no objections filed.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? If not, the question is, shall the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

54th Legislative Day

5/31/2005

resolutions on the -- Consent Calendar be adopted. All those in favor will say Aye. Opposed, say Nay. The Ayes have it. The motion carries and the resolutions are adopted. There being -- no further business to come before the Senate, pursuant to Senate Joint Resolution 50, the Senate stands adjourned until Wednesday, October 19th, 2005, in perfunctory Session and then again until Tuesday, October 25th, 2005, at 12 noon. The Senate stands adjourned.