

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

32nd Legislative Day

April 26, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Pastor Dennis Edwards, Cerro Gordo Assembly of God Church, Cerro Gordo, Illinois. Pastor Edwards.

PASTOR DENNIS EDWARDS:

(Prayer by Pastor Dennis Edwards)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Senator Noland, for what purpose do you rise?

SENATOR NOLAND:

...we were pleased to have Pastor Dennis Edwards give the invocation. His wife, Linda, is also pastor of the church, but more than that, today is their twenty-first wedding anniversary, celebrating it here in the State Senate. Let's welcome them.

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate? Congratulations. Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Tuesday, April 24th, and Wednesday, April 25th, 2001.

PRESIDENT PHILIP:

Senator Jones.

SENATOR W. JONES:

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

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PRESIDENT PHILIP:

Senator Jones moves to approve the Journals just read. There being no objections, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Tom Walsh, Chair of the Committee on State Government Operations, reports House Bills 41, 708, 1302, 1697, 3006 and 3033 Do Pass; and Senate Amendment 2 to Senate Bill 1173 Be Adopted.

Senator Klemm, Chair of the Committee on Executive, reports House Bills 289, 770, 1039, 2412 and 2563 Do Pass; and House Bills 901, 1069 and 3247 Do Pass, as Amended; Senate Amendment No. 1 to Senate Bill 1032 Be Adopted.

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports House Bills 169, 1000, 1001 Do Pass.

And Senator Burzynski, Chair of the Committee on Licensed Activities, reports House Bills 155, 205, 234, 921 and 2540 Do Pass; and House Bill 681 Do Pass, as Amended.

PRESIDENT PHILIP:

Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Mr. President. I would like the record to reflect that Senator Myers is not here today due to illness.

PRESIDENT PHILIP:

The record will so indicate. Messages from the House.

SECRETARY HARRY:

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

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

Senate Bill 99, together with House Amendment No. 1.

We have a like Message on Senate Bill 447, with House Amendment No. 1.

Both passed the House, as amended, April 25th, 2001.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam, what purpose do you rise?

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR ROSKAM:

Mr. President, I'm joined in the gallery by Horizon -- students from Horizon College in the Netherlands. They're here on a student exchange program with the College of DuPage, in my district, along with Rob Frank. And I hope that the Senate can welcome them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Well, thank you very much, Mr. President. I, too, want to, on a point of personal privilege, recognize Ms. Ishmael, who is behind me here, who is also a Page for the day -- a Page for a Day. Also, I'd like for the record to reflect that Senator Viverito is not here due to personal business. And also, this is -- listen to this one - this is a good one - Senator Molaro informs me -- Senator Molaro informs me he's back in Chicago at the request of the Senate softball team. Has a doctor's appointment this morning to talk about his Achilles tendon so that somehow or other he can be repaired in order for -- to -- to play ball. Now, that's what he said. Okay? So Senator Molaro's not here also today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Demuzio. Resolutions.

SECRETARY HARRY:

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Senate Resolution 119, offered by Senator Silverstein.

And Senate Resolutions 120, 121 and 122, by Senator Demuzio and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. Senator Clayborne, what purpose do you rise?

SENATOR CLAYBORNE:

Rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, please.

SENATOR CLAYBORNE:

To my left is Jason {sic} Horton, who's with me today as -- I guess I'm his mentor today. And Jalen is the son of Jessica Bennett, who's the legislative liaison with IEPA. I'd like the Senate to recognize him.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR SHADID:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR SHADID:

We have some very fine folks here from Peoria, Illinois, and they are sitting on the Republican side of the gallery. I tried to get 'em on the Democrat side, but there was more Republicans in that group than Democrats.

PRESIDING OFFICER: (SENATOR DUDYCZ)

That's a wise group, Senator Shadid.

SENATOR SHADID:

And so, they're here as guests of Carl Hawkinson and myself.

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So they're led by Millie Arends.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized?
And welcome to Springfield. Senator -- oh. Senator Shadid.

SENATOR SHADID:

Mr. President, also in that group is Mr. Tom Trager, who's dad was Senator Clyde Trager. And you remember that. Demuzio does. It was in the fifties. So, Senator Trager's son, Tom.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you. Is that the year that you retired from the police department, Senator Shadid? Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR BURZYNSKI:

Thank you, Mr. President. Since we are introducing people at this point, I have a grade school -- one of my grade schools in my district that's here today. I have students from the Steward Grade School in Steward, Illinois, in beautiful Lee County. They're here with one of their teachers, Deanna Meyers. I'd appreciate it if the Senate would recognize them. They're in the gallery behind me.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized?
Welcome to Springfield. ...Members turn their attention to the top of page 5, in the Order of Senate Bills 3rd Reading. We will be going to Senate Bill 1032. Senator Philip, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Philip seeks leave of the Body to return Senate Bill 1032 to the Order of 2nd Reading for the purpose of an amendment.

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Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1032. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1032, the amendment becomes the bill. This compromise has been worked out with the Department of Corrections, Department of Law Enforcement, AFSCME and the Governor's Office. And what it basically says is, if you're caught with drugs just one time, you are out. Just like the State Police, just like the City of Chicago Police Department and a lot of other agencies. I think it's a regular -- very good compromise between union and management. It says that your -- your sample has to be tested twice. So, just in case somebody goofed up on the -- the first test, you get a second one. But if you test positive, you are -- are out. I'd be happy to answer any questions and move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

WTTW has requested permission to record the proceedings. Hearing no objection, leave is granted. Is there any discussion? If not, all those in favor, say Aye. Senator Shadid.

SENATOR SHADID:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Shadid.

SENATOR SHADID:

Senator Philip, does that also include that if a person has a drug problem, they come forward voluntarily for help, will -- what

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will happen to them?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Senator Shadid. The same program is -- is adopted in this bill, which -- which if you have a drug problem, if you go to the Department ahead of time, they will try to get you rehab and try to straighten you out, yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. We'll now proceed to Executive Session for the purpose of advise and consent. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of March 27, 2001. Mr...

PRESIDING OFFICER: (SENATOR DUDYCZ)

You heard the motion. All in favor, say Aye. Opposed, Nay. The motion carries, and we are in Executive Session. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of March 27th, 2001, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. Before I actually go to read the list of salaried appointments, of which I'm going to ask the Senate to advise and consent based upon the recommendation of the Committee on Executive Appointments, I just want to point out, to the benefit of the Membership, that there were a number of individuals who were held as a result and for various reasons. A hold is on Gerald Berendt of Woodstock for appointment to the Educational Labor Relations Board, a hold on Human Rights Commission appointee -- or, nominee Arabel Rosales, a member -- to the Industrial Commission, Mr. Doug Stevenson. But absent those, Mr. -- Mr. President, I will now read the -- the list of those who have been recommended by the Committee on Executive Appointments. Mr. President, may I proceed?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Yes, you may.

SENATOR PETKA:

To be a member of the Civil Service Commission for a term ending March 1st, 2005, John Dorgan of Rosemont.

To be a member and Chairman of the Civil Service Commission for a term ending March 1st, 2007, George Richards of Danville.

To be a judge of the Court of Claims for a term ending January 15, 2007, Norma Finley-Jann.

To -- to be a Chief Factory Inspector in the Department of Labor for a term ending January 20th, 2003, Charles Duncan of Decatur.

To be a member of the Human Rights Commission for a term ending January 17, 2005, Marylee Freeman of Chicago, Sakhawat Hussain of -- of Frankfort, and Yvette Kanter of Highland Park.

To be a member of the Illinois State Toll Highway Authority for a term ending May 1st, 2003, Ken Cabay of Deer Park.

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To be a member of the Industrial Commission for terms ending January 17, 2005, Barbara Sherman of Chicago.

To be a member of the -- to be member and Chairman of the Prisoner Review Board for a term ending January 15, 2007, Anne Taylor of Champaign.

To be a member of the Prisoner Review Board for a term ending January 15, 2007, Craig Findley of Jacksonville.

To be a member of the State Board of Elections for a term ending June 30th, 2003, John R. Keith of Springfield.

Mr. President, having read the salaried appointments from the Governor's Message of March 27, 2001, I now seek leave to consider the appointments of March 27, 2001, on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? The question is, does the Senate advise and consent to the nominations just made? All 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 52 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Message of March 27, 2001, I will read the non-salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent.

To be members of the Agriculture {sic} Export Advisory Committee for terms ending January 20th, 2003, Carlos Bendfeldt of Chicago, Richard Lighthart of Lemont, David Lucas of Champaign, Kathryn Miller of Chicago, Chris Van Rossem of Chicago {sic} (Springfield).

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To be a member of the Chicago State University Board of Trustees for a term ending January 15, 2007, Jacoby Dickens of Olympia Field.

To be members of the Eastern Illinois University Board of Trustees for terms ending January 15, 2007, Betsy Mitchell of Savoy, Julie M. Ward of Springfield.

To be a member of the Historic Preservation Agency Board of Trustees for a term ending January 20, 2003, Samuel Lilly of Downers Grove.

To be a member of the Illinois State University Board of Trustees for a term ending January 15, 2007, Carl Kasten of Carlinville.

To be a member of the Northeastern Illinois University Board of Trustees for a term ending January 15, 2007, Edward Dykla of Barrington.

To be a member of the Northern Illinois University Board of Trustees for a term ending January 15, 2007, Manuel Sanchez of Lisle.

To be a member of the University of Illinois Board of Trustees for a term ending January 8, 2007, Lawrence Eppley of Palatine.

To be members of the Western Illinois University Board of Trustees for terms ending January 15, 2007, Carolyn Ehlert of Milan, Michael Houston of Springfield.

To be a member of the Capital Development Board for a term ending January 17, 2005, Dennis Gannon of Orland Park.

To be members of the Children and Family -- Services Advisory Council for a term ending January 17, 2005, Susan Cook of Carterville, Harold Ziebell of Petersburg.

To be a member of the East St. Louis Financial Advisory Authority for a term ending August 30th, 2002, Anthony Grant of Oak Park.

To be a member of the Illinois Building Commission for a term

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ending June 19, 2001, Steven Wydeveld of Manhattan.

To be a member of the Illinois Racing Board for a term ending July 1st, 2002, William Jack Chamblin of Robinson.

To be a member of the State Board of Investment for a term ending January 17, 2005, Joseph Cacciatore of Winnetka.

To be members of the Metropolitan Pier and Exposition Board for terms ending June 1st, 2005: James Bolin of Western Springs, James Montana of Chicago.

To be Public Administrator of LaSalle County for a term ending December 3rd, 2001, Michael James of Ottawa.

To be Public Administrator and Public Guardian at Edgar County for a term ending December 2nd, 2002, Pamela Julian of Metcalf.

To be a member of the State Board of Education for a term ending January 15, 2007, Beverly Turkal of Robinson.

Mr. President, having read the non-salaried appointments from the Governor's Message of March 27, 2001, I now seek leave to consider the appointments of March 27, 2001, on a roll call. Mr. President, will you put that question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? The question is, does the Senate advise and consent to the nominations just made? All 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 53 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

You have heard the motion. All those in favor, say Aye.

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Opposed, Nay. And the motion carries. Senator Petka.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR PETKA:

Thank you, Mr. President. With us today, in the President's Gallery, is our students from Thompson Junior High School, in my district, of Oswego, accompanied by their United States History teacher, Tom Fletcher.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. ...your attention to the top of page 5, in the Order of Senate Bills 3rd Reading. We'll go to Senate Bill 1032. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1032.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1032, as amended, is zero tolerance. It's agreed to by the Governor's Office, the Department of Corrections and the labor unions. Requires a positive drug test to be verified twice before the employee can be fired. It's a reasonable bill. Quite frankly, it's good public policy. It's one strike, you're out, for the safety of the employees, for the safety of prisoners in the operation of our system and our prisons. I ask for your support.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Demuzio.

SENATOR DEMUZIO:

Senator, this -- yesterday I asked a question and I don't remember if I got the answer. This only codifies that language which is already been agreed to in the collective bargaining contract between the union and the Department of Corrections' employees. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Basically, that's correct, other than what I've just mentioned - the double test.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

And according to this amendment, also we are now adding the State Police, that was not in this drug testing previous. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

That is correct. The State Police have been added. Also, I would say this, there's another thing that's been added to it, and that is special training for those people who -- who -- who do the urine test.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

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SENATOR DEMUZIO:

Well, thank you. And, Mr. President, I rise in strong support of this legislation. I appreciate the fact that we've had some quarrel over the last several weeks, but apparently those matters have been reconciled between the parties that had some disagreement. The fact is, is that collective bargaining works, and I would urge all Members to vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, Senator Philip, to close.

SENATOR PHILIP:

Thank you, Mr. President. This is a vote for safer prisons.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1032 pass. All 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 53 Ayes, no Nays, none voting Present. And Senate Bill 1032, having received the required constitutional majority, is hereby declared passed. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Senator Lightford is not here -- on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR DEMUZIO:

Senator Lightford is not here, but there's a group from her district visiting today, the Junior Girl Scout Troop 97, from Holmes School, is in the gallery. I think they're arriving as we speak. I would ask the Senate -- if they'd rise and please be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Will our guests in the gallery please rise and be recognized? Welcome to Springfield. ...attention to the middle of page 9, in the Order of Senate Bills 3rd Reading. We will be going to Senate Bill 1354. Senator Rauschenberger. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1354.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1354 is the operations and grants budget for the Deaf and Hard of Hearing Commission, exactly as the Governor introduced it. In our effort to move the process along and to give the House an opportunity to review these bills, we'd like the Body's support to send this over. I think it makes a statement that we support the Governor's introduced level, we support the Governor's introduced budget. We're certainly willing, I think, to discuss reallocations and concerns that the Governor and the House have after they receive this bill. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Just like to say to the Members on my side of the aisle that this is a good bill, and I, too, would like to see it continue through the process. And ask everyone to vote Aye for it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1354 pass. All those in favor will vote Aye. Opposed will

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vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Retake the vote, Ladies and Gentlemen. The question is, shall Senate Bill 1354 -- wake up! All 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 52 Ayes, no Nays, none voting Present. And Senate Bill 1354, having received the required constitutional majority, is hereby declared passed. 1358. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 1358.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1358 is the budget of the Civil Service Commission at a maintenance level. The increase allows for the annualization of the agreed-to AFSCME contract. I've been reliably informed over the years that this is a critical commission. Again, this is at the Governor's introduced level, an opportunity for the House to maybe begin their work with some of our passed bills. We certainly support the Governor's budget. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. I agree that we need to keep this bill moving through the process and, again, recommend everyone on this side of the aisle to vote Aye.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1358 pass. All 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 52 Ayes, no Nays, none voting Present. And Senate Bill 1358, having received the required constitutional majority, is hereby declared passed. In the middle of page 10, in the Order of Senate Bills 3rd Reading, is Senate Bill 1370. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1370.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1370 is the budget of the Law Enforcement Training Standards Board. This is the Governor's introduced level. It fully funds what the Governor's requests are. It contains no General Revenue. It does include the additional five hundred thousand dollars requested to deal with the Chicago Police Department's need to train new officers because of the reimposition of the mandatory retirement age of sixty-three, and provides five hundred thousand dollars of new federal funding to increase law enforcement training grants as a result of the COPS program coming from Washington, D.C. Again, this is at the Governor's level. We'd appreciate the Chamber supporting the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

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Thank you very much, Mr. President. This is a good bill for Chicago, a good bill for the -- Illinois, and I also recommend that we vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch. Patrick Welch.

SENATOR WELCH:

I've got a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Rauschenberger, the bills you're passing are all introduced at the Governor's level. You're skipping several bills, and as we know, the Governor's budget needs to be trimmed back. We've had an estimate from the Economic and Fiscal Commission showing we've got less money than we think -- we thought we were going to have. They're a hundred and fifty million dollars off of what the Bureau of the Budget projects. By skipping these bills, are you indicating those are the agencies that you plan to cut to balance the budget?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Welch, I'm glad you asked those questions. I think any reductions that are decided on should be done on a consensus basis. For the last several years, the Senate has taken the lead in trying to, perhaps, help the House understand the budget process. We have not met with a great deal of success. This year we thought it was important to take those agencies where Senator Trotter and I felt there was good consensus and move them as quickly as possible over to the House and engage the House Members in the fact that we all need to work together on the budget. We see Tom Ryder is here learning about our debate and -- and -- and

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trying to figure this stuff out. But, no, there's no -- I don't think you can take any indication of the bills that we've passed so far are the ones we intend to target. We wanted to make sure that we move some of these bills quickly.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

In the past, the House has usually sent over just one or two bills with the entire budget on. Now you're sending over a bunch of singular bills. Is there any agreement or proposal that they will handle them bill by bill, as we used to do?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I'm glad you asked that question, too, because for two General Assemblies in a row, by unanimous consent of the House Body, they have sent us a bill that would require the Senate to send them the State budget in individual bills. For four years we've protected them from that part of the process because some of their Leaders felt it was difficult for them to handle a lot of bills. This year I guess we're experimenting with the process. There is no agreement that I'm aware of by the four legislative Leaders for the form that the final budget may take, but these -- I think we're endorsing these small agency budgets so they clearly understand that if we move them out of the way, we're all better off by having that paperwork out of the stream.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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The question is, shall Senate Bill 1370 pass. All 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 53 Ayes, no Nays, none voting Present. And Senate Bill 1370, having received the required constitutional majority, is hereby declared passed. The middle of page 10, in the Order of Senate Bills 3rd Reading, is Senate Bill 1379. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1379.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1379 is the budget of the Office of Banks and Real Estate. It contains no General Revenue. It does contain the annualization and the expansion of the Mortgage Awareness Program which was to help educate people to prevent predatory lending practices. It also provides one million one hundred and forty-seven thousand dollars for the new E-government strategic plan to allow banks and -- and institutions to report to our Office of Banks and Real Estate electronically. It's at the Governor's introduced level. It's all other funds, mostly funded through agency -- through industry contributions. I'd appreciate its favorable support and be happy to answer questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. During the appropriation process, we, too, saw no hidden dollars here. This is a pretty

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open-and-closed case, and also would like to see this side vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1379 pass. All 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 53 Ayes, no Nays, none voting Present. And Senate Bill 1379, having received the required constitutional majority, is hereby declared passed. Senate Bill 1380. Senator Rauschenberger. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 1380.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill -- Senate Bill 1380 is the budget of the Department of Financial Institutions. It fully funds this Department at the Governor's recommended level. It also includes Department of Financial Institutions' portion of the Mortgage Awareness Program that's designed to protect and educate people about predatory lending practices. It contains no General Revenue. I'd appreciate its favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. I think this is a good bill. Let's continue it going through the process and have everyone on this side vote Aye as well.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1380 pass. All 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 53 Ayes, no Nays, none voting Present. And Senate Bill 1380, having received the required constitutional majority, is hereby declared passed. Senator Rauschenberger, what purpose do you rise?

SENATOR RAUSCHENBERGER:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR RAUSCHENBERGER:

I don't -- I don't know if people know but it's been more than five years since I introduced anybody on the Floor of the Senate, and I don't recall ever rising for a point of personal privilege, other than that. But there's a couple things I'd like to share with the Chamber today. First of all, I would like to thank -- I would like to thank both the Republican and Democratic Members of the Appropriations Committee. We have put an awful lot of time so far already this year into reviewing a very comprehensive and large budget. The amount of time that those Members spend in the Capitol Building long after others have the opportunity to leave, I think really deserves a lot of credit. They're patient. They -- they work hard, and they're very thoughtful. So I would like to thank my colleagues for all the time we spend in Appropriation. On another direction though, I'd like to point out, we've now passed nine appropriations levels for the FY 2002 budget, and we've passed 'em at the Governor's spending level. Going into May - 'cause it'll be May by the time we come back here - it may be time for a short reality check and kind of a -- maybe a

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summarization of where we are today. If you think back, for a quick history, February 21st was the date that the Governor introduced our first fifty-billion-dollar State budget. He acknowledged in his Budget Address that there were problems and concerns about the structure of that budget, and as Senator Trotter and I and staff and Members have gotten into the budget, we recognize that there's going to be problems and challenges that we have to deal with in the next three, three and a half weeks. Even since then, we all have recognized that we have some revenue questions. Our Economic and Fiscal Commission is -- is warning us that we may need to adjust sales tax revenues. They started out the fiscal year more than a hundred million dollars less than the Bureau of the Budget's projections. We also are beginning to recognize that some of our programmatic costs may be larger than estimated in the introduced budget. There is speculation that the Circuit Breaker program may be substantially larger than the proposed one-hundred-and-six-million-dollar appropriation that we've set apart -- set aside. We have unalterable, in many ways, unalterable commitments to supporting our schools. We have commitments to the Medicaid program and to senior citizen drug programs that we've all supported in this Chamber and in the other Chamber across the Rotunda. We have commitments that are very difficult to modify or break to -- to Illinois citizens in need in our mental health institutions, in our mental health systems and people challenged with disabilities. And this Chamber has made a few commitments to -- has made a few commitments to long-term care services and targeted tax cuts, which are outside of the budget, that we thought were critically important. So maybe it's a good time to take a look at a reality check as we consider the bills and the issues that the House has confronted us with. I've -- I, working with Members of the Appropriation Committee, and, in particular, credit should devolve to our Majority Leader over

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here, have asked staff to develop a visual measure of some of the concerns and -- and -- a chart so that we can kind of track what the House has asked us to do. It's never easy in committee to vote down bills or to hold bills or to ask people to not support things that really sound good, but based on what we're facing, I wanted people to have some sense of the size of the challenge we're facing. Before us in our committees -- our substantive committees today, we have nearly two billion dollars in additional House spending above the Governor's fifty-billion-dollar proposed budget. These are the numbers you can see on the chart, and we thought maybe it would help remind us that we are going to have to again help the House make tough decisions. That's not intended to be comprehensive. Those are the estimates from the Governor's Office. They've been adjusted or eliminated if we didn't think that the numbers were exactly right. We've only taken into consideration things that would clearly have an economic impact. This is not an effort to point the finger at the House, but -- but it is an effort, I think, to make us aware that as we don't address bills and don't make promises, that pressures from the House contribute to the problems we have to deal with. This chart's being presented at the request of the Republican Members. We know it will be of interest to our Democratic colleagues as well, and we would welcome their support in helping share with the House that if we're going to make a good budget this year and face some tough decisions, that we need to do it collegially, with both Chambers participating. This chart hopefully will serve as a daily reminder as we move through, and kind of a reality check on our process. I've asked staff to supply each Senator in the Chamber three copies of the chart and the list of bills in case people have questions. I'm hopeful that Senators here will perhaps address one to each of their two House Members and send them over to the House Chamber so they can take a look at some of

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their work. We'll need their cooperation, as we meet with groups asking for money and people who really care about projects and programs, in understanding that we -- we're going to have to limit what we're able to do this year. I believe, in our process, together with Senator Trotter, we must maintain a balanced budget and meet our constitutional responsibilities. We need to live within our existing resources. But most important, we have to honor the commitments we've already made first before we expand those commitments to even well-thought-out, good ideas, and we need to reject any attempts or any discussions this Session about increasing the -- the tax burden of the State of Illinois as we're at the very peak of our economic cycle. I really appreciate you indulging me. I won't do this often. I wanted to share that with you and hope you'll consider sharing the information we're giving you with your House Members. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson, what purpose do you rise?

SENATOR SYVERSON:

Thank you. I would just like to follow up. Senator Rauschenberger said it very well, but I guess I want to be a little more specific on a few of the areas that we've been faced with as frustration. I think what the House has done, both the Republicans and the Democrats, have -- have ultimately hurt the favor, the very groups that they say that they are trying to help. Misleading the most vulnerable of our populations in this State is never right, regardless of what the political motive is. And it's been unfortunate this year as we have seen the Members of the House stand in front of senior groups and tell them that "You are our number one priority," "You are what counts most, and we're going to put our spending with you," and promise expanded health care, expanded drug programs, transportation, Meals on Wheels, and then the next day, stand in front of groups that represent early

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intervention and say, "You are our number one priority," "You're the most important thing to us," "We're going to spend number one on your issues," and then the next day, stand in front of day care groups and say, you know, "Early childhood and day care is our number one priority, and we're going to make sure that we get the funding that you need." And then the next day, the House stands in front of groups of families and say, "Family health care is our number one issue," and then they spend hundreds of millions of dollars introducing legislation saying "Family care is our number one priority." And then the next day, the House stands up and says, "No, it's prevention programs; that's our number one priority and we should make sure our spending is done on prevention programs." In the end, we have almost two billion dollars of what the House calls their number one and top priority spending projects, and we think that's wrong. We have tried very hard over the last few years to live within a budget yet address the needs of seniors and children and families in this State, and it gets very difficult and tiring for us to be the -- the ones, on this side, to continue to receive those bills. Promising everything to everyone, in the end, doesn't solve the problem. I believe that in the end, this Chamber will do the right thing and that we will take care of the needs of our State, but we will do it within the budget constraints. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Matt Sowder, from IIS, requests permission to videotape the proceeding. Hearing no objection, leave is granted. Senator Patrick Welch, for what purpose do you rise?

SENATOR WELCH:

Well, apparently we're on the order of business of giving speeches and I would like to give mine.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State -- your personal point. State your point, sir.

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SENATOR WELCH:

My point is this: We just had -- we've just had a little lecture from the other side. I think it's unprecedented, in my tenure, to have two speeches given on the Floor, and -- and even Senator Demuzio said he's never seen a chart brought in here. It kind of looks like a blood drive for the Red Cross, the way it's -- it's up there with the thermometer. But let me just say that -- you know, it's not fashionable to defend the House, but these programs that the House added are very good programs. The Governor submitted his budget. We're entitled to our opinion of -- of what should be the priorities of the State of Illinois, and that's what the House is doing. We don't get much of a say over here. You don't see any amendments in the Appropriations Committee adding any of these things because there's an iron fist keeping us from adding amendments. These are amendments that we Democrats here probably would support every one of them. I'll admit that. They're good amendments. You know, I think that we're entitled to our opinion as to the budget, and to say that day after day we go to different groups and tell them "You're our number one priority," that's baloney. I've never seen any Member do that. I don't know who you're talking about, Senator Syverson, but it certainly isn't any of my colleagues or myself. And I kind of resent that implication that we are -- we are promising everything to any -- everybody. What we're promising are -- people who need money, we're promising them relief; people who need jobs, we're trying to create jobs for them; people who can't afford health care, can't afford drugs, we're trying to help them. When we had all these people in the audience, yes, we're here to help them and we don't deny that; we take pride in that. You know, you could have stood up and said "All of the tax breaks that you gave to big business over the last several years," but we didn't have a chart for that. You won't let that chart in here.

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Every tax break that went through the Revenue Committee for big business sailed through there. Not once did the Republicans oppose that. That's why we don't have enough money for these good programs. You know, that's why I got off the Revenue Committee. Every, single break that business wanted, you gave to them. We have so many tax breaks for business that we have hindered the budget, and it's just becoming apparent now. After these two good years of the economy, we get one bad year and now because of all these tax breaks, we're in dire straits. So, yes, we should look at the budget. Thank you for bringing that up, but let's have some projects that help people, not just big corporations. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger, what -- Senator Rauschenberger...

SENATOR RAUSCHENBERGER:

With the...

PRESIDING OFFICER: (SENATOR DUDYCZ)

...what purpose do you rise?

SENATOR RAUSCHENBERGER:

With the indulgence of the Body, I just -- I wanted -- a point of personal privilege. I wanted to maybe...

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR RAUSCHENBERGER:

...expand a little on Senator Welch's remarks. First of all, my esteemed colleague, who is a Co-chair of the Economic and Fiscal Committee {sic} (Commission), probably would tell you, if he rises again, that we have had three years of record State revenue, despite this seeming hole in the bathtub that is leaking out tax breaks to big fat-cat businesspeople he refers to. And I would argue, as an appropriation worker on the committee, that the problem we're facing is not a revenue question; it's a matter of

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prioritization in this Chamber. We have to be responsible with three good years of revenue. What's happened in this Body and in this Capitol Building over the last two and a half years is an inability to prioritize things and to organize things. We have said yes to virtually everyone. I don't think it's fair to characterize and argue that with the revenues that we have driven into State Government and the -- the growth of the State budget, that this has anything to do with tax credits. And I have sat on Revenue Committee with -- with Chairman Peterson for two years and have been auditing it this year, and in my observation, the majority of the credits we do act on pass through to consumers. Senator Hawkinson's tax credit, which is argued by the Governor as very expensive, we believe is about 3.8 million dollars, and it accrues to the people who buy high-efficiency appliances. It serves them twice. First of all, it incentivizes the purchase of a new appliance that's energy-efficient and then it serves them again because they -- they -- they spend less money on energy. The kind of tax breaks we've worked on, providing tax breaks for people to purchase long-term care insurance - if we had twenty percent of the people in the State of Illinois purchasing, responsibly, long-term health care insurance, we would have a much different Medicaid program because people would have insurance proceeds and their own plan to deal with their retirement when they were no longer able to take care of themselves. So, I -- I know your frustration in many ways. It has been a frustrating two and half years for myself also - maybe from a different point of view - but I wouldn't leave anybody with the impression that (a) we haven't been there for people. We have -- we have an unprecedented, largest-in-the-nation day care program. We have the second-largest scholarship program for higher education in the United States, the largest on a per capita basis of any state. Only New York, which is more than two and a half times our size,

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has a slightly larger program. We -- our Circuit Breaker program is being looked by states across the nation as a commitment to the senior citizens of the State of Illinois. So, in arguing that we look and discipline ourselves and begin to -- to be responsible, I don't think we can argue -- we shouldn't fairly argue that this is about big business or tax breaks. This is about rationalizing and being good stewards of the -- of the government and of the State that we're going to pass on to our kids.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch, what purpose do you rise?

SENATOR WELCH:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR WELCH:

Well, I want to thank Senator Rauschenberger for his -- for his economics lesson, but, to me, if you give a tax break, that means less revenue. You're saying it's not a revenue problem, but if you give revenue away and you don't have enough money to spend, that is a problem. So to say the tax breaks have nothing to do with this, is -- is a false statement. You know, you talk about, we don't give -- we give -- we gave a tax break through Carl Hawkinson's bill because it creates high energy-efficiency washing machines that encourage people to purchase. I'm a cosponsor of that bill. But you know what you did to that bill before you passed it? You put on a sunset clause of four years. None of the big business tax breaks that you passed have a sunset clause; they go on in perpetuity. But Carl's bill, which finally helps the little people, has to have a four-year sunset. You know, yeah, you're generous, to a fault. To me, it doesn't make sense. The day care provision: Yeah, we've got great day care, after business demanded tax breaks to do it, when you gave tax breaks

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away to them. You know, to me it seems that we should have a chart up there as well, side by side, showing tax breaks over the last -- last ten years. The single factor sales tax, all these programs that were going to create jobs. Why isn't there any reporting on how many jobs are actually created? We have somebody come into Revenue -- Revenue Committee, said they're going to create two hundred and eighty-five thousand jobs because the -- of some tax break. Absolutely ridiculous, absolutely unprovable, but everybody's jumping on the bandwagon because we're going to create those jobs. We haven't seen any jobs, but they got the tax break. The -- the other thing that happens - when you say it's not big business: General Electric wants a tax break, they send in a little guy in a small business to argue for it and it ends up costing us eighty million dollars? Then another large company comes in and says, "Hey, we weren't included; we need another thirty million dollars," and that goes through? Don't tell me big business isn't making out here. They are making out like bandits and they have been for years, and now we're trying to pay the price by going after senior citizens, who show up in the audience and ask for some drug relief. Oh, that's terrible. We're promising everything to everybody then. To me, we should -- we should have a balance, as Senator Rauschenberger said, and let's make both sides chip in, not just the little guy.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR DEMUZIO:

Well, I -- you know, what we've just seen here is the way it used to be. We used to have the deliberative debate on the Floor.

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We used to have amendments. We used to have individuals deciding, you know, what the goals and plans and the priorities would -- used to be. And -- and it's stimulating to hear both sides do this, and I congratulate you for doing it. I think this is the wrong forum. I've never seen it happen here in twenty-eight years, that we have charts, that we've denounced the House, particularly with the Leaders present. That's unprecedented. It just seems to mean that, okay, the first semester's over, the House did what they did, we did what we did; let's try to reconcile the differences and -- and have a nice weekend.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Senator Watson, what purpose do you rise?

SENATOR WATSON:

Yes, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR WATSON:

Yes, I want to just make the Body aware that Dan Cronin is not here today because of a family emergency. His daughter fell off a swing and we're not sure what -- what had happened, but he went

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home and obviously needs to be with his family. And that's why he's absent today. Senator Dan Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will so reflect, Senator Watson. House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 328, offered by Senator Larry Walsh.

(Secretary reads title of bill)

House Bill 842, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 1599, offered by Senator Luechtefeld.

(Secretary reads title of bill)

House Bill 1695, offered by Senator Petka.

(Secretary reads title of bill)

House Bill 1709, offered by Senator Klemm.

(Secretary reads title of bill)

House Bill 3137, offered by Senator Larry Walsh.

(Secretary reads title of bill)

House Bill 3280, offered by Senator Halvorson.

(Secretary reads title of bill)

House Bill 3308, offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 3575, offered by Senator Rauschenberger.

(Secretary reads title of bill)

And House Bill 3581, offered by Senator Dudycz.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 27, offered by Senator Weaver.

(Secretary read SJR No. 27)

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 27. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Now Senator Weaver has moved for the adoption of Senate Joint Resolution 27. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Roskam moves the Senate stands adjourned until the hour of noon, Tuesday, May 1st, 2001.