

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

PRESIDENT PHILIP:

The regular Session of the 91st 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 Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer by Senator Geo-Karis)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

The Illinois Information Service requests permission to videotape today's proceedings. Is leave granted? Leave is granted. Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Thursday, April 13th, 2000.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

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

PRESIDENT PHILIP:

Senator Myers moves to approve the Journal just read. There being no objection, so ordered. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Friday, April 14th, in the year 2000, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Messages from the House.

SECRETARY HARRY:

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 adoption of their amendment to a bill of the following title, to wit:

House Bill 2980, with Senate Amendment No. 4.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of the following amendments:

1, 2 and 5.

Action taken by the House, April 14th, 2000.

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 385, with House Amendments 1 and 2.

We have a like Message on Senate Bill 1440, with House Amendments 1 and 2; Senate Bill 1503, with House Amendment 2; Senate Bill 1680, with House Amendment 4; and Senate Bill 1645, with House Amendments 1 and 2.

All passed the House, as amended, April 14th, 2000.

PRESIDENT PHILIP:

WCIA-Channel 3 has requested permission to film. Is leave granted? Leave is granted. Resolutions.

SECRETARY HARRY:

Senate Resolution 352, offered by Senator O'Malley.

It's a death resolution, Mr. President.

PRESIDENT PHILIP:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Consent Calendar.

PRESIDING OFFICER: (SENATOR DUDYCZ)

If you turn your attention to the top of page 15, in the Order of Secretary's Desk, Resolutions. We will be going to that order of business. Will Senators Cronin, Burzynski, Philip, Crotty -- I beg your pardon, Wendell Jones and Senator Watson be prepared? We will be going to Secretary's Desk, Resolutions, shortly. The top of page 15, in the Order of Secretary's Desk, Resolutions, Senate Resolution 261. Senator Cronin. Senate Resolution 273. Senator Cronin. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 273, offered by Senator Cronin.

The Public -- the Committee on Public Health and Welfare adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This resolution simply seeks to promote public awareness about issues relating to latex allergies. Urges the United States Congress to proclaim the week of October 1 through 7, 2000, as Latex Allergy Awareness Week. Everyone's agreed too. It's a wonderful issue. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Cronin moves the adoption of Senate Resolution 273. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 292. Senator Burzynski. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 292, offered by Senator Burzynski.

The Committee on Executive adopted Committee Amendment No. 1.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an accompanying resolution to a bill that we passed, a moratorium on human cloning, and it requires the University of Illinois to consult with other agencies and produce a study on the effects of human cloning. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator -- Senator Burzynski moves the adoption of Senate Resolution 292. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 337. Senator Philip. Madam Secretary, read the resolution, please.

ACTING SECRETARY HAWKER:

Senate Resolution 337, offered by Senator Philip. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 337 urges the Department of Natural Resources to change the current prohibition on commercial fishing of yellow perch in Lake Michigan. Allows the commercial fishers in pre-spawning months of March and April only.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator -- Senator Philip moves the adoption of Senate Resolution 337. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate -- House Joint Resolution 61. Senator Wendell Jones. Madam Secretary, read the resolution.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

ACTING SECRETARY HAWKER:

House Joint Resolution 61, offered by Senator Wendell Jones.
No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR W. JONES:

House Joint Resolution 61 provides that the State Board of Education is directed to refrain from implementing any new system for the certification of special education teachers and to consult with legislative leadership before implementation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

...you, Mr. -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Madigan.

SENATOR L. MADIGAN:

Senator Jones, I am in support of your resolution, but I do have a question. It's my understanding that Judge Gettleman, based on the Corey H. settlement agreement, part of the reason that's driving us and the State Board to look at the certification issue is because of that settlement agreement - what happens if we, as the Legislature, or the State Board, do not move ahead on this until we get recommendations back from every one who talks about this, until the end of the year? Can the court go ahead and change this without the Legislature and without the input from the special education community and the State Board?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR W. JONES:

Yes. Judge -- Judge Gettleman is reacting to the Corey H.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

case, which many of you are familiar with, which is a seven-year-old case in the City of Chicago. It applies only to the City of Chicago, but I am sending a letter to Judge Gettleman with this resolution, asking that he delay any decisions on certification until January 1st, 2001, as it relates to the Corey H. agreement.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR L. MADIGAN:

I think it's good what we're doing in trying to slow up the process because there have been some people who are very concerned about how we would do this cross-categorical certification, but I guess I just want to be clear. It seems to me as if Judge Gettleman, in terms of this settlement agreement, could go ahead and say that some sort of cross-categorical certification needs to be put into place, regardless of our timetable, and I guess we should just all be aware of that possibility. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR W. JONES:

Well, thank you. I -- I would appreciate a favorable roll call on this. We would like to slow down the State Board of Education on this and advise the federal Judge what we've done. Senator Madigan's comments are -- are well-taken, and we need to advise the federal Judge what we are doing. Hopefully he will not rule on any certification until the -- January 1st, 2001.

PRESIDING OFFICER: (SENATOR DUDYCZ)

A roll call has been requested. Senator Jones moves the adoption of House Joint Resolution 61. 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

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And the resolution is adopted. House Joint Resolution 63. Senator Watson. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

House Joint Resolution 63, offered by Senator Watson. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much. As you can see from the board, House Joint Resolution 63 is -- is involving a Task Force on School Safety. We had a reporting date of June 30th of this year. We're -- we're going to extend that with this resolution and that's all this does, is extends the deadline to December 31st of the year 2000.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Madigan.

SENATOR L. MADIGAN:

Senator Watson, haven't we already extended the deadline on this once?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes, we have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR L. MADIGAN:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Is -- has this task force met yet?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

No, it has not, and some of the members have just been appointed, and that's part of the problem. That is the problem, actually.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR L. MADIGAN:

All right. I would just like to indicate that, while we would be in favor of extending the deadline, this is obviously a very serious issue and something that I know that Senator Watson believes should be looked at as soon as possible so that we don't face any of the tragic situations that have happened across the country here in the State of Illinois. So, as soon as this task force can meet, we'd be happy to see that happen. Thanks.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR WATSON:

Well, I appreciate the comments of the Minority Spokesman on the Education Committee, Senator Lisa Madigan, and I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson moves the adoption of House Joint Resolution 63. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And the resolution is hereby adopted. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

following Legislative Measures have been assigned: Referred to the Committee on Appropriations - Senate Amendment 2 to House Bill 4435, Amendment 2 to House Bill 4437, Amendment 2 to House Bill 4438, Amendment 2 to House Bill 4439, Amendment 1 to House Bill 4582, and Amendment 1 to House Bill 4584; to the Committee on Commerce and Industry - the Motion to Recede from Senate Amendments 1, 2 and 5 to House Bill 2980; to the Committee on Executive - Senate Amendment 1 to House Bill 4374, Amendment 1 to House Bill 4587, the Motions to Concur with House Amendments 1 and 2 to Senate Bill 385 and House Amendment 4 to Senate Bill 1680; to the Committee on Revenue - the Motion to Concur with House Amendments 1 and 2 to Senate Bill 1440, House Amendments 1 and 2 to Senate Bill 1645; and referred to the Committee on Transportation - the Motion to Concur with House Amendment 2 to Senate Bill 1503.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm, what purpose do you rise?

SENATOR KLEMM:

For the purposes of an announcement, Mr. President. The Senate -- the Senate Executive Committee will be meeting at 12 o'clock in Room 212. 12 o'clock, Room 212, Senate Executive Committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker, what purpose do you rise?

SENATOR PARKER:

For purposes of an announcement. The Senate Transportation Committee will be meeting at 11:45 in Room 212. Room 212, for the Senate Transportation Committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno, what purpose do you rise?

SENATOR RADOGNO:

...of an announcement. The Senate Commerce and Industry

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Committee will be meeting at 11:30 in Room 212.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger, what purpose do you rise?

SENATOR RAUSCHENBERGER:

For purposes of an announcement. The Senate Appropriation Committee, the hardest working bunch of Senators we've got, are going to be meeting at 12:30 in Room 212 to take a look at some amendments to House bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver, what purpose do you rise?

SENATOR WEAVER:

Purpose of an announcement, Mr. President. Revenue Committee will meet at 12 noon, Room 400.

PRESIDING OFFICER: (SENATOR DUDYCZ)

We will be going into recess till the call of the Chair. So it'll be sometime after the committees meet, as previously announced. So, Ladies and Gentlemen, you can go to your offices, prepare yourselves for the day. Get ready for committees, because we will be going to committee, and we will -- we will come back and do substantive business after committees. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MAITLAND)

The Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports House Bill 2980 - the Motion to Recede from Senate Amendments 1, 2 and 5 Be Approved for Consideration.

Senator Parker, Chair of the Committee on Transportation,

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

reports Senate Bill 1503 - the Motion to Concur with House Amendment 2 Be Approved for Consideration.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bill 1440 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration, Senate Bill 1645 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration.

Senator Klemm, Chair of the Committee on Executive, reports Senate Amendment 1 to House Bill 4374 Be Adopted; Senate Amendment 1 to House Bill 4587 Be Adopted; and Senate Bill 1680 - the Motion to Concur with House Amendment 4 Be Adopted.

And Senator Rauschenberger, Chair of the Committee on Appropriations, reports Senate Amendment 2 to House Bill 4435, Amendment 2 to House Bill 4437, Amendment 2 to House Bill 4438, Amendment 2 to House Bill 4439, Amendment 1 to House Bill 4582, and Amendment 1 to House Bill 4584, all Be Adopted.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, momentarily, we will be going to Supplemental Calendar No. 1, which is currently being distributed. So would ask all Members to please come to the Floor and we'll be starting momentarily. 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 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 32.

We have a like Message on House Joint Resolution 70.

Both adopted by the House, April 15th, 2000.

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

the House of Representatives has refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 168.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

Action taken by the House, April 15th, 2000.

PRESIDING OFFICER: (SENATOR MAITLAND)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Leave is granted. Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1961, offered by Senator Watson.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Ladies and Gentlemen, Supplemental Calendar No. 1 has been circulated. Supplemental Calendar No. 1 is on your desk. Top of the page is Senate Bill 385. Senator Rauschenberger. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 385.

The motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger. Senator Rauschenberger moves that the Senate nonconcur in House Amendments No. 1 and 2 to Senate Bill 385. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1440. Senator Lauzen. Read the motion, Mr. Secretary.

SECRETARY HARRY:

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

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Amendments 1 and 2 to Senate Bill 1440.

The motion, by Senator Lauzen.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. These House amendments to Senate Bill 1440 represent the compromises reached on the Local Government Taxpayer Bill of Rights, and now I'm aware of no opposition.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? There discussion? If not - this is final action - the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1440. 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, Mr. Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House {sic} Bill 1440, having received the required three-fifths majority, is declared passed. Senate Bill 1503. Senator Radogno. Read the -- read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1503.

The motion, by Senator Radogno.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This amendment changes the diesel testing program that we adopted last year by exempting interstate trucks from yearly testing, but allowing random testing in the nonattainment areas of the State. I'd be happy to answer any questions.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Watson.

SENATOR WATSON:

Who does the random testing?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

The State Police.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Do they have the equipment to do that? Are we going to be purchasing more equipment to do that, or do you know how that will be done?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

I believe they will have to purchase equipment. The program has not started yet, but they are not in opposition to this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Would you repeat your last statement there?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

They are not opposed to this. They had previously had concerns about that responsibility, but they have removed their

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

opposition.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

I guess I need to know a little bit more about what -- what we're going to be doing? Are we going to be testing vehicles throughout the State now for auto emissions? Is that what this is all about?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

No. Last year, we had a discussion about the concept of this program, and that is that, as you know, in the nonattainment areas, vehicles are tested yearly for emissions. Trucks have never been tested, or diesel vehicles, yet it's recognized that they contribute significantly to pollution in the nonattainment areas. At -- when we left here last year, the program that had been agreed upon was that all trucks that were registered in nonattainment areas would undergo yearly testing. Since last year, some of the proponents of the measure have been giving this some thought and have determined that vehicles registered in the nonattainment areas but that travel primarily interstate - and a good example of that might be United Parcel that has many, many trucks that don't necessarily travel in the nonattainment area - it wouldn't make sense to be testing those trucks on a yearly basis because they're not in the nonattainment areas, but in exchange for removing the interstate vehicles, they would be willing to undergo random testing for cause. And what that means is that if they -- a particular truck were observed to be belching black smoke, that would allow the State Police to pull them over and test the emissions. But only in the nonattainment areas.

PRESIDING OFFICER: (SENATOR MAITLAND)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Further discussion? Randy Squires, a stringer for the Associated Press, requests permission for still photography in the Senate. Is leave granted? Leave is granted. Is there further discussion? There further discussion? Senator Radogno, would you like to close?

SENATOR RADOGNO:

Thank you. I'd just ask for your favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

This is final action, and the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1503. 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, Mr. Secretary. On that question, there are 44 Ayes, 13 Nays, no Members voting Present. Senate Bill 1503, having received the required constitutional majority, is declared passed. With leave of the Body, we'll go back to Senate Bill 1645. Senate Bill 1680. Senator Peterson. Senator Peterson? Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to -- with the -- I move to concur with the House in the adoption of their Amendment No. 4 to Senate Bill 1680.
The motion, by Senator Peterson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President and Members of the Senate. This is the omnibus quick-take bill of the year. It has approximately thirty-six various quick-takes for villages, water reclamation districts, Lake County. All the Members have approved the quick-takes for their respective villages in their district, and we have letters on file from those units of government requesting the quick-take power. Be more than happy to answer any questions

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

regarding this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of this bill, and I offer support and, like many of you, my support is based on and conditioned on representations that have been made to us by mayors, village presidents, village boards and city councils. With respect to the provisions in the bill that affect the district I represent, the mayors and the village presidents and village boards, city councils have all represented that these are all areas that are blighted, that the purpose of the -- of quick-take is for a public purpose, and that it has the universal or unanimous support of each one of the local governments. And so based on those representations, I offer -- I urge your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator Peterson, just to follow up on Senator Cronin's statement, of these thirty-six quick-take provisions, to the best of your knowledge, it is requested by each of the municipalities or local governments and each Senator representing those municipalities is aware of and approves of this provision, is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

That...(microphone cutoff)...Dudycz.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Is there further discussion? If not, the question is - this is final action - and the -- I'm sorry, Senator Lauzen. I did not see your -- okay. Thank you, sir. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I'm sorry. Just to correct the record. In having allowed a piece with the different kinds of assurances that Senator Cronin talked about, I would just like to correct the record for Senator Dudycz. I -- I do not -- I -- I am not going to -- I'm going to vote No on this bill. I have a -- a couple in, but, no, they do not have the Senator's approval. They do have assurances from the local mayors. But I -- I will be a No vote. I wasn't going to speak, but just to correct the record.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Further discussion? Senator Syverson.

SENATOR SYVERSON:

I just want to follow up with that. I -- this is the first I've seen that there are three quick-takes in Rockford. I didn't know this was in there, nor heard any discussion about it. I don't know if there's opposition to it or not. So I'll just vote Present on it and deal with that later.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Peterson, do you wish to close, based on the comments? Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senator Lauzen is correct. He will -- he does know that this is taking place in a community in his district. He is not supporting it as a Senator. And, Senator Syverson, your Representative, Representative Scott, put these on this amendment in the House. So he obviously talked to the city

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

and we do have information on file from the city that they're requesting this quick-take.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. This is final action, and the question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 1680. 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, Mr. Secretary. On that question, there are 35 Ayes, 21 Nays, no Members voting Present. Senate Bill 1680, having received the required constitutional majority, is declared passed. Earlier we had leave to return to Senate Bill 1645. Senator Molaro. Read the bill -- or, read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1645.
The motion, by Senator Molaro.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1645 passed out of here basically unanimously, and what it does is just that property tax owners, when they buy real estate, their tax bill and/or their reassessment notice is sent to the mortgage company and not to the homeowner and the taxpayer. We passed it out. The amendment just allows for -- instead of five...

PRESIDING OFFICER: (SENATOR MAITLAND)

Excuse me, Senator Molaro. Ladies and Gentlemen, please.
Senator Molaro.

SENATOR MOLARO:

Thank you. Instead of five business days, it now gives them

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

seven business days to send the assessment notice from the mortgage company over to the homeowner so the homeowner knows that they're being reassessed. A lot of times it just sits at the mortgage company; they miss deadlines. This gives them seven business days to send it over, and, of course, there's no liability if the mortgage lender is late with that. So I'd ask for your approval to concur with the amendments. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1645. 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, Mr. Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 1645, having received the required constitutional majority, is declared passed. All right. Bottom of the Supplemental Calendar, on page 2, is Secretary's Desk, Non-concurrence. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

I move to recede from Senate Amendments 1, 2 and 5 to House Bill 2980..

The motion, by Senator Cronin.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We -- I move here that we recede from Senate Amendments 1, 2 and 5. The only content of the bill that remains is language that defines and implements medical care savings accounts, make those -- makes those available for the appropriate persons. It's got -- I think it's bipartisan support. Ask for your favorable

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there discussion? Is there discussion? If not, Senator Cronin has moved that the Senate recede from Senate Amendments No. 1, 2 and 5 on House Bill 2980. Is there any discussion? If not, this is final action, and the question is, shall the Senate recede from Senate Amendments No. 1, 2 and 5 to House Bill 2980. 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, Mr. Secretary. ...that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2980, having received the required constitutional majority, is declared passed. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. To announce a Republican Caucus in Senator Philip's Office immediately, for approximately thirty minutes.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. There is a Republican Caucus in Senator Philip's Office immediately, approximately a half an hour. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

I rise, Mr. President, to request a caucus meeting for the Democratic Party in the Office of Senator Emil Jones.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Thank you, Senator Smith. And the Senate will stand in recess until the call of the Chair. Approximately 3:30/3:45.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

PRESIDING OFFICER: (SENATOR WATSON)

We'd like to ask all the Members to return to the Floor. All Members please return to the Floor. We'd still like for the Members to return to the Floor. There's still several missing. We will begin Senate business shortly. Please return to the Floor. Mr. -- Mr. Secretary, 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 1647, with House Amendments 2, 3, 6 and 15.

Passed the House, as amended, April 15th, 2000.

PRESIDING OFFICER: (SENATOR WATSON)

Going to go to House Bills 3rd Reading. Senator Maitland, do you wish this bill returned to 2nd Reading for the purpose of an amendment? I'm referring to House Bill 4374, Mr. Secretary. Senator Maitland seeks leave of the Body to return House Bill 4374 to the Order of 2nd Reading for the purpose of an amendment. Is there any objection? Hearing none, leave is granted. On the Order of 2nd Reading is House Bill 4374. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Yes. Thank you very much, Mr. President, Members of the Senate. Senate Floor Amendment No. 1 to House Bill 4374 does contain much of the budget implementation material. I would suggest that we just put the amendment on now, and if there's any debate, we would debate it on -- on 3rd Reading. I would move for

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are now going to page 8, and these are all budget-related bills. And we are at the top of page 8. We have House Bill 4435. Senator Rauschenberger seeks leave of the Body to return House Bill 4435 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 House Bill 4435. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment contains the education funding for the FY'01 budget of the State of Illinois. I'd appreciate its adoption, and we'll debate it on 3rd debate -- on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

3rd Reading. Going right down the Calendar, on the -- page 8, we have House Bill 4437, Mr. Secretary. Senator Rauschenberger seeks leave of the Body to return to the Order of 2nd Reading House Bill 4437 for the purpose of an amendment. If there's any objection, I hear none, and leave is granted. On the Order of 2nd Reading is House Bill 4437. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House -- Senate Amendment No. 2 to House Bill 4437 includes the general government appropriations for the Fiscal Year 2001 budget. I'd appreciate the amendment's adoption. Hopefully we can debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Moving right down, we have House Bill 4438. Senator Rauschenberger seeks leave of the Body to return to the Order of 2nd Reading House Bill 4438 for the purpose of an amendment. Is there any objection? If not, leave is granted. On the Order of 2nd Reading is House Bill 4438. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment No. 2 to House Bill 4438 contains the appropriations necessary for human services in the State of Illinois. I'd approve -- I'd appreciate its adoption, and we'll debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 4439. Senator Rauschenberger seeks leave of the Body to return House Bill 4439 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 House Bill 4439. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the second {sic}. Senate Floor Amendment No. 2 to House Bill 4439 contains the capital and the Court of Claims appropriation language necessary for the Fiscal '01 budget. I'd appreciate its adoption, and be happy to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We're moving on over to page 9. Third bill from the top. House Bill 4582. Senator Stan Weaver seeks leave of the Body to return House Bill 4582 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. We are now on the Order of 2nd Reading for House Bill 4582. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senators Weaver and Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill contains the Build Illinois bond authorization increase necessary to make the budget work this year. I'd appreciate the adoption of the amendment. We'll debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Inquiry of the chair. How many votes does this take? Oh, is this the amendment?

PRESIDING OFFICER: (SENATOR WATSON)

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

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are still on the -- page 9, middle of page 9. We have House Bill 4584. Senator Weaver seeks leave of the Body to return House Bill 4584 to the Order of 2nd Reading for the purpose of an amendment. Is there any objection? If not, leave is granted. On the Order of 2nd Reading is House Bill 4584. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senators Weaver and Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the second -- of the Senate. This is the -- Floor Amendment No. 1 amends the General Obligation (Bond) Act to increase the authorization to -- to the General Obligation Bonds of the State. I'd appreciate the amendment's adoption. I'll be happy to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 4587. Senator Maitland asks leave of the Body to return House Bill 4587 to the Order of 2nd Reading for the purpose of an amendment. Is there any objection? If not,

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

leave is granted. On the Order of 2nd Reading is House Bill 4587. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 1 to House Bill 4587 does represent, generally, the Budget Implementation Act for -- for education. I would -- would seek approval on 2nd Reading and would debate it on -- on 3rd Reading. Would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any 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 WATSON)

3rd Reading. It's the intention of the Chair now to return to page 7, and we will be on final action, House Bills 3rd Reading. We'll be at the bottom of page 7, and that will be House Bill 4374. And, once again, this is final action. Senator Maitland, on the Order of 3rd Reading. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4374.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Thank you -- thank you very much, Mr. President, Members of the Senate. House Bill 4374, as amended, is one of the major budget implementation bills for implementing the budget this year. There are quite a number of Sections on it. The bill was discussed at length in -- in the -- in the committee this morning. I would just -- rather just respond to any questions that any Member might have. I'm not going to go through every Section at this point, but would be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? Any discussion? If not, the question is, shall House Bill 4373 -- I'm sorry, 4374 pass. All those in favor, vote Aye. Opposed, vote No. 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's 58 voting Yes, no voting No, no voting Present. House Bill 4374, having received the required constitutional majority, is declared passed. Okay. We're going to go to page 9. We have House Bill 4587. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4587.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 4587 is another Budget Implementation Act with respect to education. Again, we discussed this at length in committee. You-all have it before you. I'd be happy to respond to any Section that any of you have questions about.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Jacobs.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, you know, maybe a statement more than -- than a question, and maybe I'm on the wrong piece because everything runs so quickly here at the end. But as far as -- this is the one that deals with education? The bill that deals with education?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

And, Senator, I know that you have done everything in your power to ensure that we come up with a -- a good bill and to make sure that we take care of education, because I know that's your -- your desire. But I, for one, feel that it's a little strange that with the hold harmless agreement, with a thirty-eight-dollar ADA and with an increase of one hundred dollars per student in the -- the foundation level, that there are many schools and school districts that are still receiving less money than they did last year. And I just am curious as to whether there's anything that you feel at this late date that we could do, or if there's anything that we could maybe look for in a supplemental later on, to take care of that problem.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Senator, I -- and I appreciate your -- your -- your question. This would be more appropriately directed to -- to Senator Rauschenberger's bill in the future, but I do appreciate the question. Thank you, sir.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Any further discussion? If not, the question is, shall House Bill 4587 pass. All those in favor, vote Aye. Opposed, vote No. 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's 58 voting Yes, no voting No, no voting Present. House Bill 4587, having received the required constitutional majority, is declared passed. We are still on page 9 and we are going to go to House Bill 4582. Senator Rauschenberger, sponsor. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4582.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This increases the Build Illinois bond authorization to accomplish the projects that we will be approving in the budget in the next few minutes. It reduces by forty million dollars the infrastructure and bond sale expenses line, increases the business development line by forty-three million, educational bonding by thirty-eight million, and environmental bonding by twenty million for a net increase in the bond authorization of the Build Illinois Bonds of sixty-one million dollars. I'd be happy to answer questions and appreciate its adoption -- or, its passage.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Any discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. This increase - was this contemplated when Build Illinois was passed, or are these just new increases that cropped up this year?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It's hard for me to say what was contemplated twenty -- well, fifteen years ago when the Build Illinois Program was first initiated. But, clearly, we have the -- the accrual necessary and the revenue stream to do these Bonds. Build Illinois Bonds are frequently used as a substitute for General Obligation Bonds because they have a broader purpose statement and allow us to accomplish what Members in this Body, as well as the other Chamber and on the Second Floor, want to accomplish.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

When -- when might we see the end of these Build Illinois Bond increases?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

To -- to the best of my knowledge, if we were to discipline ourselves and not issue any new Build Illinois Bonds for about twenty years, you would see the end of Build Illinois as an accrual in your budget.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Any other discussion? If not, the question is -- or, would Senator Rauschenberger like to close? The question is, shall House Bill 4582 pass. All those in favor,

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

vote Aye. Opposed, vote No. And it does take a three-fifths majority. 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's 58 voting Yes, no voting No, no voting Present. The bill, having received the required three-fifths majority, is declared passed. We're in the middle of page 9, and we have House Bill 4584. Senator Rauschenberger. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4584.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the increase in the debt limitation of the State, the general bond authorization. It has a slightly more limited use than the Build Illinois Bonds, which is why the majority of our bonding is done general obligation, because the rates are substantially lower when you generally obligate the State, rather than using a revenue bond model. I'll read you the categories and the increases: For educational purposes, a hundred and ninety-three million; correctional purposes, two hundred and thirty million; conservation, thirty-seven million; child care, mental and public health purposes, 29.5 million; State agency commissions and board purposes, ninety-six million; water resource management, thirteen million; State library grants, two million; grants to local government, one hundred and ninety-nine million; and Illinois Open Land Trust Program, forty million - for a total -- anti-pollution, eighteen million - for a total increase in the bonded indebtedness authorization of the State of eight hundred

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

and fifty-eight million -- eight hundred and fifty-nine million, with rounding.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Obama.

SENATOR OBAMA:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Obama.

SENATOR OBAMA:

Senator Rauschenberger, I don't presume that we're going to slow this -- this train down at this point, but I did just want to have a -- a question. My understanding is, is part of the General Obligation Bond includes a hundred and twenty-nine for the maximum security prison. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes. The -- the -- there are two steps to -- to using bonding. First of all, you have to authorize the Executive Branch to sell, and then, in the Capital Development Board budget, you'll see an expenditure of a hundred and twenty million to replace, I think is the hope, the older maximum security prison we have there.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Obama.

SENATOR OBAMA:

I -- I appreciate that, and I -- I'm just trying to get a sense of the process here. At what stage, potentially, if a Member objected to the use of a hundred and thirty million dollars for a new maximum security prison, could we potentially object to that process? Would it be at this stage here with the

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

authorization, or would it be in the capital budget?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

If you're asking my advice of how to stop the expenditure of a hundred and twenty million dollars of correctional spending, I would argue for you to vote No on the general bond obligation, because if we don't receive thirty-six votes, then the obligation -- the -- the debt limit's not raised and they can't effectuate the -- the appropriation we put in.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Obama.

SENATOR OBAMA:

I appreciate that advice and I -- just a brief comment. I think that, obviously, we -- we have a tremendous strain on our -- on our prison system, partly because of the laws that we pass in this Legislature and we're -- we need to build more facilities to house the inmates that we're throwing in, but I would note that this is probably the single largest item that I saw, at least, on the list of projects that are going to be authorized by this increase in the bond authorization. And I think -- I would appreciate, at some point, if this Body, in conjunction with the House, actually tries to examine how it is that we're spending such a huge proportion of our budget on corrections, because if we are like other states, like California, we are getting close to the point we are actually spending more money on -- on corrections every year than we are in terms of new school construction. And I think that's something that we need to take note of as a Body.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

I appreciate Senator Obama's comments, although I would, maybe, correct him. If you look through the budget and add up all of our spending on both K through 12 and higher ed, including our five hundred -- five-hundred-million-dollar bond program for school construction, we're probably spending just a little bit more on education today. But over the last decade, your numbers are certainly true. Appreciate everybody's favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 4584 pass. All those in favor, vote Aye. Opposed, vote No. 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's 56 voting Yes, 2 voting No, no voting Present. House Bill 4584, having received the three-fifths required constitutional majority, is declared passed. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Executive Committee - House Joint Resolution 70, Amendment 1 to House Bill 3875, Motion to Concur with House Amendments 2, 3, 6 and 15 to Senate Bill 1647, and Amendment 1 to House Bill 4588; re-referred from the Executive Committee to the Rules Committee - House Joint Resolution 70; and Be Approved for Consideration - House Joint Resolution 70.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm, for what purpose do you rise?

SENATOR KLEMM:

For the purposes of an announcement.

PRESIDING OFFICER: (SENATOR WATSON)

State your announcement.

SENATOR KLEMM:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Well, in order to promote the health and prosperity and well-being of the entire State of Illinois, the Senate Executive Committee will have another meeting at Room 212 in one hour from now. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

We will now proceed to page 8. House Bill 4439. Senator Rauschenberger, sponsor. And, Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4439.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill now contains the project list and -- of the -- of the authorization, for the most part, that we just passed. These are the specific projects in the Capital Development budget. It also includes an Article that deals with the Court of Claims. So both new capital appropriations, reappropriations for those projects and things that aren't finished but we need to maintain the appropriation authority, and all of our obligations under the Court of Claims are contained in this bill. Be happy to answer questions of the Membership.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Senator, I've been trying to get through this as quickly as possible, and I notice one project in my district, and I wonder if you could -- on page 12, it says Galva Armory, Henry County, relocating a kitchen, and the figure is seven hundred and seventy-three thousand dollars. Is that a misprint, or is that what it'll cost to relocate a kitchen?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I think that -- that number comes to us from the Department of Military Affairs, as I understand it. It's a -- it's a commercial kitchen that's set up to serve more -- a company of men or larger, and I think that number is what the Bureau of the Budget approved for the relocation of the kitchen.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Yeah. Do you know where they're relocated it to?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

No, I don't, but I would reassure you: To the extent that they don't spend seven hundred and seventy-three thousand moving the kitchen, they can't expend it for other purposes, and it would lapse.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

How much is the Armory worth?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

In terms of national defense or -- or... I don't -- I don't have any idea what the Armory's worth.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter, for further discussion?

SENATOR TROTTER:

Thank you very much, Mr. President. I'd just like to make a comment that this bill addresses the -- the projects and the appropriation for the bill we just passed on the bond initiatives. It's a bill that we've all worked hard and made sure that projects were in here that come from many of our communities. Besides the prisons that are represented in this bill, there's also twenty-two million dollars for remodeling the teaching and learning complex at Governors State University. So there's -- there's projects in here not just for prisons, but also for -- for our children as well. And I ask everyone on this side to vote for it.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion? Any other discussion? Any discussion? If not, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall House Bill 4439 pass. All those in favor, vote Aye. Opposed, vote No. 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's 56 voting Yes, no voting No, no voting Present. House Bill 4439, having received the required constitutional majority, is declared passed. Still on page 8, we are -- House Bill 4437. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4437.

(Secretary reads title of bill)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4437 now includes seventy-six Articles that deal with general State government. Includes most of the agency budget for the State budget of the State of Illinois. We -- it was described, I think, down in committee as the directors' "feel good budget", because most of them did exceptionally well under this and should be very cooperative in working with us for the next year. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Just a comment for Members on our side of the aisle. As outlined by the Chairman of Appropriations, also in this bill -- in addition to that is the Circuit Breaker Program, along with the -- the tax cuts and the fifty-five million dollars to deal with the AFSCME contract. There's some good things in here that we've worked hard in committee to address and would like to have a favorable roll call on this side of the aisle.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Is there any other discussion? If not, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 4437 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. House Bill 4437, having received the required constitutional majority, is declared passed. Still on page 8, we are at House Bill 4438. Senator Rauschenberger. I ask the Secretary to read the bill.

SECRETARY HARRY:

House Bill 4438.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4438 now contains the human service budget of the State of Illinois, thirteen -- or twelve separate Articles involving agencies that are important to the people of the State of Illinois. This budget also includes the full-year two-and-a-half-percent COLA, valued at nearly forty million dollars, that human service providers across the State I think are anxious to receive. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Just also like to add that in this human service budget of House Bill 4438 is the additional hundred and sixteen million dollars for child care. We also are providing one-hundred-percent funding for seniors in the AABD program, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? If not, the question is, shall House Bill 4438 pass. All those in favor, vote Aye.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Opposed, vote No. 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's 57 voting Yes, no voting No, and 1 voting Present. House Bill 4438, having received the required constitutional majority, is declared passed. We're at the top of page 8. We have House Bill 4435. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4435.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4435 now includes the education budgets of the State of Illinois: the budget of the State Board of Education, the State Universities Civil Service System, Retirement System, Illinois Student Assistance Commission, Illinois Community College Board, the universities of the State of Illinois, and the Board of Higher Education. This contains the resources that the kids of the State of Illinois are waiting for. It's about 8.3-billion-dollar commitment to education, and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I think you heard my question earlier that I had on the wrong bill, Senator, that -- again, just to reiterate, that it seems a little foolhardy for me to -- to think that we have the increase - fifty-one percent of all new revenues - going into education. I think you've done a very good job, and I know that the Education Committee has done a very good

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

job trying to make sure these dollars are well placed. But there are a number of us in this Body who are losing money over what we received last year, and that's even with the hundred dollars in the -- the formula base, that's with the thirty-eight dollars average daily attendance, and the hold harmless. And I am just curious as to -- if there's any way you feel that either in a supplemental later on or -- 'cause I know that the -- the Leadership on this side of the aisle tried to get six million dollars in there - it's a measly six millions dollars out of a multibillion-dollar budget appropriation - in order to make those schools whole. And I'm just curious as to whether or not you feel that that's something that we can maybe address in the fall.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Jacobs, thank you for that question. I would also point out to you that the Leader on this side of the aisle joined, I think, Senator Jones in discussing with the Governor and the Leaders from the Blue Chamber whether we needed to address the issue of downstate school districts that were losing revenues. Essentially, school districts downstate that under this budget lose revenues would be losing because they either have a severe decline in the number of students that they have to serve or they have rising EAVs, assessed valuation, in their district, or a combination of the two. In fact, when you take the Governor's introduced budget and compare it to this one, we've reduced by two-thirds the number of districts that actually lose revenues. But in a real sense, over time, if you're going to -- if the formula's going to work and you're going to tie it to the number of students you serve and your local resources, naturally, each year, some districts are going to have to lose if they have population declines. So although I think the -- the commitment to

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

the ADA per capita school safety block grant, which drove an extra sixty-eight million dollars in or -- an additional thirty-eight dollars per student, reduced the number of districts affected, there still are some districts affected. But I -- I don't contemplate, have not been told, that we expect to do anything in the supplemental.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you for that. Let me just add that it seems, again, to me though that -- and I understand the formula, and maybe somewhere along the line we're going to have to address -- readdress the formula because we're -- we're being held accountable for what may be even an overzealous county supervisor of assessment or one who has maybe done their job very well, while other counties may -- may not be doing their job as well, and we're going to be held accountable for that. And I think that our schoolchildren are the only ones that are getting hurt with this, and I think that somewhere along the line we should try to get that money back to them.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. -- Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

Yes, Senator Rauschenberger, in here, do we fully fund the categoricals?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

SENATOR RAUSCHENBERGER:

Yes, Senator Trotter, we fully funded the mandated categorical for the second time in -- in the last twenty-five years.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. How much increase are we putting over the -- the budget as presented to us in January?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- if you're asking how much the education budget total, both Board of Higher Ed and the State Board of Education, increased over the Governor's introduction, I think, in fact, it decreased slightly. My recollection would be about thirty-six or thirty-eight million dollars.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

What is the increase over last year?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

...think three-hundred-and-thirty-eight-million-dollar increase over last year, but we're looking right now. Three twenty-six. I correct myself.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

In higher ed, how much of increase do we have?

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Higher ed increase is a hundred and thirty-two million dollars over last year.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, and thank the sponsor. This has been a bill -- and, believe me, all during the year, many of us had many ideas and also had a lot of input on where we are today. It's certainly a great bill. We've all said that we wanted to put more than fifty-one percent of all new revenue into the education bill. We did that. We've exceeded that. I think this is a great piece of legislation and would ask all Members on this side of the aisle to vote for it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. Let me just begin by saying to Senator Philip and to Senator Jones, thank you, both, for fighting for us down in the Leadership meetings because I know it was the two of you that tried to get that extra dollar for our school districts in downstate Illinois to do exactly what Senator Jacobs had just indicated, and that was to hold us harmless and make us whole, like the other school districts in Illinois. When I look at the GSA comparisons - and thank goodness for the ADA grants to public schools - when I look at the computer printouts and I see where the losers lose anywhere from a million three hundred and seventy thousand to the winners of eight million nine hundred and eighty-six thousand, it seems to me that we have really got to take a significant look at what we do in the School Aid Formula and how we support downstate schools. Now, it's --

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

everyone knew that this problem was going to be before us when we began this Session, and it wasn't until a few days ago that we ended up having some kind of idea as to what the current formula and what the current dollars available was actually going to do to the school districts in Illinois. It seems to me that there are at least nine school -- nine Senate districts in Illinois that lose significant amounts of money: Jacobs, O'Daniel, Bob Madigan, Maitland, Bowles, Hawkinson, Demuzio, Donahue, Myers and -- Donahue only gained thirteen thousand dollars. So the fact is, I guess, that we really need, over the summer, to really take a look at what we are doing here and how this is really going to impact the school districts in Illinois. I have spoken with Senator Watson about the possibility of trying to get some of the downstate Democrats and downstate Republicans together over the summer vacation to see what we can recommend or what we can do in the -- at least the fall Session or next year, because we know that the school formula's going to be rewritten, to see if we can't correct this problem. But, Senator Philip, it's not an opportunity that I often have to say thanks. Senator Jones. Thank you, both. I know it was the Minority Leader in the House that for six -- six million lousy dollars -- we could have had the opportunity to make everybody whole in the State of Illinois. We didn't do it. This is before us. Take it or leave it. I guess we have to take it.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR RAUSCHENBERGER:

Thank you, Senator Demuzio, for raising that issue and -- and I guess I would point out a couple of things. First of all, I think a lot of us would welcome a concerted bipartisan effort to take a look at the School Aid Formula. The kind of Rube Goldberg

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

machine that may have worked exceptionally well twenty-five or thirty years ago seems now to be just about everybody's enemy. I would point out though that had we simply reappropriated last year's budget, downstate school districts would have lost, by my calculations, more than fifty-five million dollars. The Governor's proposed budget cut that to thirty million dollars of losses, and the adjustments that we made through the legislative process reduced that to between five-and-a-half and six million dollars. So although -- we made quite a bit of progress in an effort to make this a budget that was equitable across the State. I -- I want to close with -- with a big thank you to Senator Trotter, to Elgie Sims and his staff, to Mike Bass and the professional staff we have on this side of the aisle, and to the Members who spent -- all of us spent a lot of extra time in a very compressed time frame to do as much budget as we normally would have another eight weeks to do. Like every budget, I don't think this is one that -- that solves everyone's problems or does everything right, but I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 4435 pass. All those in favor, vote Aye. Opposed, vote No. 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's 58 voting Yes, no voting No, no voting Present. House Bill 4435, having received the required constitutional majority, is declared passed. Senator Trotter, for what purpose do you rise, sir?

SENATOR TROTTER:

A point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR TROTTER:

I, too, just want to thank both staffs. The Members really --

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

can't really appreciate how much work that has to go into putting one of these budgets together. It's calling departments, not once, not twice, but multiple times, to get the numbers correct, working with the other Members and the other staffs from across the aisle. It takes a lot of work, and, believe me, you have my profound gratitude for putting together such a -- a good budget in a short period of time. And -- and I thank you immensely.

PRESIDING OFFICER: (SENATOR WATSON)

We're on page 15, bottom of page 15, we are at Secretary's Desk, Concurrence, Senate Bills. Senate Bill 1550. Mr. Secretary, please read the bill.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1550.

The motion by Senator Tom Walsh.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. I would ask for concurrence on House Amendment -- House Amendments 1 and 2. Let me briefly describe the amendments. House Amendment No. 1 moves the Alcohol and Other Drug Abuse Dependency Act licensing program for persons providing education and training to beverage alcohol servers and sellers from the Department of Human Services to the Illinois Liquor Commission -- Liquor Control Commission. Amendment No. 2 provides for a pay increase for two members who serve on the License Appeal Commission from a hundred-dollar per diem to two-hundred-dollar per diem. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator Walsh, could you just explain to us why we are doubling the per diem for these Commission members while our per diem remains woefully poor compared to other states throughout Illinois {sic}? We're actually doubling from one hundred to two hundred. Do they do more work than we do? Why should they deserve a two-hundred-dollar-per-day per diem?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. Senator Hendon, these are two members of the Liquor Control Commission who, in -- in addition to their duties on the Liquor Control Commission, also serve on this -- this -- the Chicago Appeals Board -- Liquor Control Appeals Board. Now, there's one member from the City of Chicago, a commissioner that is appointed by the Mayor, that serves on that Board and makes sixty thousand dollars a year. These people make -- these two members, which -- which make up the three-member Board, make a hundred dollars a day. They're businesspeople. We're raising it to two hundred dollars. It's taking a lot of time out of their busy schedule, and we feel that it's justified.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you. I just wanted to echo what Senator Walsh said about these Liquor Control commissioners. They're unpaid businesspeople, and this workload has increased. They get -- they get a hundred dollars a day to take time away from their business, but they don't get a salary. This is just their per diem, for

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

their expenses, and I think it's well deserved.

PRESIDING OFFICER: (SENATOR WATSON)

If there's no other discussion? No other discussion? Senator Walsh, do you wish to close? If not, this is final action, and the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1550. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Take the record. On that question, there's 32 voting Yes, 26 voting No, no voting Present. The Senate does concur in House Amendment 1 and 2 to House Bill -- I'm sorry, to Senate Bill 1550, and the constitutional majority having been required and passed, the bill is declared passed. As previously announced, the Executive Committee will be meeting at 5:15, and at that point, we will be standing at ease until the conclusion of the Executive Committee. Senator Molaro, for what purpose do you rise?

SENATOR MOLARO:

Thank you, Mr. President. Would the Chair entertain a motion to waive the one-hour posting requirement for Executive Committee and -- since we're done now, we're not doing anything, maybe we can meet at 4:45 instead of 5:15.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro?

SENATOR MOLARO:

Well, I know we've hardly ever suspended the rules here, but maybe we could suspend the rules and...

PRESIDING OFFICER: (SENATOR WATSON)

We haven't suspended the rules.

SENATOR MOLARO:

We have...

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

We have not...

SENATOR MOLARO:

Oh. We haven't.

PRESIDING OFFICER: (SENATOR WATSON)

And we're not going to start today. So, 5:15. 5:15. Senate will stand at recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

If the Members are in earshot of my voice, we will be reconvening very shortly, so if you'll come to the Floor. The sooner you get here, the sooner we can get out. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendments 1 and 2 to a bill of the following title, to wit:

Senate Bill 385.

I'm further directed to inform the Senate that the House of Representatives requests a First Committee of Conference. Action taken by the House, April 15th, 2000.

PRESIDING OFFICER: (SENATOR DONAHUE)

Without objection, the Senate accedes to the request of the House for concurrence {sic} committees on those bills just read by the Secretary.

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

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

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

Senate Bill 355, with House Amendment 2.

We have like Messages on Senate Bill 1828, with House Amendment 2; Senate Bill 1829, with House Amendment 2; and Senate Bill 1860, with House Amendments 1 and 2.

All passed the House, as amended, April 15th, 2000.

PRESIDING OFFICER: (SENATOR DONAHUE)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Measures are, pursuant to Senate Rule 3-9(b), exempt from the automatic re-referral provision of that rule: Referred to the Committee on Education - Senate Bill 1886, House Bill 4029, House Bill 4181; to the Committee on Environment and Energy - House Bill 2970; to the Committee on Executive - House Bills 3557 and 3988 and Senate Bill 1390; to the Committee on Insurance and Pensions - Senate Bill 100; to the Committee on Judiciary - House Bill 3111; and to the Committee on Revenue - Senate Bill 1325.

Senator Weaver also reports the following Legislative Measures assigned: Be Approved for Consideration - Senate Amendment 2 to House Bill 3875, Amendments 3 and 4 to House Bill 3873, Amendment 2 to House Bill 4588, Motion to Concur with House Amendment 2 to Senate Bill 355, the Motion to Concur with House Amendments 1 and 2 to Senate Bill 1860, the Motion to Concur with House Amendment 2 to Senate Bill 1829, Conference Committee Report 1 to House Bill 390, and Conference Committee Report 1 to Senate Bill 385.

Senator Klemm, Chair of the Committee on Executive, reports Senate Bill 1647 - the Motion to Concur with House Amendments 2, 3, 6 and 15 Be Adopted; and Senate Amendment 1 to House Bill 4588 Be Adopted.

PRESIDING OFFICER: (SENATOR DONAHUE)

On page 15, on the Order of Secretary's Desk, Concurrence.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Senator Dudycz, on the Order of Non-concurrence is Senate Bill 1007. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 1007.

The motion, by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I would move to nonconcur with House Amendment No. 1 to Senate Bill 1007.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, Senator Dudycz moves to nonconcur in House Amendment No. 1 to Senate Bill 1007. All those in favor, say Aye. Opposed, Nay. The Ayes have it and the motion carries, and the Secretary shall so inform the House. We're going to House Bills 3rd Reading for recall. In the middle of page 7 is House Bill 3875. Senator Philip, do you wish to return House Bill 3875 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3875. Mr. Secretary.

SECRETARY HARRY:

Amendment No. 2, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley, on Amendment No. 2.

SENATOR O'MALLEY:

Thank you, Madam President. Senate Floor Amendment 2 to House Bill 3875 does two things. One is it -- it -- it reduces the period that the county -- the Cook County Board of Review must maintain records from ten years to five years. In addition, it directs the State's Property Tax Appeal Board to correct

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

assessments for -- for the 1997, 1998 and 1999 assessment appeals to the ordinance level, and this provision applies to all parcels other than residential within Cook County.

PRESIDING OFFICER: (SENATOR DONAHUE)

For the record, Senator O'Malley is the sponsor of House Bill 3875. Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, how does this Amendment No. 2 differ from Amendment No. 1 that was sent to committee?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Cullerton, it clarifies that the assessment years that were -- that -- that the legislation applies to are for the assessment years 1997, 1998 and 1999. The -- the other amendment, which was Senate Floor Amendment No. 1, said it would take effect for a period until one year after the effective date. This clarifies that we're dealing with specific assessment years, so there would be a possibility of straddling assessment years.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- is there further discussion? Is there further discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

3875. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3875.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The provisions of House Bill 3875, as amended, are identical to what I described, being Senate Floor Amendment 2, a short while ago. I'd be happy to answer any questions you might have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Jones. Emil Jones.

SENATOR E. JONES:

Yeah. Thank -- thank you, Mr. -- Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Jones.

SENATOR E. JONES:

Senator O'Malley, I -- I heard you tell the Body that it takes care of those years '96, '97 -- no, '97, '98 and '99. Now, there was another piece of legislation dealing with the same subject matter which placed a freeze. Now -- so the effect of this bill will -- would take care up to year 1999. What about the year 2000, 2001, and -- and thereafter?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

For those years, Senator, it's my understanding that we would revert to the Property Tax Appeal Board's current practice.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Hopefully, what we're doing here is giving time for the -- the process to work so that more people have more information and we can take appropriate steps to deal with this in the future.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR E. JONES:

Well, in response to your answer then, see, the other bill that came across would have taken care of the issue, which has already been studied. So just to take care of this in this year does not resolve the problem. We could have resolved that problem had we dealt with the other -- excuse me, had we dealt with the issue that -- on the bill that came -- the amendment that came over from the House. So, only thing I'm saying, simply, is that we'll support it because I know it is an election year and this is a good election year, but we could have resolved the problem for the taxpayers in Cook County for the year 2000, the year 2001, 2003 and thereafter.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator O'Malley, to close.

SENATOR O'MALLEY:

Thank you, Madam President. You know, we haven't had a lot of conversation about this here on the Floor. In fact, we had quite a bit in committee, or -- or more than we had here. Let me just say that -- in response to the previous speaker's comments, that, in fact, what we're trying to deal with is -- is a very, very complicated process, and to suggest that there was somehow great study and agreement and that other legislation that has been offered would, in any way, shape or form, actually address that, I believe is a stretch. The reality is that we in the General Assembly are being asked to fix a challenge and a problem that faces those of us who live in Cook County. There's another body

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

out there, called the Cook County Board, that is in a better position, frankly, to deal with this in the long term. What this legislation allows us to do is to buy some time for the Cook County Board to step into the process and work with Assessor Houlihan, who is earnestly interested in reforming the Cook County assessment process so that we do no -- that we no longer have an equalization factor in Cook County in excess of 2.15. And I -- I would encourage all of us to support this for the purpose of buying time, and this is exactly what we should do. And to suggest that we should do more, frankly, would be inappropriate, in my opinion.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 3875 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's 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 Ayes, no Nays, none voting Present. House Bill 3875, having received the required constitutional majority, is declared passed. Page 9 of the regular Calendar is -- is House Bill 4588. Senator Rauschenberger, do you wish to return House Bill 4588 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4588. Mr. Secretary.

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger, on Amendment No. 1.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is the Budget Implementation -- the balance of the Budget Implementation Acts that have been somewhat held up in the House. We've amended them onto a House bill so that we can send

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

them over. There is one correction to be made, and it's going to be offered in Amendment No. 2. I'd like to adopt this amendment and No. 2, and be happy to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland, on Amendment No. 2.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senate Floor Amendment No. 2 to House Bill 4588 changes the -- the freeze on the -- on long-term health care from permanent to just making it an annual freeze. It -- it states that it will extend the long-term care rate freeze until July 1 of 2001, instead of making it permanent. This -- there was a discussion on this in the Senate Executive Committee. And we believe that there will be -- as a matter of fact, the Governor has committed to me negotiations starting this fall, that we might find a way to adequately fund our -- our State's nursing homes. And we believe this more meets the spirit. So I would move for the adoption of Floor Amendment No. 2 to House Bill 4588.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now, on the Order of 3rd Reading is House Bill 4588. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 4588.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is the last puzzle piece that completes the budget package. The appropriation bills are already over in the House and being heard. We've heard two of the Budget Implementation Acts. This is the final one. I'll run through the provisions. It -- or, I'll tell you what, I'll answer questions if people have any. The one controversial thing in committee was the question of a permanent rate freeze for long-term care. That has been corrected by Senator Maitland's amendment, which now makes this a one-year rate freeze for long-term care. Be happy to answer other questions on the implementation bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President. As far as the rate -- rate freeze is concerned, obviously that's a cantankerous issue, and I think Senator Maitland and Senator Demuzio expressed concerns and they are correct. However, I -- I have to ask Senator Rauschenberger, who probably knows the process much more -- better than I do, if -- you said it's the final piece of the puzzle. We were told earlier this evening that the final piece was not going to be put in the puzzle by us, but it was going to -- put in by the House

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

and come over. So, the question I have to ask you is: While we're doing this action, if they're doing their final piece and it comes in and the two puzzle pieces don't mesh -- mesh, then where are we?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, thank you, Senator Molaro. I will do the best an appropriation guy can do on process issues, but what I will tell you is that we got agreement from the Bureau of the Budget and the Governor's Office that it was okay to correct this in the bill. We contacted both caucuses in the House to let them know a corrected budget implementation was headed over there. So, I'm hopeful that they'll -- we'll pass this and that this will go over and we will not have any questions of which -- but you know this place probably better than I do.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro.

SENATOR MOLARO:

No. I'm glad you're doing this. I don't want to be here all night either. And -- and I think it's a good idea. Last thing on -- on what Senator Maitland had proposed, which is also a terrific idea. He intimated that he had conversations with the Governor. Were those conversations recent? I mean, in the last -- since committee, or are we...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I think the conversations that Senator Maitland was referring to - and he's coming, so he can maybe answer for himself - occurred over the last five days as we've negotiated the scope of the final package. Maybe Senator Maitland would like to expand

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

on that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland, would you like to respond? Senator Molaro.

SENATOR MOLARO:

If I could just rephrase this. Again, it's just a logistics question, in the sense that I agree with the amendment - and I think most people here do, and maybe even House members - but since it was fact that -- I think what they're sending over may not include this minor amendment. And I don't know what that does to the process if they sent a bill over. And I was just wondering, when you said you had conversations, Senator Maitland, are those conversations in the last ten minutes, which means that the five Leaders are now in agreement with this amendment that we just put forth?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

We are reliably informed that the House is in agreement with this amendment, Senator Molaro.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, the House just sent us the two Senate bills on the budget implementation. So we're going to hold them here? All right.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Is there further discussion? Seeing none, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

I would appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 4588 pass. Those in favor

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

will vote Aye. Opposed, Nay. The voting's 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 Ayes, no Nays, none voting Present. House Bill 4588, having received the required constitutional majority, is declared passed. Supplemental Calendar No. 2 has been distributed. We will be going to the top of that Calendar to Secretary's Desk, Resolution. Senator Demuzio, on House Joint Resolution 70. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

House Joint Resolution 70, offered by Senator Demuzio. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you. I was very happy to add Senator -- Bomke a few minutes ago as a cosponsor of House Joint Resolution. This, in fact, would name the current headquarters of the State -- State's Attorneys Appellate Prosecutor's Office at 725 South Second Street to be named the Kenneth R. Boyle Center. And the -- also commands that a suitable plaque be erected. Ken was a former Member of the General Assembly, former Appellate Prosecutor's Director, member of the Board of University of Illinois. And I think all of us know Ken, and I think this is a fitting tribute to his remembrance. And I would move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

Senator, I'm looking for a place to name a Zeke Giorgi highway. Would you entertain an amendment to -- to doing that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion?

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Seeing none, the question is, shall House Joint Resolution 70 be approved. All those in favor will vote Aye. Opposed, Nay. And the voting's 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 Ayes, no Nays, none voting Present. House Joint Resolution 70 is adopted. On Secretary's Desk, Concurrent -- Concurrence, is Senate Bill 355. Senator O'Malley. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move -- I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 355.

Motion filed by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Let's give your attention, please, to Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. What we have before us is Senate Bill 355. I am moving to concur with the -- the House action, specifically House Amendment No. 2. And what it does is make technical changes -- I'm sorry. What it does is become the bill. It amends the Sales Finance Agency Act and the Consumer Installment Loan Act to authorize the Department of Financial Institutions to promulgate rules for its licensees which are necessary and appropriate for the protection of Illinois consumers. The language that is suggested is identical to the existing powers of the Commissioner of Banks and Real Estate under the Residential Mortgage License Act. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Senator, this is for the purpose of -- of addressing the problem of predatory lending and payday

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

loan operations. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

It applies to the Sales Finance Agency Act and the Consumer Installment Loan Act, and, as you know, those -- those -- those -- those groups that you just mentioned are licensed under those Acts.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Well, the intent of the bill is to have DFI...

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator.

SENATOR DEL VALLE:

Is -- the intent of the bill is to give DFI the authority to address these problems. Can you tell me how this bill is going to ensure that DFI addresses these problems? I -- I don't understand how this bill accomplishes that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator del Valle, it's my understanding that there have been significant discussions in both Chambers. You and I are personally familiar with the discussions and the work that's been done here for months in the Illinois Senate. I have spoken with Judge -- retired Judge Mike Getty, who has been representing the Speaker in discussions not only within the General -- not only within the House, but in the -- in the larger community that's interested in all of these issues, whether it be predatory lending or -- or other areas that have been controversial. And he has suggested, then, that this is a -- a good solution to make sure

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

that we do not leave this Session without allowing the Department of Financial Institutions to have some direction and authority to do exactly what they should do, which is to promulgate rules to protect Illinois consumers from practices that would be inappropriate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

To -- to the bill: The Residential Mortgage License Act has similar language in it. And it does state that the Commissioner of Office of Banks and Real Estate may promulgate regulations, including such rules and regulations in connection with activities of licenses {sic} (licensees) as may be necessary. This is very similar language to what we're doing here, and yet that office - the Office of Banks and Real Estate - has failed to address the problem of predatory lenders. And so what -- what makes you think that by putting the same language into the DFI statute, that somehow all these problems are going to get solved? I -- I just don't understand that. Could you address that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator del Valle, everyone that's been involved in the process, at least very recently, has been in agreement that -- that this is the way that we can move forward here at the end of Session to do precisely what it is I would like to do, and precisely what I know is your intention.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion?
Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator O'Malley, could you -- could you explain to me - because, you know, I'm for what I believe you're attempting to do - after the Department comes up with these regulations, would they then -- then come back before the Senate for our approval? Or what is the process there that will allow us input into making sure that we protect people against predatory lenders?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Hendon, their rules that they -- that they recommend and promulgate will go before JCAR, and that's -- we will have input from all four of our caucuses into that process.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

And I'll close with this, 'cause I know the hour is late. Is there anything, or -- are we giving the Department any direction as to capping interest rates, which is the -- seems to me like the main problem? Are we giving the Department any direction as to what we feel the rules should be?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Hendon, what we're directing them to do is to promulgate rules for its licensees which are necessary and appropriate for the protection of Illinois consumers. They are familiar with the work that we have done in the Senate, and I would suggest that if you have special desires, that you should make that perfectly clear to them. And I would encourage all

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Members -- we -- that are in earshot here in the Senate to do so, and if people in the House have feelings - and I know that they have strong feelings - they'll be making their feelings known as well.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator O'Malley? The question is, shall -- shall the Senate concur in House Amendment No. 2 to Senate Bill 355. Those in favor will vote Aye. Opposed, Nay. And the voting's 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 Ayes, no Nays, 1 voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 355, and having received the required constitutional majority, is declared passed. Okay. Senate Bill 1647. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 2, 3, 6 and 15 to Senate Bill 1647.

Motion filed by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. I'm going to move to concur in House Amendments No. 2, 3, 6 and 15 with respect to Senate Bill 1647. These amendments contain an item at Maryville Academy, a couple of buildings. It's a -- quitclaim deed for a dollar. Another CMS - New Horizon Center for the Developmentally Disabled that will be up to five acres. DNR - the Libman Equipment Corporation {sic} (Partnership) is a quitclaim deed. DNR - Makanda Evergreen Cemetery Association in the amount of two acres. And finally, IDOT - seventeen thousand five hundred and six feet in Woodford County - it's a

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

release of easements - in the amount of three thousand dollars. The -- the underlying bill, of course, has already been approved and I would further - once again - move for the adoption of House Amendments 2, 3, 6 and 15.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendments 2, 3, 6 and 15 to Senate Bill 1647. Those in favor will vote Aye. Opposed, Nay. And the voting's 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 Ayes, no Nays, 1 voting Present. The Senate does concur in House Amendments 2, 3, 6 and 15 to Senate Bill 1647, and having received the required constitutional majority, is declared passed. Senator Philip, on Senate Bill 1860. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1860.

Motion filed by Senator Philip.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1860 is the Governor's reorganization of boards and commissions. He is abolishing twenty-eight commissions. I won't read 'em all off, but I'll give you an idea. Tourism Promotion Advisory Committee, Automotive Engineering Advisory Panel, Year 2000 Technology Task Force, White Goods Task Force - whatever that is - First Aid Task Force, Campground Licensing/Recreational Advisory Council, Taxpayers Ombudsman. There's twenty-eight of 'em in total. I know -- know of no

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

objections to those. There are eleven expansions. Illinois Labor Relations Board. All of these have two, but one. DNR Advisory Board. Civil Service Commission. IFCA {sic} (IDFA). Banking Board. Educational Labor Relations Board. Racing Board. Liquor Control Commission. Prison {sic} (Prisoner) Review Board is the only one that goes -- they've added three, not two. Motor Vehicle Review Board. Criminal Justice Information Authority. There's two of 'em that have a -- out of the eleven, there's two of 'em that have pay increases. One is the Civil Service Commission, from fifteen thousand to twenty. Labor Control Commission, from twenty-three thousand to twenty-eight. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Welch.

SENATOR WELCH:

Thank you very much, Madam President. I just wanted to say that a couple of these committees that seem to be unknown were initiated at a time when they were very important. In particular, the Office of Public Counsel was one that was designed to lower utility rates. And Senator Philip referred to the White Goods Task Force. That was a task force that we created to keep certain items out of landfills when we had a big landfill crisis. Refrigerators, stoves, air conditioners, water heaters, things of that nature. So they sound like things we don't need, but the task force came up with a plan to keep those out. And that's why we now have excess capacity in our landfills, is because of what we did with some of these task forces back then.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there -- Senator Viverito.

SENATOR VIVERITO:

I -- I want to certainly commend the sponsor. And I really think this is going to help to streamline government, and I hope

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

that all of us realize that and we vote a green.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion?
Senator Philip, to close.

SENATOR PHILIP:

Thank you, Madam President. Thank you, Senator. You know, when I was about nineteen years old, they called me "streamline". Not anymore.

PRESIDING OFFICER: (SENATOR DONAHUE)

This is final action. And the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1860. Those in favor will vote Aye. Opposed, Nay. And the voting's 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 Ayes, 21 Nays, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1860. And the bill, having received the required constitutional majority, is declared passed. We'll -- further on down, on Supplemental Calendar No. 2, we go to Conference Committee Reports. House Bill 390. Senator Rauschenberger. Madam Secretary, do you have on file a conference committee report on House Bill 390?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on House Bill 390.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 390, Conference Committee Report No. 1, takes three provisions that all -- have all been heard in committee in the Senate and have all passed independently but have run into the need for vehicles over in the House. There are three fairly complex provisions. I'm going to call on Senator Karpel to be

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

prepared to explain one provision of this bill in just one moment. This includes the critical language necessary so that school districts and park districts can investigate the criminal background of employees...

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator Rauschenberger. Come on, folks.

SENATOR RAUSCHENBERGER:

It -- it includes a provision that permits schools and park districts to investigate the criminal background of people that they hire. It also has a -- opens a small window for a area in my district to incorporate. And the third element involves a rather complex scheme that I would like Senator Karpziel to explain.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Well, I think you all know me well enough to know that I don't get involved in schemes. This is a very good, good piece of legislation that came from my district and is rather important to them. It -- it's for the -- really, it started out with the Schaumburg Park District and the Village of Schaumburg. The Village of Schaumburg has a little airport -- and they have property right next to the airport that they lease to the Park District. The Park District would like to sublease it to a private developer to put up an enclosed -- inside ice skating rink, or -- nobody cares, I'm told. At any rate -- and they would like to then waive the leasehold tax for ten years, according to the amendment. And that's all it does.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further -- is there any discussion? Is there -- Senator Cullerton.

SENATOR CULLERTON:

Was -- thank you, Madam President. Would the sponsor yield?

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Was this the subject matter of an amendment in the Revenue Committee? This bill that we're voting on right now?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpriel.

SENATOR KARPIEL:

Senator Cullerton, it was the subject matter of a bill in the Revenue Committee that -- when a bill goes down in a committee, I -- the reason I'm getting all this stuff about it is because I don't like to bring it back in an amendment form or in a different way, but what happened on that particular bill is I was in a different committee and I wasn't able to be at the committee. And I don't believe anyone there understood what the bill was about, and it was defeated. It -- and -- and I think the charge was led by Senator Rauschenberger to -- to defeat it. He now sees the error of his ways, and it has been amended, since it was in Revenue Committee, and it is now on his bill. The -- it has been changed, since the Revenue Committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Did the -- it's a conference committee report. Did -- did you ask the Democrats on this side of the aisle -- did we have an opportunity to see whether or not we wanted to sign it, because I -- I notice that no -- no Democrats signed it over here. I just was wondering if you had even asked, or if there's still opposition from some people.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Karpriel.

SENATOR KARPIEL:

I did ask one -- one of the conferees on your side of the aisle who didn't sign it, and he said he just never got it. No one gave it to him. But he said he would have been glad to, had

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

he been given it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Well, how many votes did it get in the Revenue Committee when it was misunderstood?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

I believe two.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

She indicates she'll yield.

SENATOR L. WALSH:

Senator Karpziel, am I to understand that -- that the Park District is going to lease this land to a private developer, and the Park District then is going to forgo the taxes, the real estate taxes, on this?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

To be very -- seriously, yes. They -- they lease it from the Village. The Village, by the way, does not have a property tax. So they're not -- you know, they don't have a tax. And they lease it from the Village. They want to sublease it to the private developer and then he will put up the buildings, which will then, after ten years, revert to the Park District. And they are waiving the leasehold tax for those ten years.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Senator Walsh.

SENATOR L. WALSH:

Will the private developer be making a profit of some kind on this property during this ten years?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

I would imagine so. I don't think they'd be building it otherwise.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR L. WALSH:

Well, they're not creating a TIF district or -- or enterprise zone or anything, so they are just basically giving up -- they're taking property -- they're taking property that belongs to the taxpayers. Somebody's going to be making a profit off of it, and they are going to forgo those taxes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

The whole thing is, if the Park District were to build the facility themselves, it would cost them millions and millions of dollars, of taxpayer dollars. This way they are getting the facilities free of charge, only giving up the leasehold tax. And by the way, the Village is in agreement with this, as is the Park District. This is airport property next to an airport that would probably not be developed. It's certainly not residential or anything.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

I just want to thank my colleague, Senator Karpel, for that illuminating discussion that she led. Actually, we have narrowed the original scope by limiting it to municipal property that's also an airport, which reduces it to about thirty-five potential sites in the whole State of Illinois. We also have a ten-year repealer in there so it goes no longer than ten years. So the bill has been narrowed and improved. I -- I know Senator Karpel is anxious for us to take a roll call. I would appreciate your very thoughtful, careful consideration and a Yes vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 390. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Take the record. On that question, there are 34 Ayes, 19 Nays, 4 voting Present. The Senate does adopt Conference Committee Report on House Bill 390, and the bill, having received the required constitutional majority, is declared passed. Madam Secretary, do you have on file a conference committee report on Senate Bill 385?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 385.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger, please.

SENATOR RAUSCHENBERGER:

Oh -- as everyone notices, my Senate bills don't do well in the House and suddenly come back as conference committee reports. So I have another conference I want to share with you. This one makes improvements in the structure of the trust fund that was established by Commonwealth Edison when it sold its fossil fuel plants. There are two basic issues. One is how the Governor goes about reappointing a -- a chairman after he resigns. And the

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

second issue is clarifying that the appointing authorities of the trustees are indemnified by the Attorney General of the State of Illinois. I'd be happy to answer questions about it. It is Conference Committee No. 1 to Senate Bill 385.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Burzynski.

SENATOR BURZYNSKI:

Senator Rauschenberger, what is the process now to appointing a successor? If there's a vacancy can -- cannot the Governor already appoint a successor?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

To the -- to the best of our understanding, this is rather unique language. So we don't have it anywhere else in the statutes. One of the -- the real problem seems to be that if they have a resignation, that the balance of the board would appoint the vacancy until the end of the term. And the Governor's Office would like that clarified, that in case of a resignation of a chairman, that he can reappoint and that the -- the new chairman would serve at the pleasure of the Governor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Okay. That answers that part. There's another Section in here, Senator. I'm looking on page 2 and 3, the bottom of page 2 in the bottom line and the top line of page 3. It says, "who shall serve as chairman...at the pleasure of the Governor." And

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

that currently is not in statute, is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Currently, the chairman does not serve at the pleasure of the Governor. He serves for the length of his term. So that is a major change, because this would mean that the Governor, at his pleasure, could change the chairs.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

And how much money's in the trust fund?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

My recollection was the initial deposit by Commonwealth Edison was promised to be three hundred and fifty million dollars.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Okay. So just for clarification, then, the chairman of this trust fund can be removed at the pleasure of the appointing authority, and -- for cause, or just at will?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

We interpret the language to mean at the will of the Governor without cause. It's limited to only the chairman that's appointed by the Governor. The other appointing authorities do not have this same right to replace at will.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

SENATOR BURZYNSKI:

Well, as a follow-up, just the same as on Senator Karpel's conference committee report, I notice that there are no Democrat signees in the Senate and that your name is missing from this as well. Is there a particular reason?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

...nonresponsive.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Appreciate the indulgence of the Body. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall the Senate adopt the Conference Committee Report on House Bill 385. Those in favor will vote Aye. Opposed, Nay. And the voting's 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 Ayes, 2 Nays, 1 voting Present. The Senate does adopt Conference Committee Report on Senate Bill 385, and the bill, having received the required constitutional majority, is declared passed. On the Order of House Bills 3rd Reading, on page 7, is House Bill 3873. Senator Watson seeks leave of the Body to return House Bill 3873 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3873. Madam Secretary, have there been any amendments filed for consideration?

ACTING SECRETARY HAWKER:

Yes. Amendment No. 3, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. This amendment was discussed in the Executive Committee. We did not adopt it at the time, but it was kind of an agreement that this would be sent out to the Floor without any discussion -- or, without going to committee. And it would require the State of Illinois and the Department of Agriculture to place on a -- gasoline pumps the language that the State portion of the State tax on motor fuel and gasohol was eliminated by Public Act whatever, and that it was effective January 1st, 2001.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

The sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

If this amendment passes but the actual reduction in the tax doesn't pass, would we still be obligated to put the sign up that says we reduced the tax? And wouldn't that be just as well, since nobody knows we're responsible for taxes going up or down and gas prices going up or down? Why don't we just do that? Why don't we just pass the sign and then we can keep the money?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, if you'd like to introduce that bill, I'll be glad to support you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Obama.

SENATOR OBAMA:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

I wasn't clear on -- on the response to the question, but are -- if the gas tax isn't going anywhere, what happens to this?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

This is part of the gas tax language. This -- this is part of the reduction of the sales tax on gasoline. So if the gas -- if that passes, this is an amendment to it, and it would require that petroleum marketers have to put a sign on their pumps that this did, in fact, happen.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Obama.

SENATOR OBAMA:

I was wondering, can I -- in my district, can I have "Senator Obama reduced your gasoline prices"? Is that possible?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Whatever the Senator desires, but he'd have to work that out, obviously, with his local petroleum marketers. Might -- might happen.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Is there further discussion? Seeing none, Senator Watson requests that -- the question is, no -- that -- is there any further -- no... All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Amendment No. 4, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, on Amendment No. 4.

SENATOR WATSON:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Yes. Thank you. This is truly a technical amendment, and it adds the language "and the 1.25...rate on motor fuel and gasohol". That language is added to the amendment because this would enable the RTA to receive the local tax.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now, on the Order of 3rd Reading is House Bill 3873. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3873.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much. This is final action on this particular piece of legislation. We've all heard this numerous times. This is the actual elimination of sales tax -- the State sales tax on gasoline. It takes effect January 1st of 2001, and as a result of the amendments, several of the concerns of the other side have been addressed. And I would ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. I have a potential conflict of interest. So I will -- will not be voting on this bill.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

How much -- how much money would -- what would be the fiscal impact of this bill if -- if it passed?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, the estimated cost factor is about a hundred and twenty million now.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

When we first talked about this -- when we first voted on this, we hadn't done the budget yet. I take it that this is not in the budget. Is that correct? We've actually already done a budget. We've already set our priorities out for the year. What would happen if this passed and -- would we have to come back and cut into the budget by that amount of money?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

No, not at all. Actually, this is probably an effort to send this over to the House and allow them to have hearings and to discuss this throughout the summer, and hear from their petroleum marketers and everyone who's interested in supporting this type of legislation. And hopefully they can take it up in the fall.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Senator Cullerton.

SENATOR CULLERTON:

So it's kind of like a half a bill. It's kind of like a half a bill. It's -- it only covers half a fiscal year. So we're just going to pass half a bill over to the House and -- and let them not pass it. Is that what your plan -- your -- your plan is for them not to pass it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

I think this happens all the time. We've got House bills on our Calendar. They have Senate bills on their Calendar that have gone one way or the other. What we're just trying to do here is set this in a position that, hopefully, the economy being as good as it's been, that we'll be able to pass this in the fall. Doesn't take effect till January 1st.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Well, thank you, Madam President. As my grandmother used to say, "Half a bill is better than no bill at all." So, to that I say I do like the bill, and in all seriousness, if we are going to pass it over and maybe look at it this summer, maybe there's a way -- and it's too late now, but -- to look at language to make sure that if this does pass, we make sure that the savings is brought on to the consumer, that if we don't do this, and we have the gas -- the gas people taking the -- the bulk of the sales. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Watson, to close.

SENATOR WATSON:

Just -- just ask for your favorable support.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall House Bill 3873 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 2 Nays, none voting Present. House Bill 3873, having received the required constitutional majority, is declared passed. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Perhaps this is a historic moment. I can remember when we put out the schedule in the beginning of the year and we had down April 14th. Nobody -- almost nobody believed we could do it. Today is the 15th. It's probably the earliest time we ever adjourned in the history of the State of Illinois. It certainly is the earliest since I've been here, which is over thirty years. And what have we done? When you think about it, this has been a great Session. Three hundred and fifty million dollars tax relief. A balanced budget. Probably a year-end balance of over a billion dollars. Increase to education, three hundred and thirty million dollars new money. Not bringing it up to fifty-one percent. Fifty-three percent. And what did we do with guns? We have done what? Increased the penalty for gangbangers and criminals. And we've clarified the law when it comes to transporting a gun. Everybody seems to be happy about that. And tobacco, we took over a hundred million dollars for prevention and for medical research. So, quite frankly, Ladies and Gentlemen, I think we have had one of the best Sessions that I can remember. The cooperation on the other side of the aisle was outstanding. And quite frankly, the staffs deserve a lot of credit for this hard work in this great Session. Have a great summer and enjoy life.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones, for what purpose do you rise?

SENATOR E. JONES:

Yeah. Thank you, Madam President. This is an historic year. For the first time, we did come together to do many things on a spirit -- in the spirit of cooperation. We solved many problems. We got out early. We took care of the tax break for the poor. We did many great things for the elderly. In the spirit of cooperation, I trust that we'll be able to do this in the future. Everybody enjoy a great summer. God bless.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, Madam President, Ladies and Gentlemen of the Senate, as an agent for Bob Molaro, I want you to know, come on over and get your autographed picture before you leave for the summer. Time's a wasting. They're running out.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 73, offered by Senator Weaver.

(Secretary reads SJR No. 73)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 73. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Weaver now has moved the adoption of Senate Joint Resolution 73. Those in favor, say Aye. Nay. And the Ayes have it. And the resolution is adopted. We will now proceed -- oh. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

April 15, 2000

Mr. Secretary, have there been any objections filed to any of the resolutions?

SECRETARY HARRY:

No objections have been filed, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Seeing none. If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries and the resolutions are adopted. Messages from the House.

SECRETARY HARRY:

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 1514, together with House Amendment 1 -- or, House Amendment 1 to Senate Bill 1514.

Passed the House, as amended, April 15th, 2000.

PRESIDING OFFICER: (SENATOR DONAHUE)

If there is no further business to come before the Senate, if not, Senator Weaver moves that the Senate stand adjourned until noon on -- Thursday -- on Thursday, November 9th.

DAILY TRANSCRIPTION OF DEBATE INDEX

APRIL 15, 2000

HB-0390 CONFERENCE	PAGE	71
HB-2980 RECEDE	PAGE	20
HB-3873 RECALLED	PAGE	79
HB-3873 THIRD READING	PAGE	82
HB-3875 RECALLED	PAGE	54
HB-3875 THIRD READING	PAGE	56
HB-4374 RECALLED	PAGE	22
HB-4374 THIRD READING	PAGE	28
HB-4435 RECALLED	PAGE	23
HB-4435 THIRD READING	PAGE	42
HB-4437 RECALLED	PAGE	24
HB-4437 THIRD READING	PAGE	39
HB-4438 RECALLED	PAGE	24
HB-4438 THIRD READING	PAGE	41
HB-4439 RECALLED	PAGE	25
HB-4439 THIRD READING	PAGE	37
HB-4582 RECALLED	PAGE	26
HB-4582 THIRD READING	PAGE	31
HB-4584 RECALLED	PAGE	27
HB-4584 THIRD READING	PAGE	33
HB-4587 RECALLED	PAGE	27
HB-4587 THIRD READING	PAGE	29
HB-4588 RECALLED	PAGE	58
HB-4588 THIRD READING	PAGE	60
SB-0355 CONCURRENCE	PAGE	64
SB-0385 NON-CONCURRENCE	PAGE	12
SB-0385 CONFERENCE	PAGE	76
SB-1007 NON-CONCURRENCE	PAGE	54
SB-1440 CONCURRENCE	PAGE	12
SB-1503 CONCURRENCE	PAGE	13
SB-1550 CONCURRENCE	PAGE	49
SB-1645 CONCURRENCE	PAGE	19
SB-1647 CONCURRENCE	PAGE	68
SB-1680 CONCURRENCE	PAGE	16
SB-1860 CONCURRENCE	PAGE	69
SB-1961 FIRST READING	PAGE	12
SR-0273 ADOPTED	PAGE	3
SR-0292 ADOPTED	PAGE	3
SR-0337 ADOPTED	PAGE	4
SR-0352 RESOLUTION OFFERED	PAGE	2
HJR-0032 RESOLUTION OFFERED	PAGE	11
HJR-0061 ADOPTED	PAGE	4
HJR-0063 ADOPTED	PAGE	7
HJR-0070 ADOPTED	PAGE	63
HJR-0070 RESOLUTION OFFERED	PAGE	11
SJR-0073 ADOPTED	PAGE	86
SJR-0073 RESOLUTION OFFERED	PAGE	86

SUBJECT MATTER

SENATE TO ORDER-PRESIDENT PHILIP	PAGE	1
PRAYER-SENATOR GEO-KARIS	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
JOURNAL-APPROVED	PAGE	1
JOURNAL-POSTPONED	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	2
COMMITTEE REPORTS	PAGE	8
SENATE STANDS IN RECESS/RECONVENES	PAGE	10
COMMITTEE REPORTS	PAGE	10
MESSAGES FROM THE HOUSE	PAGE	11
SENATE STANDS IN RECESS/RECONVENES	PAGE	21
MESSAGES FROM THE HOUSE	PAGE	22
COMMITTEE REPORTS	PAGE	36
SENATE STANDS IN RECESS/RECONVENES	PAGE	52

REPORT: TIFLDAY
PAGE: 002

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

00/05/30
10:04:47

APRIL 15, 2000

SUBJECT MATTER

MESSAGES FROM THE HOUSE	PAGE	52
COMMITTEE REPORTS	PAGE	53
RESOLUTIONS CONSENT CALENDAR-ADOPTED	PAGE	86
MESSAGE FROM THE HOUSE	PAGE	87
ADJOURNMENT	PAGE	87