

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

HB0046	Third Reading	35
HB0422	First Reading	185
HB0568	Third Reading	41
HB0568	Recalled	40
HB0569	Recalled	42
HB0569	Third Reading	42
HB0577	Third Reading	44
HB0577	Recalled	43
HB0580	Recalled	45
HB0580	Third Reading	46
HB0581	Third Reading	49
HB0581	Recalled	48
HB0707	Recalled	52
HB0707	Third Reading	53
HB0719	Third Reading	55
HB0719	Recalled	54
HB0721	Recalled	163
HB0721	Third Reading	164
HB0765	Recalled	56
HB0765	Third Reading	56
HB0875	Discussed	35
HB0875	Discussed	117
HB0917	Recalled	180
HB0917	Third Reading	182
HB0942	Third Reading	185
HB0942	Recalled	184
HB0948	Recalled	57
HB0948	Third Reading	58
HB1027	Recalled	59
HB1027	Third Reading	59
HB1070	Third Reading	61
HB1070	Recalled	60
HB1179	Third Reading	63
HB1458	Recalled	73
HB1458	Third Reading	74
HB2750	Recalled	17
HB2750	Third Reading	17
HB3553	Recalled	80
HB3553	Third Reading	81
HB3653	Third Reading	83
HB3653	Recalled	82
HB3738	Discussed	118
SB0024	Concurrence	152
SB0046	Concurrence	110
SB0130	Concurrence	116
SB0133	Concurrence	100
SB0274	Concurrence	118
SB0404	Concurrence	119
SB0460	Concurrence	106
SB0487	Other	123
SB0487	Concurrence	121
SB0699	Concurrence	122
SB0726	Concurrence	123
SB0820	Concurrence	126
SB0946	Concurrence	127
SB0974	Concurrence	128
SB1038	Concurrence	129

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SB1044	Concurrence	130
SB1047	Concurrence	130
SB1066	Concurrence	107
SB1102	Concurrence	131
SB1109	Concurrence	132
SB1149	Concurrence	134
SB1149	Motion Filed	186
SB1336	Concurrence	136
SB1379	Concurrence	136
SB1417	Concurrence	138
SB1458	Concurrence	139
SB1493	Concurrence	140
SB1506	Concurrence	143
SB1530	Concurrence	143
SB1638	Concurrence	145
SB1980	Concurrence	146
SB1983	Concurrence	150
SB1983	Out Of Record	152
SR0089	Adopted	160
SR0130	Adopted	161
SR0186	Resolution Offered	2
SR0187	Resolution Offered	10
SR0188	Resolution Offered	31
SR0189	Resolution Offered	32
SR0190	Resolution Offered	32
SR0191	Resolution Offered	32
SR0192	Resolution Offered	32
SR0193	Resolution Offered	32
SR0194	Resolution Offered	100
SR0195	Resolution Offered	100
HJR0012	Adopted	154
HJR0014	Adopted	155
HJR0019	Adopted	156
HJR0021	Adopted	157
HJRCA0001	Second Reading	31
SJR0037	Resolution Offered	100
Senate to Order-Senator DeLeo		1
Prayer-Rabbi Michael Datz		1
Pledge of Allegiance		1
Journal-Approved		1
Journal-Postponed		1
Message from the House		2
Executive Session-Exec Appts		2
Committee Reports		3
Committee Reports		4
Committee Reports		5
Committee Reports		6
Arise from Executive Session		7
Senate stands at ease/reconvenes		8
Committee Reports		8
Senate stands in recess/reconvenes		16
Committee Reports		16
Messages from the House		31
Committee Reports		32
Senate stands in recess/reconvenes		99
Messages from the House		120

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senate stands at ease/reconvenes	156
Committee Reports	159
Senate stands in recess/reconvenes	162
Messages from the House	162
Committee Reports	162
Message from the House	185
Messages from the House	186
Adjournment	186

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 93rd General Assembly will come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Rabbi Michael Datz, Temple of Springfield, Illinois. Rabbi.

RABBI MICHAEL DATZ:

(Prayer by Rabbi Michael Datz)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DeLEO)

Please be seated. Good morning, Madam Secretary. Reading and Approval of the Journal. Senator Woolard.

SENATOR WOOLARD:

Mr. President, I move that the reading and approval of the Journal of Thursday, May 29th, in the year 2003, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

Senate Journal of Wednesday, May 28, 2003.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Woolard.

SENATOR WOOLARD:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR WOOLARD:

Not only is the Journal being delayed, we've kind of got out of order here. Mr. President, I move that the reading and

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

approval of the Journal of Thursday, May 29th, 2003, be postponed, pending the arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Woolard moves to postpone the reading and approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Madam Secretary, Committee Reports. Oh, I'm sorry. Madam Secretary, let's -- Resolutions.

SECRETARY HAWKER:

Senate Resolution 186, offered by Senator Dillard and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. And, Madam Secretary, do we have any Messages from the House?

SECRETARY HAWKER:

Yes. 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 Bills -- 969, together with House Amendment 1.

Passed the House, as amended, May 29th, 2003.

PRESIDING OFFICER: (SENATOR DeLEO)

...have a request. The Illinois Information Service seeks leave to videotape the proceedings. Is there any objection? Leave is granted. Okay. Ladies and Gentlemen, to fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the order of advice and consent. The Chair would recognize Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. -- Mr. President and Ladies and Gentlemen of the Senate, I -- I would like to go into the Executive Appointments. And, Mr. President, I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in the Message of May 9, 2003, and May 23, 2003, and the Comptroller's Message of May 14, 2003.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Okay. Thank you, Senator. Senator Geo-Karis moves that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in the Messages of May 9th and May 23rd, the year 2003; the Comptroller's appointments set forth in his Message of May 14th, 2003. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the motion carries. The Senate is now in Executive Session. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of May 9, 2003, reported the same back with the recommendations that the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, with respect to the Message of May 9, 2003, I will read the salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent.

For the Central Management Services Department - To be Assistant Director of the Department of Central Management Services for a term commencing May 5, 2003, and ending January 17, 2005, N. Keith Chambers, of South -- South Holland, rather.

Mr. President, having read the salaried appointments from the Governor's Message of May 9, 2003, I now seek leave to consider the appointment of May 9, 2003, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Is there any discussion? Is there any discussion? Okay. The question is, does the Senate advise and consent to the salaried appointment just read from the Message of May 9th. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. A majority of Senators elected by -- concurring

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, any further Committee Reports?

SECRETARY HAWKER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of May 23rd, 2003, reported the same back with the recommendations that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President. With respect to the Message of May 23, 2003, I will read the salaried appointments of which the Senate Committee of -- on Executive Appointments recommends that the Senate advise and consent.

The Human Rights Commission - To be a member of the Human Rights Commission for a term commencing May 1, 2003, and ending January 15, 2007, Munir Muhammed, of Chicago.

The Human Rights -- Department of Human Services - To be Inspector General of the Department of Human Services for a term commencing May 19, 2003, and ending January 15, 2007, Sydney R. Roberts, of Chicago.

The State Mining Board - To be a member of the State Mining Board for a term commencing May 19, 2003, and ending January 17, 2005, A. Kenneth Fritzsche, Jr.

State Mining Board - To be a member of the State Mining Board for a term commencing May 19, 2003, and ending January 17, 2005, Donald L. Orso.

Mr. President, having read the salaried appointments from the Governor's Message of May 23, 2003, I now seek to -- leave to consider the appointments of May 23, 2003, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Is there any discussion? Is there any discussion? The question is, does the Senate advise and consent on the salaried appointments just read on the Message of May 23rd. All those in favor will vote Aye. All those opposed will vote Nay.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. A majority of Senators elected by -- concurring by record vote, the Senate does advise and consent on the appointments just read. Madam Secretary, any further Committee Reports?

SECRETARY HAWKER:

Yes. Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of May 23rd, 2003, reported the same back with the recommendations that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, with respect to the Message of May 23, 2003, I will read the nonsalaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent.

Developmental -- Development Finance Authority, Illinois - To be a member of the Illinois Department -- Developmental {sic} Finance Authority for a term commencing May 19, 2003, and ending January 17, 2005, David C. Gustman, of Wilmette.

The Development Finance Authority of Illinois - To be a member of the Illinois Development Finance Authority for a term commencing May 19, 2003, and ending January 15, 2007, Jill Rendleman York, of Springerton.

The Farm Development Authority of Illinois - To be a member of the Illinois Farm Development Authority for a term commencing May 19, 2003, and ending January 15, 2007, Edward H. Leonard, of Niantic.

The Board of Higher Education - To be a member of the Board of Higher Education for a term commencing May 19, 2003, and ending January 13, 2009, Gilbert L. Rutman, of Edwardsville.

To be a member of Natural Resources Advisory Board -- Department of Natural Resources Advisory Board - to be a member of the Department of Natural Resources Advisory Board for a term

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

commencing May 19, 2003, and ending January 19, 2009, Randy D. Blackford, of Olney.

Mr. President, having read the nonsalaried appointments from the Governor's Message of May 23, 2003, I now seek leave to consider the appointments of May 23, 2003, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Is there any discussion? Is there any discussion? The question is, does the Senate advise and consent to the nonsalaried appointments just read by the Message of May 23rd. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. A majority of Senators elected by -- concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, any further Committee Reports?

SECRETARY HAWKER:

Yes. Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the -- the Comptroller's Message of May 14, 2003, reported the same back with the recommendation that the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President. Respect to the Message from the Comptroller of May 14, 2003, I will read the salaried appointment of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent.

Director of the Department of Human Resources for the Office of the Comptroller, Heather K. McAnarney.

Mr. President, having read the salaried appointment from the Comptroller's Message of May 14, 2003, I now seek leave to consider the appointment of May 14, 2003, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Okay. Is there any discussion? Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the salaried appointment just read for the Comptroller's Message of May 14th. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, and 0 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Senator Geo-Karis.

SENATOR GEO-KARIS:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Geo-Karis moves that the Senate arise from Executive Session. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the motion carries. The Senate has arisen from Executive Session. Thank you, Senator Geo-Karis. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Point of personal privilege, Mr. Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Please -- please -- please state your point.

SENATOR HENDON:

I just wanted to thank the Co-Chair of Executive Appointments, Senator Geo-Karis, for the great work she's done throughout the year as a Co-Chair of that committee and the excellent work that she's done here today. It's been a wonderful year working with you, and I look forward to doing it next year, and -- and on and on and on. Senator Geo-Karis, thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Ladies -- Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I return the compliment to my Co-Chair -- to my Chair.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

It's a love fest between two co-chairmen. Ladies and Gentlemen, could I have your attention for one moment, please? What we're planning on doing, for the -- for the purpose of announcements so everybody knows what our schedule is, we will be sitting at -- at ease for just a couple minutes. We're waiting for the Rules Committee to meet. Rules will be meeting in just a couple minutes. There will be committee announcements following the Rules Committee meeting. We will be going to committee and we'll be coming back to the Floor for Floor action. So, once again, Rules Committee will be meeting very shortly. Matter of fact, we've just been notified Rules Committee will be meeting immediately. So we'd ask the Members of the Rules Committee to please adjourn to the Rules Committee, and we'll be coming back to the Floor for committee announcements. Committee announcements. We'll stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Motion to Concur with House Amendment No. 1 to Senate Bill 46 and Floor Amendment 1 to Senate Bill -- pardon me, to House Bill 1458; refer to Appropriations II Committee - Floor Amendment 1 to House Bill 2750; refer to Education Committee - Motion to Concur with House Amendment 1 to Senate Bill 1038; re-refer to Environment and Energy Committee - Motion to Concur with House Amendments 1 and 3 to Senate Bill 1379, Floor Amendment 1 to House Joint Resolution 12, Floor Amendment 1 to House Bill 2200, Floor Amendment 1 to House Bill 3553; refer to Executive Committee - Motion to Concur with House Amendment 1 to Senate Bill 699, Motion to Concur with House Amendment 1 and 3 to Senate Bill 1493, Motion to Concur with House Amendment 1 to Senate Bill 1980, Floor Amendment 1 to House Bill 577, Floor Amendment 1 to House Bill 765, Floor Amendment 1 to House Bill

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

1070, and Floor Amendment 1 to House Bill 3653; refer to Financial Institutions Committee - Motion to Concur with House Amendment 1 to Senate Bill 24; refer to Health and Human Services Committee - Motion to Concur with House Amendment 1 to Senate Bill 130, Motion to Concur with House Amendments 1, 2 and 4 to Senate Bill 947, Motion to Concur with House Amendment 1 to Senate Bill 1109, and Motion to Concur with House Amendment 1 and 2 to Senate Bill 1417; refer to Insurance and Pensions Committee - Motion to Concur with House Amendment 1 to Senate Bill 820, Motion to Concur with House Amendment 1 to Senate Bill 1638, Floor Amendment 1 to House Bill 580, Floor Amendment 1 to House Bill 581, and Floor Amendment 1 to House Bill 707; refer to Judiciary Committee - Motion to Concur with House Amendment 1 to Senate Bill 274, Motion to Concur with House Amendment 1 to Senate Bill 946, Motion to Concur with House Amendment 1 to Senate Bill 1458, Motion to Concur with House Amendment 1 to Senate Bill 1506, Floor Amendment 1 to House Bill 568, and Floor Amendment 3 to House Bill 569; refer to Licensed Activities Committee - Motion to Concur with House Amendments 1 and 3 to Senate Bill 487, Motion to Concur with House Amendment 1 to Senate Bill 1983; refer to Local Government Committee - Motion to Concur with House Amendment 1 to Senate Bill 978 -- pardon me, that's 974, and Motion to Concur with House Amendment 1 to Senate Bill 1210, and Floor Amendment 1 to House Bill 948; refer to Revenue Committee - Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 417, Motion to Concur with House Amendment 1 to Senate Bill 1044, Motion to Concur with House Amendment 1 to Senate Bill 1102, and Motion to Concur with House Amendment 2 to Senate Bill 1102; refer to State Government Committee - Motion to Concur with House Amendment 1 to Senate Bill 1336, and Motion to Concur with House Amendment 1 to Senate Bill 1530; refer to Transportation Committee - Motion to Concur with House Amendment 1 to Senate Bill 726, and Motion to Concur with House Amendment 1 to Senate Bill 1149, and Floor Amendment 1 and 2 to House Bill 719.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, anything further?

SECRETARY HAWKER:

I have one death resolution.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senate Resolution 187, offered by Senator Sandoval.  
It is a death resolution. Pardon me, sir, that is substantive.  
Excuse me.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, can I have your attention? Senator  
Cullerton, for what purpose do you rise, sir?

SENATOR CULLERTON:

Purposes of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR CULLERTON:

The Judiciary Committee will meet in Room 400 at 1 p.m. 1  
p.m., Judiciary.

PRESIDING OFFICER: (SENATOR DeLEO)

Members of the Judiciary Committee, the Judiciary Committee  
will meet at Room 400 at 1 o'clock. Senator...(microphone  
cutoff)...for what purpose do you rise, sir? Senator Silverstein,  
that would be you.

SENATOR SILVERSTEIN:

Is there another one? I know there's a -- I know there's a  
Professor Silverstein from Harvard or Yale. From Yale.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SILVERSTEIN:

Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your -- announcement, sir.

SENATOR SILVERSTEIN:

The Senate Executive Committee will meet at 2:30 in Room  
212.

PRESIDING OFFICER: (SENATOR DeLEO)

Executive Committee will meet at 2:30 in Room 212. Senator  
Garrett, what purpose do you rise, ma'am?

SENATOR GARRETT:

Purpose of announcement, the...

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR GARRETT:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senate Transportation meeting will meet at 1 o'clock in A-1 in the Stratton Building.

PRESIDING OFFICER: (SENATOR DeLEO)

Senate Transportation Committee will meet at 1 o'clock. Senate Transportation Committee at 1 o'clock. Senator Link, for what purpose do you rise, sir?

SENATOR LINK:

Announcement. Senate..

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR LINK:

Senate Revenue Committee will meet in Room 400 at 2:30.

PRESIDING OFFICER: (SENATOR DeLEO)

Revenue at 2:30. Senate Revenue Committee will meet at 2:30. Senator Haine, for what purpose do you rise, sir?

SENATOR HAINE:

For information, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point.

SENATOR HAINE:

The Local Government Committee will meet at 12:30 in the Stratton, A-1.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, Members of the Local Government Committee, Local Government will meet at 12:30. Senator Obama, for what purpose do you rise, sir?

SENATOR OBAMA:

Purposes of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR OBAMA:

The Health and Human Services Committee will meet in Room 400 at 12 o'clock. 12 o'clock.

PRESIDING OFFICER: (SENATOR DeLEO)

Chairman of -- Health and Human Services has announced 12 o'clock in Room 400. Health and Human Services at 12 o'clock in Room 400. Thank you, sir. Senator Walsh, for what purpose do you rise, sir?

SENATOR WALSH:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

For the purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR WALSH:

Mr. President and Members of the Senate, the Senate Agriculture and Conservation Committee will meet at 12 o'clock in Room A-1.

PRESIDING OFFICER: (SENATOR DeLEO)

The Chairman has announced the Ag and Conservation Committee will meet at 12 o'clock. At 12 o'clock, noon. Members of the Ag Committee at 12 o'clock, noon. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Point of -- of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR HENDON:

As the powerful Vice-Chairman of the Environment and Energy Committee, it gives me the distinct pleasure to announce that we will be meeting at 12 noon in Room 212. 212 at noon.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Vice-Chairman of the Energy and Environment Committee -- Members of the Energy and Environment Committee will meet at noon. Noon in Room 212. Noon in 212. Senator Woolard, for what purpose do you rise, sir?

SENATOR WOOLARD:

Purpose of announcement. State Government will meet in A-1 at 2:30.

PRESIDING OFFICER: (SENATOR DeLEO)

State Government. State Government in A-1 at 2:30. State Government in A-1 at 2:30. Senator Lightford, for what purpose do you rise, ma'am?

SENATOR LIGHTFORD:

Thank you, Mr. President. On the purpose of an announcement, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR LIGHTFORD:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Thank you. Financial Institutions Committee will meet at 2 o'clock in Room 400. Financial Institutions at 2 o'clock in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

The distinguished lady, the Chairman of Financial Institutions, has announced that Financial Institutions will meet in Room 400. Members of the Financial Institution Committee will be there at 2 o'clock. 2 o'clock in Room 400. Senator Jacobs, for what purpose do you rise, sir?

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR JACOBS:

The Insurance and Pensions Committee will meet in Room 400 at 12:30. We're going to be talking about the pension bill. So if everybody can get there on time, I would certainly appreciate it.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The distinguished man from -- Chairman of the Insurance and Pensions Committee announced that Pensions will meet at Room -- in Room 400 at 12:30. Room 400 at 12:30 on the pension bill. The Majority Leader, Senator Demuzio, for what purpose do you rise, sir?

SENATOR DEMUZIO:

I have an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR DEMUZIO:

In 1953, I was twelve years old. There was a wedding that took place. I think it was '53. The angels wept. The wife was stunned and her poor parents were crying. The husband, who was old and dazed, but yet they got married. And so today is the fiftieth wedding anniversary of Senator George Shadid and his lovely wife.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid. Senator Shadid, for what purpose do you rise, sir?

SENATOR SHADID:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Needless to say, I'm overwhelmed and as the humble person that I am, I have to also explain a little and add a little something to what my good friend, the twelve-year-old Demuzio, said. It happened to be leap year in 1953 and my wife, who wasn't my wife until I accepted her request to marry her, and -- and she is, no doubt, one of the luckiest and happiest women. And like I told you, I am a humble person. But facts are facts. And if you call her, she'll verify what I'm saying to you. But I want to thank you very much for your applause, for your concern, and even my good friend, Vince Demuzio. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I would like to congratulate Senator Shadid and I would like to state that you are one of the few husbands that I know who has actually married a saint.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid, on behalf of the entire Illinois Senate, congratulations, sir. Senator del Valle, for what purpose do you rise, sir?

SENATOR DEL VALLE:

For purposes of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state -- please state your announcement.

SENATOR DEL VALLE:

The Senate Education Committee will meet at 12:30 in Room 212. 12:30 in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The Chairman of Education has announced Education -- members of the Education Committee will be in Room 212. 212 at exactly 12:30. Senator Munoz, for what purpose do you rise, sir?

SENATOR MUNOZ:

Purpose of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR MUNOZ:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Licensed Activities will meet at 11:30, A-1 Stratton Building.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The Chairman of Licensed Activity has announced Licensed Activities will be in A-1 in the Stratton Building. A-1 promptly at 11:30. Senator Schoenberg, what purpose do you rise, sir?

SENATOR SCHOENBERG:

For the purposes of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SCHOENBERG:

As the Vice-Chairman of Appropriations II, I am pinch-hitting for Senator Welch in announcing that at 11:30, Appropriations II will be meeting in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the gentleman -- Approp -- Members of Appropriations II - Appropriations II - will meet at 11:30. Members of Appropriations II, 11:30. Senator Burzynski, were you seeking recognition, sir?

SENATOR BURZYNSKI:

Yes. Thank you, Mr. President. I had the opportunity to speak with Senator Shadid's wife last evening. Senator, I had the opportunity to speak with your wife last evening, and she did relay to me that she'd been happily married three years, and she said three out of fifty's not bad.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

Well, you know, I also spoke to your wife and she says that she lets you drive that brand new Mustang once -- once a month or so just to keep you happy and make sure that -- and that keeps you away from home, too, she said. So she appreciated that.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, the Senate will stand in recess to the call of the Chair. After the committee meetings, the Senate will reconvene to receive Committee Reports and for -- and -- and let me repeat, for further Floor action. Senator Welch, for

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

what purpose... Okay. Let me repeat this. Ladies and Gentlemen, the Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive Committee Reports and for further Floor action. The Senate stands in recess. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, can you tell us that -- can you just give us an idea that we probably won't be reconvening before noon? Is that right?

PRESIDING OFFICER: (SENATOR DeLEO)

After the last committee meets. It will probably be around -- around 3 o'clock.

SENATOR GEO-KARIS:

Okay.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Woolard, for what purpose you arise, sir?

SENATOR WOOLARD:

Purposes of an inquiry.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry, sir.

SENATOR WOOLARD:

It's my understanding that there's a motel in Oklahoma that has had some special group rates, and I was looking to the right and was wondering if there's a possibility that someone in the neighborhood had exercised that option.

PRESIDING OFFICER: (SENATOR DeLEO)

We'll take it under consideration, sir.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate come to order. Will all Members within the sound of my voice please come to the Floor? We're going to 3rd Reading, final passage. We're going to 3rd Reading, final passage. The hour of 3:30 having arrived, the Senate will come to order. Please come to the Floor immediately for 3rd Readings, final passage. Thank you. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator Welch, Chairperson of the Committee on Appropriations II, reports Senate Amendment No. 1 to House Bill 2750 Be Adopted.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, on page 70 of the Calendar, House Bills 3rd Reading. It's a recall. House Bill 2750. Senator Garrett seeks leave of the Body to return House Bill 2750 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2750. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senators Garrett and Welch.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. We are going to be introducing Senate {sic} Bill 2750 with Senate Bill {sic} No. 1. What I would like to do is get the agreement to pass the amendment and get it adopted to the bill and then debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. On the Orders -- of House Bills 3rd Reading, Senator Garrett, do you wish to proceed? Indicates she -- she will. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2750.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SENATOR GARRETT:

Thank you, Mr. President, Ladies and Gentlemen. House Bill -- 2750 includes additional appropriations for 2003, as well as 2004, and what I would like to do is talk about the education and the developmental disability appropriations for both of those years. The -- regarding to education, House Bill 2750, the amendment provides an additional 21.8 million GRF to ISBE for Fiscal Year '03 general State aid to ensure full commitment to the four-thousand-five-hundred-and-sixty-dollar-per-pupil foundation level. Also, in FY'03, it provides for a transfer totaling 2.7 million dollars from various line items to the Emergency Financial Assistance Fund. The transfer will allow ISBE to cover loan requests for two different districts in the State. Regarding Fiscal Year 2004, what we are asking for is an appropriation total of 47.3 million GRF to the Department of Human Services for the purposes of a four-percent COLA increase for the developmentally disabled providers, mental illness providers and centers for independent living providers. Additionally, we are asking for 100.1 million GRF to the Illinois State Board of Education. These funds will be used for increases to the mandated categoricals for special education and special education transportation, as well as the ADA block grant and the economic education program grant. And I would like to defer the other part of this bill to Senator Welch so he can finish that part off. I'm just doing the education and the mental health.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The bill, for Fiscal Year '03, has a total cost of thirty-one million dollars. Other funds total one hundred and sixteen million dollars. It also has appropriation language effective July 1st that has a cost of one hundred twenty-nine million dollars General Revenue and other funds of one hundred and forty-two million dollars. It also has federal funds of one hundred and seventy-three million dollars. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

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

SENATOR RAUSCHENBERGER:

I mean, Members aren't on the Floor yet. I mean, this is an appropriation bill. Generally, in this order of business, we try to get the Members on the Floor and let 'em know we're on final action. Is there something here that we're a little concerned about, Senator Garrett? I mean, is there a reason to run this bill while the Members are still coming to the Floor? Are you embarrassed about anything on the bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Senator, I'm actually very proud to be one of the chief sponsors of this piece of legislation that will -- as a suburban legislator and you know only too well, we have some real concerns about special education costs, as well as some -- some of the developmentally disabled services that would be cut if we weren't able to introduce this bill. So this is a critical piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, Senator Garrett, I'm glad to know you're proud of the bill. Can you tell us what the status is of the bill that we passed dealing with developmental disabilities and mental health providers yesterday, which should precede this bill in order, which actually had over a hundred million dollars of spending for DD and MI providers that was worked on for over six weeks by the provider groups? And are you substituting this bill for that bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Senator Rauschenberger, the whole budget is -- predicated upon having the revenue to pass the budget. It was indicated in caucus that none of your Members are going to support any new revenue for this. It was the -- it was the decision of the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Governor and the Leaders who were negotiating on this that this was the most revenue we could come up with from the lack of support for the budget and revenue proposals the Governor had.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I appreciate that update of information. Have you brought a single revenue bill to the Floor of this Chamber for your Members to see, or are you planning on doing those on one-hour posting so they don't have a chance to see what's in 'em and try to rush 'em through when people aren't in the Chamber? What was -- what was yesterday all about, then, if you had no intention, because you've known for weeks that we're not going to vote on revenue bills if you won't share the information with us and you won't negotiate? You've known for weeks we're not going to support the revenues. So what was yesterday about with all those human service providers, giving them instructions to go and lobby the General Assembly? Was that just a show, Senator Welch?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch, one second. Senator Welch, one second, sir. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Call the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman has made the motion. The -- Senator Jacobs moves the previous question. Prior to that motion, Senator Jacobs, there is one, two -- there's four Senators seeking recognition. Excuse me. Senator Welch, the -- for...

SENATOR WELCH:

Senator, we came up with fifty million dollars. That was the amount that the Governor thought we could afford in this tight fiscal year. Certainly -- Representative Lee Daniels came and wished for a hundred and thirty-two million dollars and didn't propose any new revenue for it. Talked about a few proposals, like he was for closing a trade office in a foreign country. That doesn't reach a hundred and thirty-two million dollars. So we didn't have the money, Senator. And this is the best we could do in a bad budget year.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, that's fine, Senator Welch. I know what it's like to work under tough budgetary situations. We had -- certainly had difficult ones last year, but there's thirty million dollars of growth in the -- in the Secretary of State's Office for operations. There's eighty-eight million dollars' worth of new programs in -- in -- that the Governor wants to expand in the worst revenue year in the history of the State. And to have those people down here and put them in that room and pretend that you guys were interested in this bill, to pass it to the Floor and then to substitute this, I think just smacks of hypocrisy. And I -- I'm glad Senator Garrett's proud of this. I hope everybody in the galleries and everybody that takes a look at this understands what we're pulling here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno, what purpose do you rise?

SENATOR RADOGNO:

Thank you, Mr. President. I would like to comment on the bill, and I have a couple questions. I, too, have a lot of concerns about the process that -- that we're undertaking here. This bill really has two major parts. One of it is a supplemental for '03 and the other piece is quite a bit of new spending for '04. There is no reason to have these two together. Obviously, the sugar here - and there's two parts that are very important to our Members - one being that the final school aid payments are made to the schools this year. I want to point out that we have passed a bill to do just that, that was unanimously supported and it is over in the House. So that does not need to be in here. The other thing that Senator Rauschenberger already alluded to was the money for the developmentally disabled. The hearing we had yesterday was a total sham. It was absolutely ridiculous. It was well known at that point that this bill wasn't going to be called. And so I think what's going on here is a complete double-cross of our community providers, which, frankly, I would be embarrassed to be a part of. What we need to do is call House Bill 3738. There's also, in addition to that spending in this bill, a

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

number of other reinstatements of cuts that were made, and once again, we don't have a single, solitary revenue bill before us to even talk about. And finally, another piece that's in this bill that's being proposed is the reintroduction of Member-initiative money, and it's in two places in the bill. You can find it on page 90 and page 91. There's money in DHS, as well as money in the Department of Commerce and Economic Opportunity for grants to units of local government, organizations, educational facilities, for whatever projects are deemed to be necessary. This is the identical language that's been used each year for pork. And I'd like to know if the sponsor is aware that that's in here, and if you're proud of that part, as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Senator, let me go back to some of the accusations that have been made every time we introduce a bill calling for an appropriation. I understand that there are Members here that would like to see the appropriations and the revenue at the same time, but I've only been here for five years. I've never seen that happen, and I have to say that I believe this year the process has been more open than in the past. We have had a lot of time to look at these initiatives, which is why we were able to get the appropriations for special education and DD in this, because we -- as you know, I have been working with -- trying to work with suburban legislators to come together and put pressure on the Governor's Office to include this in the budget, and we were able to do that. This is a critical component to education funding, especially in the suburbs. I did not know that there were any potential dollars set aside for Member initiatives. I don't know what that dollar amount is. I can't say for sure that that's for Member initiatives, but if you say that, you know, you obviously have been doing the research on that. I was under the assumption that those dollars were being brought forward from both sides of the aisle, who had a backlog of Member initiatives that have been frozen. So, that's my answer to that. But again, we can argue all day today, all into the evening and tomorrow, but the fact of the matter is, this budget is -- is looking at and addressing some of the key issues that

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

this State needs to look at. And -- and it would be good, instead of arguing with one another, to have a bipartisan vote on, especially, this part of the budget, 'cause I think this benefits everybody. And it's -- and as Senator Welch said, it's really the best we can do with what we've got.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Well, thank you. I would like to make one correction. The fact of the matter is - Senator Garrett and I came in together - we have always known at least what the revenue proposal was before we were voting on spending. The problem with this approach is what we do is we spend however much we want. And frankly, I'd be happy, if we could, to send our suburban schools five hundred million dollars. We don't have that money. But we don't have a hundred million either. We don't know where that money's coming from and we don't even have a proposal for it. And it is incorrect to say that that has been the way we've done business before. It has not been the way we've done it before. I would suggest that since you don't know what's in this and you didn't know the pork was in here, maybe you ought to take it out of the record and find out what is in here before we vote on it. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones, for what purpose do you rise, sir?  
Senator Wendell Jones.

SENATOR W. JONES:

Yes. Mr. -- or, Mr. President. How many minutes do I have to speak?

PRESIDING OFFICER: (SENATOR DeLEO)

Till June 1st, sir.

SENATOR W. JONES:

Thank you. Because I want to spend two or three of my minutes reading the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR W. JONES:

Yes, to the bill. I have a question about why we're adding more money to a spending bill; when the Governor, in April, gave

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

us a bill that was seven hundred million dollars more than last year, why we are adding spending to that bill. I'd like to ask the sponsor if she could answer that question.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield to a question. Senator Garrett.

SENATOR GARRETT:

I can speak, Senator, to the education and the developmental disabled funding. If you would like me to respond to that, I'd be happy to do that. As you know -- as you know, Senator, I have contacted you. We have -- I have tried to get suburban caucus Members together on both sides of the aisle to address this issue so we could, in fact, take these -- these needs to the Governor's Office to get this included in this particular piece of legislation, which we have done. I mean, that's the whole point. These suburban school districts need this money desperately.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

That's the last question I'm going to ask her, I'll tell you that.

PRESIDING OFFICER: (SENATOR DeLEO)

You're a quick study, Senator.

SENATOR W. JONES:

Now I'm going to give a speech.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones, to the bill.

SENATOR W. JONES:

Yes. I -- I'm -- I'm shocked to find out that pork projects are in -- in this budget. I -- I'm now getting through it. I'm getting -- I'm getting into the pork here and I'm getting into the meat, and I'm finding out that there's a hundred million or two hundred million dollars more than the Governor suggested in April. Now, he said that we weren't going to have business as usual. He said that we weren't going to add to these budgets. He said we weren't going to put pork in and now we have hundreds and hundreds of millions of dollars more. This is now up to a billion dollars over last year, and he goes

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

around the State telling everybody that we're spending less money. This is a billion dollars more. A billion dollars more. And I'm still on yellow. I've got a little bit more to say. I'm still on yellow. So I can either read or I can talk. But I've decided to talk. And we're going to talk about these all afternoon, all evening and, Mr. President, until June 1st. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much for your remarks, Senator. Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you. Well, first of all, to make couple comments, then I've got a couple questions for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BURZYNSKI:

You know, the comments are more about the process. We got this bill today. It was dumped on us. We had a committee hearing. I think this one started at 11:30 this morning. The only thing that was really available to us were some things that have some problems with them, some numbers. And so, now we finally have a chance to really take a look at the bill and see what it does. One-hour posting. Government by one-hour posting. Then, sir, we're in Executive Committee, and much to his credit, Senator Silverstein said, "We're going to start on the Floor immediately." Well, around here we all know immediately is twenty, twenty-five minutes, but -- Senator Silverstein was right. It was immediately. So we didn't even have a chance to have our Members on the Floor when the debate on this bill started. We were sitting in our offices or on our way from our offices here and this bill started debate. Unconscionable. Now, to the bill. As we sat in Appropriations Committee this morning, we talked about the fact that we passed a bill with the two State aid payments for the last two months of the year over to the House. I'd like to ask the Senator, the sponsor of this bill, what is the problem with that bill that's in the House, and why isn't it being acted upon?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SENATOR WELCH:

Senator, the problem with the bill is, and you're -- you're contesting the fact that Senate Bill 1 is sitting in the House, which would do what part of this appropriation would do. That's pay the last two payments for the Fiscal Year '03. The House -- we can't control what they do. I don't think they can control what they do. The bill is sitting there and they won't call the bill. We're on your side. We want Madigan to call that bill. We agree with you a hundred percent on that issue, but we don't control the House. And until we do, this is what we're left with. We're trying to get out of here. They may be playing games. We don't know. They haven't sent us a message on that. But we -- we've got to act with what's within our control and the supplemental on that issue is within our control, and that's why it's on this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Welch, this is -- it's a little funny, because my voice got higher, your voice got higher. Maybe we'll just de-escalate. But anyway, Senator Garrett, or Senator Welch, I -- whichever, we have passed a bill over to the House and we all know that. We also know that this bill might not be called for a vote in the House, as well. So, let's be realistic about that. Again, Senator Radogno, Senator Rauschenberger have talked about the fact that we've also got a perfectly good bill sitting here that's not being called for a vote either that we heard in committee yesterday that also includes a portion of this. So, let's not kid ourselves that we don't have control over some of these bills, because we do. Now, have there been any revenue streams -- Senator Garrett, is there a revenue stream identified to pay for this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Excuse me, Senator, for one moment. WCIA seeks leave of the Body to videotape the proceedings. Seeing no objection, leave is granted. Senator Garrett.

SENATOR GARRETT:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator, as you know, the revenue stream bills are on their way over from the House, and I -- you know, we -- we will get those very soon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

One last question. Senator, since this is your bill - you indicated you were very proud of it - is it my understanding, then, that you'll vote for the revenue stream to fund this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Senator, I think you're just going to have to wait and see. Are you going to vote for this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, what purpose do you rise, sir?

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield.

SENATOR ROSKAM:

Senator Garrett, you said, I think a couple minutes ago, that you weren't sure about some of the pork that was in this bill. Did I hear you correctly, or did I hear you incorrectly?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Regarding the -- I -- I am really here to speak to the special education and the funding for the developmentally disabled. So, if I could defer that to Senator Welch, I would like to.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

...me just -- let me just -- maybe your staff can get you a copy of the bill. It's not that complicated, and I'm sure you've got the bill in front of you. On page 90 and on page 91, there's two paragraphs that I -- I think are important, and as the sponsor of the bill, I think you'd find them important.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

They are the exact same language, Senator, that is used in the Member-initiative projects. It's appropriations language that reads like this: The sum - and I'm reading on page -- page 93 {sic} (91), Section 30, line 7 - the sum of 1.5 million dollars, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for grants to local units of government, not-for-profit organizations, educational facilities, et cetera. That same language, Senator, is used on the previous page in Section 25, and it's not just 1.5 million dollars in pork. This is five million dollars in pork. So, almost three and a half times the previous amount of pork. The sum of five million dollars or so much thereof as may be necessary. Are you aware of that pork spending that's in this bill that you're the sponsor of?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch, to respond.

SENATOR WELCH:

Senator Roskam, this is money that isn't for pork-barrel projects. This is money that is given to the agency directors to take care of some projects they were working on. These are some projects that may not have given enough money to and so this money is available to them. We've talked to them, and they said that that money's necessary to complete some of these projects. These are grants for hospitals, for county health departments, for job training. This isn't pork-barrel projects. You know, when it was pork-barrel projects and you folks were in charge, the figure would have been thirty million dollars, forty million dollars in a lump sum, and no one knew what you were spending it on. So here you're complaining about 1.5 million dollars as being a budget breaker. Come on. Give me a break.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: You know, this -- this is a great business. It really is. And it's one where we find really new and enriching and exciting approaches every day. But it seems inconceivable to me that we can have a sponsor of a bill say on the Senate Floor that she is unaware of over six million dollars in pork spending, that it's coming out of

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

nowhere. And now, look, we've all seen bills that are big and complicated. We've all seen bills that are overwhelming. We've all seen various pieces of legislation that -- that seem to boggle our minds. But to load this up at a time when we're all being very sanctimonious back at home about Member-initiative projects and so forth, when we're loading this up with Member-initiative projects - I don't care how much it is - and being unwilling to commit to passing any of the revenues that are going to be able to support this, I don't think is very well thought out.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Trotter is our last speaker. Senator Trotter, for what purpose do you rise, sir?

SENATOR TROTTER:

Sir, to speak on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR TROTTER:

Thank you very much. Just wanted to respond to some of the concerns and -- and some of the, I think, inappropriate accusations that we were insincere when we held our meetings yesterday, that we were disingenuous, that we were trying to hoodwink those individuals who came all the way to Springfield not just yesterday, but last week. Nothing could be further from the truth. We understand clearly that those concerns that they presented with us and the needs that they said they wanted us to consider in this Session were very important. They were thought of -- thought out. They were very concise in what they needed. Not only did we have advocates here, but we also had the clients. We actually had patients. And believe me, there's no one in this Chamber that can say that in the fifteen years that I have served in the General Assembly, that I have not been more concerned about the health care needs, concerned about the vulnerable people, who too many times have seen their projects and their appropriations cut, gone unfunded and many times ignored. But what we did today, and as what happens in the process through the years, is that we tried to find a vehicle to which we could accommodate some of their concerns. And because of that and with that in this bill, we have put in forty-eight

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

million dollars. We have put in the -- in there a four-percent increase for the mentally ill -- for the workers, another four percent for the DD workers and another four percent for the CILAs. Now, that's not all that they wanted or -- or certainly deserved; however, it's a -- a large step in the environment that -- the economic environment that we're in right now. No -- cut out of there was the thirty-five million dollars for the one-dollar increase for the workers, but what we did put in this bill is -- gave them some leeway in which they can now use, as they go through their negotiations for their contract, some leverage in which they can talk again and put it back on the table for that. Again, to say that that was a sham, that the Members on this side was just wasting people's time, I think was -- was wrong, wrong, wrong. This is a good bill. It doesn't cover everyone. No bill that's coming through here this year is going to take care of all the needs, and a lot of that has to do because so many needs were there. And it didn't just start yesterday. It's been something that has been growing, and we, as a responsible democratic Legislature on this side of the aisle, are trying to address as many as we could with the hand that we've been dealt.

PRESIDING OFFICER: (SENATOR DeLEO)

The lady from Lake County, Senator Garrett, to close.

SENATOR GARRETT:

I just want to thank everybody who has made comments, for their input. I know this is an important piece of legislation, and I know that sometimes it's easy to get sidetracked on -- on certain issues, but -- but the goal of this legislation is really to supplement some of the most important educational initiatives that we have. And it really is incumbent upon us, both Republicans and Democrats, to see that this happens, to support all of our schools, to support our -- our initiative to increase the cost per pupil, and then again, to make sure that the developmentally disabled services will not be put in jeopardy. A Yes vote from you will ensure that. I think we have to look the other way on this political rhetoric and do the right thing and vote Yes. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Thank you, Senator. Okay. The question is, shall House Bill 2750 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 40 Ayes, 16 voting Nay, 2 voting Present. House Bill 2750, having received the required constitutional majority, is declared passed. Leave of the Body, FOX TV-Chicago requests permission to videotape the proceeding from the Senate press box. Seeing no objection, leave is granted. Madam Secretary, Resolutions.

SECRETARY HAWKER:

House Joint Resolution 1, Constitutional Amendment.

(Secretary reads HJRCA No. 1)

2nd Reading of the Resolution.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. The State Journal-Register seeks leave to photograph the proceedings. Seeing no objection, leave is granted. Madam Secretary, any Messages from the House?

SECRETARY HAWKER:

Yes. 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 1332, together with House Amendments 2 and 3.

Passed the House, as amended, May 30th, 2003.

I have like Messages on Senate Bill 1848, with -- with House Amendment 1; Senate Bill 1915, with House Amendment 1; Senate Bill 703, with House Amendments 1 and 2; Senate Bill 1606, with House Amendment 2; Senate Bill 1784, with House Amendments 1, 2 and 3.

Passed the House, as amended, May 30, 2003.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 188, offered by Senator Dillard and all Members.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senate Resolution 189, offered by Senator Lauzen and all Members.

Senate Resolution 190, 191, 192, all offered by Senator Lauzen and all Members.

And Senate Resolution 193, offered by Senator -- Demuzio, President Jones and all Members.

And they're all death resolutions.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Munoz, Chairperson of the Committee on Licensed Activities, reports Motions to Concur with House Amendments 1 and 3 to Senate Bill 487 and House Amendment 1 to Senate Bill 1983, all Be Adopted.

Senator Clayborne, Chairperson of the Committee on Energy and Environment, reports House Amendment 1 to House Joint Resolution 12, and House -- Senate Amendment 1 to House Bill 3553, and the Motion to Concur with House Amendments 1 and 3 to Senate Bill 1379, all Be Adopted.

Senator del Valle, Chairperson of the Committee on Education, reports the Motion to Concur with House Amendment 1 to Senate Bill 1038 Be Adopted.

Senator Obama, Chairperson of the Committee on Health and Human Services, reports Motions to Concur with House Amendment 1 to Senate Bill 130, House Amendments 1, 2 and 4 to Senate Bill 947, House Amendment 1 to Senate Bill 1109, and House Amendments 1 and 2 to Senate Bill 1417, all Be Adopted.

Senator Walsh, Chairperson of the Committee on Agriculture and Conservation, reports Senate Amendment 1 to House Bill 1458, and the Motion to Concur with House Amendment 1 to Senate Bill 46, all Be Adopted.

Senator Jacobs, Chairperson of the Committee on Insurance and Pensions, reports Senate Amendment 1 to House Bill 580, Senate Amendment 1 to House Bill 581, Senate Amendment 1 to House Bill 707, and the Motions to -- Concur with House Amendments -- 1 to Senate Bill 820 and House Amendment 1 to Senate Bill 1638, all Be Adopted.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator Haine, Chairperson of the Committee on Local Government, reports Senate Amendment 1 to House Bill 948, and Senate Amendment 1 to House Bill 1027, and the Motions to Concur with House Amendment 1 to Senate Bill 974 and House Amendment 1 to Senate Bill 1210, all Be Adopted.

Senators Cullerton and Dillard, Chairpersons of the Committee on Judiciary, report Senate Amendment 1 to House Bill 568 and Senate Amendment 3 to House Bill 569, and the Motions to Concur with House Amendment 1 to Senate Bill 274, House Amendments 1 and 2 to Senate Bill 404, House Amendment 1 to Senate Bill 946, House Amendment 1 to Senate Bill 1458 and House Amendment 1 to Senate Bill 1506, all Be Approved for Consideration.

Senator Shadid, Chairperson of the Committee on Transportation, reports Senate Amendments 1 and 2 to House Bill 719, and Motions to Concur with House Amendment 1 to Senate Bill 726 and House Amendment 1 to Senate Bill 1149, all Be Adopted.

Senator Lightford, Chairperson of the Committee on Financial Institutions, reports the Motion to Concur with House Amendment 1 to Senate Bill 24 Be Adopted.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment 1 to House Bill 577, Senate Amendment 1 to House Bill 765, Senate Amendment 1 to House Bill 1070, Senate Amendment 1 to House Bill 3653, Senate Amendment 1 to Senate Bill 1916, and the Motions to Concur with House Amendment 1 to Senate Bill 699, House Amendments 1 and 3 to Senate Bill 1493, House Amendment 1 to Senate Bill 1980, House Amendment 1 to Senate Bill 1046 {sic} (1047), all Be Adopted.

Senator Link, Chairperson of the Committee on Revenue, reports the Motions to Concur to House Amendments 1 and 3 to Senate Bill 417, House Amendment 1 to Senate Bill 1044, and House Amendments 1 and 2 to Senate Bill 1102, all Be Adopted.

Senator Woolard, Chairperson of the Committee on State Government, reports Motion to Concur with House Amendment 1 to Senate Bill 1336 and House Amendment 1 to Senate Bill 1530, all Be Adopted.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR BURZYNSKI:

Thank you. Standing beside me today I have a young lady that's here visiting us and -- and was able to watch our debate and everything. And this is my favorite daughter, Beth. And I'd appreciate if we could welcome her to the Senate today.

PRESIDING OFFICER: (SENATOR DeLEO)

We -- welcome to the Illinois Senate. Senator Sullivan, for what purpose do you rise, sir?

SENATOR J. SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point.

SENATOR J. SULLIVAN:

Thank you, Mr. President. Over the course of this week and last week, I've had quite a few family members here in Springfield, and today is no exception. Of course, we're going to be adjourning tomorrow for sure and some of my family wanted to come on the Floor before the end of Session. I'd like to introduce, first of all, my personal Page for the Day, Colleen. She's my niece. Also my brother, Joe, one of my twins, is here today. My brother, Joe. My brother-in-law, Pat Ewing. And also up in the gallery, my mother, Rita Sullivan, is up here and my sister, Edith. And I also have two friends from my home county, Chuck Clayton and Dave McNeely. I'd like -- I'd like you to welcome 'em all to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized by the Illinois State Senate? Welcome to Springfield. Senator Dave Sullivan, for what purpose do you rise, sir?

SENATOR D. SULLIVAN:

Thank you, Mr. President. Inquiry of the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry, sir.

SENATOR D. SULLIVAN:

Mr. President, if -- if I could request, since we appear to have a little downtime here, if we could go to page 81 of the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Calendar, Motions in Writing. I have a motion to discharge a Senate amendment to House Bill 875 to repeal the SBC law. It was filed in Rules Committee. I'd like to have that discharged from the Rules Committee. There's urgency in this, because if we don't repeal this before June 9th, then the ICC will do some devastating things to the telecommunications industry. So I'd like to take this up as soon as we can.

PRESIDING OFFICER: (SENATOR DeLEO)

Your inquiry will be taken under consideration. We're not going to that order of business yet, sir. But we'll be back to you.

SENATOR D. SULLIVAN:

Do -- do you know when we'll go to that order of business?

PRESIDING OFFICER: (SENATOR DeLEO)

I'll let you know. Okay. Ladies and Gentlemen, on page 24 of the Calendar is the Order of House Bills 3rd Reading. This is final action. On page 24, House Bill 46. Senator Larry Walsh, do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 46.

(Secretary reads title of bill)

2nd Reading -- I'm sorry, 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Thank you -- thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 46 creates the Illinois Renewable Fuels Development Program Act and amends the Prevailing Wage Act. Under this Act, the Department of Commerce and Community Affairs will implement a GRF grant program, subject to appropriation, capped at fifteen million in aggregate annual grant awards, to assist plant owners with the construction or expansion of Illinois renewable fuel production plants. Makes entering into a project labor agreement one of the requirements for obtaining grant assistance. Amends the Prevailing Wage Act to define "public works" to include all projects financed in whole or in part with funds from the Department of Commerce and Community Affairs under the Illinois

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Renewable Fuels Development Program Act for which there is no project labor agreement. Makes it mandatory for the contractor or construction manager with a public works contract to post the prevailing wage for each craft to execute the contract. House Bill 46 is one of the three bills that we have put together, along with Senate Bill 46 and Senate Bill 1212, that -- basically has created this program. And I'd be more than glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question. Senator Halvorson.

SENATOR HALVORSON:

Senator Walsh, you -- you also sponsored Senate Bill 1212 and Senate Bill -- or, so House Bill 46 and Senate Bill 1212 make identical changes to the Prevailing Wage Act. Under the current law, TIF funds cannot be used for the construction of new and privately owned buildings. However, TIF districts may fund other forms of assistance prior to the construction of these privately owned buildings, such as site preparation, demolition, and environmental cleanups, which are covered by the Prevailing Wage Act. Does Senate Bill 1212 or House Bill 46 extend coverage of the Prevailing Wage Act to the subsequent construction of newly -- new, privately owned buildings?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Thank you, Senator. No, it does not.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones, for what purpose do you rise, sir?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question. Senator Jones.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SENATOR J. JONES:

Senator Walsh, I -- I know this is something we've been working on for -- for quite some time this -- this Session, and we all know how things happen in the -- in the General Assembly, but once this bill -- or, Senate Bill 46 got over to Speaker Madigan's control, then he started putting on a lot of -- of requests and -- and this is one of those bills that is part of his request, along with House {sic} Bill 1212, I believe. There is a -- a fifteen-million-dollar grant in here. Where is that money coming from for the fifteen-million-dollar grant?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Thank you, Senator. By moving the tax credit right now, which is currently seventy percent, up to the eighty-percent level - which we were going to -- under Senate Bill 46, we were going to gradually increase on a step program every five years of five percent - the Department of Revenue -- the Department of Revenue is going to receive about seventeen million dollars and fifteen million of that is where this money is going to come from.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. Well, in looking at all three bills, there is no language in any one of those bills that actually specifies that. So there may be a problem here that we're going to have to come back and -- and do a trailer bill or something to -- to correct that. But staff has been completely through this and we don't find it, in any one of the three bills, specific language to do that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator, is that a question?

SENATOR J. JONES:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Well, thank you, Senator. But that is -- that is the -- that is the legislative intent of -- of the bill, that -- that by doing that, the Department of Revenue is going to -- to create this seventeen million dollars that they weren't going to be having because we were going to step increase the tax credit. And that is the legislative intent, that -- that this -- this fifteen million grant is going to come out of, on a -- on a renewal basis every year, and they're going to receive the extra two million.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones. Senator, you -- you have to press your...

SENATOR J. JONES:

Thank -- just a closing remark, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR J. JONES:

To the bill. You know this has got a prevailing wage clause in it, and -- and really and truly it's -- it's been agreed to by -- by a lot of the organizations - Farm Bureau, Corn Growers and many others. It is a Prevailing Wage Act in it, though, that is tied to that if you get a grant from this bill, then you're going to have to work out a -- a prevailing wage agreement. So, those of you that -- that want to be cautious on this, you know, that's fine. Personally, as the -- as spokesman on the -- on the Ag and Conservation Committee, I -- I'm going to vote in favor of the bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SIEBEN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SIEBEN:

Thank you very much. Senator Walsh, I -- certainly support the incentives involved in this for ethanol and renewable fuels. Very important to the agricultural industry of this State. However, have a question for you in just a second. Couple

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

years ago, a group of cooperative producers in northwest Illinois came together to form a -- a producers group called Adkins Energy, and they built the first Illinois ethanol plant owned by individual producers in Lena, Illinois, in northwest Illinois, called Adkins Energy. And as part of the incentive from the State to build and construct that -- plant so that it wouldn't go to the State of Wisconsin, the Governor, Governor Ryan, approved and we specifically appropriated for Adkins Energy a two-million-dollar grant that's in this year's budget as a line item, two million dollars for equipment - not construction, not labor - two million dollars for equipment to be -- go into that Adkins Energy plant. That plant was up and operational last August or September. It's running. The Comptroller of the State of Illinois continues to sit on that two-million-dollar, appropriated line item for equipment. Now, my question for you, is there anything in this legislation that would retroactively impact the release of the two million dollars for the Adkins Energy plant for equipment? Because they did not have a project labor agreement, they were not involved with prevailing wage. You know, they use contractors that are skilled at building ethanol plants. Is there anything in this legislation that would retroactively impact the Adkins Energy plant or cause any concern for the Comptroller to release that two-million-dollar line-item appropriation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

No, Senator. There is absolutely nothing in there. This is progressive language from -- from -- from the date of this bill being signed.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sieben.

SENATOR SIEBEN:

So, prospectively, this only applies to new -- construction. So it's my understanding that there would be no reason -- no longer any reason for the Comptroller to continue to withhold the release of those funds for the Adkins Energy plant. I intend to send him a letter in the morning and ask for the release of those funds. It was not a Member initiative.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

It was part of the AgriFIRST Program specifically designated and -- and I hope the -- Appropriations Chairman will help see that that money gets released - if not released, reappropriated - so that after July 1st, that money can finally flow to this project that has been benefiting Illinois agriculture and Illinois producers. Thank you very much. I will vote in favor of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh, to close. Senator Walsh asks us for a favorable roll call. The question is, shall House Bill 46 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 Nays, 0 voting Present. House Bill 46, having received the required constitutional majority, is declared passed. Senator Trotter, for what purpose do you rise, sir?

SENATOR TROTTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. You know, throughout the State of Illinois, in many of our school districts, this was the week of -- of liberation. It's a -- we have -- our children are free. It was the last day of school. And then many of those captives through the winter months are out now playing outside, having a great time. Well, we have with us today Nick Boyster, who felt that it was important to come here and to continue his education and learn what -- what we do in this august Body. So, would you please join with me today in -- in welcoming Nick Boyster to the Senate?

PRESIDING OFFICER: (SENATOR DeLEO)

Nick, welcome to the Illinois State Senate, and thank you so much for attending here today. Okay. Ladies and Gentlemen, continuing on House Bills 3rd Reading, moving to page 25. The middle of page 25, there'll be House Bill 568. House Bill 568. Senator Haine? Senator Bill Haine. Senator Haine seeks leave

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

of the Body to return House Bill 568 to the Order of 2nd Reading. Leave is granted. On that Order of 2nd Reading is House Bill 568. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, on Floor Amendment No. 1, sir.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This adds the probation officers and parole officers, as well as correctional institution officers, to the list of those peace officers for which it is a crime to resist in the lawful performance of their duties.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will vote Nay. The Ayes have it, and the amendment is adopted. 3rd -- 3rd Reading. Are there any -- Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. On that Order, Senator Haine, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 568.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Mr. President, my -- I just want to reiterate my explanation and to ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 568 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 568, having received the required constitutional majority, is declared passed. House Bills 3rd Reading. House Bill 569. Senator Obama seeks leave of the Body to return House Bill 569 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 569. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Obama.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. As I explained in committee, this is actually a new iteration of a bill that we passed unanimously earlier in the Session. The Republican staffers found some technical changes that needed to be made, and rather than amend it to a bill that had already passed out of both the House and the Senate, we had to do a -- a new bill. So, that's what this is, but essentially the changes are technical in nature.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? All those in favor will say Aye. All those opposed will say No. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Obama, do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 569.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SENATOR OBAMA:

Thank you, Mr. Speaker. As I said, this is a -- a different, slightly varied version of a -- a bill we had passed unanimously earlier. It issues a certificate of relief, allowing nonviolent ex-offenders to participate in barbering and some other licensed activities. I know of no opposition. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The -- is there any discussion? Is there any discussion? Seeing no discussion, the question is, shall House Bill 569 pass. All those in favor will vote Aye. All those -- opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, and 0 voting Present. House Bill 569, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, House Bill 577. Senator Dillard. Senator Dillard seeks leave of the Body to return House Bill 577 to the Order of House Bills 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 577. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This amendment has the -- and it's on a bill that would allow the State permissive authority -- I mean, our units of local law enforcement to use a voice stress analyzer, something that many states have done. That's the underlying bill. In this amendment, the polygraph examiners, with the input of their president, have made refinements to the bill. They've tightened it up, put in more stringent safeguards, and makes it really clear that there can be no surreptitious use of a voice stress analyzer. And I'd move its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Is there any discussion? Senator -- seeing no discussion, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. On the Order of House Bills 3rd Reading, Senator Dillard, do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 577.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This bill would give permissive authority for law enforcement to use something known as a voice stress analyzer, which many -- many states in the United States use as an alternative, perhaps, to the polygraph exam. The federal government started to use voice stress analyzers after September 11th for airports. We've worked this bill to death. We've had lots of input from the polygraph examiners, and I'd urge its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he'll yield for a question, sir. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Dillard, I know this is the second or third time we've seen aspects of this bill and I can't help but detect, even with -- with my untrained ear, just a -- a little

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

stress in your voice. Would -- would this bill help us today here on the Senate Floor, you think?

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Dillard, to close.

SENATOR DILLARD:

I'd love to have a voice stress analyzer out here on the Senate Floor, especially at times like this, just to see who's full of blarney. This is a good bill. It's been worked over and over and over very hard, and I'd appreciate a green vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall House Bill 577 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 Nays and 0 voting Present. House Bill 577, having received the required constitutional majority, is declared passed. House Bill 580. Senator Jacobs. Senator Jacobs seeks leave of the Body to return House Bill 580 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 580. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, on Floor Amendment No. 1.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment 1 becomes the bill and I'd be more than happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Jacobs, do you wish to proceed?  
Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 580.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the omnibus pension bill. This is the first of two. This one has no cost to the State. As you're aware, we asked all of the Members to let us know what they wanted in -- into this bill. We were able to accommodate most of the -- the requests but not all, but I'll try to give you a little overview of what this one does do. First of all, it starts off with disqualifying persons who first become participants after the effective date of this amendatory Act from the provision allowing members with more than twenty years of service to earn three-percent annual increases before withdrawal from service. It deals with Chicago Police and Chicago Fire pensions. It deals with the Chicago Municipal and Chicago Laborers Pension Fund. In regards to the Police and the Chicago Fire, it increases the minimum monthly annuity for retirees who retire at age fifty or over with twenty or more years of credible {sic} service or who retire due to termination of their disability, from eight fifty to nine fifty per month on 1/1/04 and to one thousand fifty on one thousand -- I mean, on January 1st -- 2005, and also increases the minimum widow's annuity for anyone entitled to such annuity for deceased police officers. Provides that all initial annual automatic increase will occur in January of the year of which they had otherwise taken effect. Currently, the retirees of the Funds receive their initial automatic annual increases on the first annuity payment date occurring after the third year or attainment of age fifty-three. It increases the minimum widow's annuity from eight hundred to nine hundred dollars for the Chicago Municipal and Chicago Laborers Pension Fund, from eight hundred to nine hundred, on

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

January 1st, 2004, and to -- and to one thousand on January 1st, 2005. It allows for an automatic increase, a three-percent increase, in widow's annuities under certain conditions. Allows the current Annuitant Preferred Provider Plan to expire, but increases the amount each the -- City of Chicago Fund must contribute towards annuities {sic}, health care for premiums and -- and annuitants both qualified and not qualified to receive Medicare benefits. Requires the pension to make payments to the Chicago Board of Education for Fund retirees who participate in the Board of Education's retiree health plan. Allows repayment of a refund by an employee. Allows members to pay optional contributions with pretax dollars through employer pickup. Allows employers {sic} to receive up to five years of credit for certain military service not preceded by employment. Requires payment for the corresponding employee's contribution and interest. It deals with the Cook County Pension Fund, the Metropolitan Water Reclamation District, many of which Acts we -- we had presented and -- or, bills we had presented and were not heard because we held them all, pending this legislation. Also, to increase the amount of service credit that may be established for periods spent on leaves of absence from one year to two and includes leaves taken before 1982 -- that's in the State Employees' Retirement System - and allows for the purchase of service credit for two years spent on layoff. Also, with the Downstate Teachers Pension Fund, changes the method of calculating interest when purchasing service credit for certain periods of military service by changing the date used for interest calculations from either the last date that the employer {sic} became a member or 11/1999 -- 1991, whichever is later, to the date of payment. That's it in a nutshell. Be happy to try to answer any questions. It -- it -- it is one that does not fit the mold of how we normally do things, but, as I indicated, with no Pensions Laws Commission, we felt that we'd bring this bill to you. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Brady, for what purpose do you rise, sir?

SENATOR BRADY:

Comments on the bill, Mr. President.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill?

SENATOR BRADY:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BRADY:

Thank you. Ladies and Gentlemen, with all due respect to Senator Jacobs, there's -- this bill is very large and encompassing of a lot of issues. There was an agreement - and I understand that -- Speaker Madigan refused to appoint people to Pensions Laws Commission - but I still think we should be living by our agreement to carry pension bills through the Pension Laws Commission. This bill carries with it a lot of issues, and for that reason, I would recommend to Members on this side of the isle at least, if not all Members, a vote of No or Present.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Jacobs, to close.

SENATOR JACOBS:

Thank you, Senator. And I couldn't agree more. But we're -- we're stuck under a situation, and just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you, Senator. The question is, shall House Bill 580 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 33 Ayes, 18 Nays, 5 voting Present. House Bill 580, having received the required constitutional majority, is declared passed. House Bills 3rd Reading, on the bottom of page 25. House Bill 581. Senator Jacobs. Senator Jacobs seeks leave of the Body to return House Bill 581 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 581. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, on Floor Amendment No. 1.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SENATOR JACOBS:

This, again, is part of the omnibus pension bill. This is one that has minor cost to the State. Involves some of the General Assembly Retirement System, and be happy to answer any questions on 3rd.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Jacobs, do you wish to proceed, sir? Indicates he does. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 581.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill, as we said, is -- is part two of the omnibus pension bill. It -- it deals with establishing service credit for military service to the General Assembly Retirement System, as we do with almost all other bodies within the State. It allows GARS members to transfer any amount of service credit from any pension fund. Allows surviving spouses of GARS members who died in service to establish GARS service credit for periods during which the participant held a municipal elected office. Allows GARS members to rescind their election not to participate in the System by 1/1/04 and establish service credit for the period they chose not to be participants. It deals with the Downstate Firefighters pension, allowing for equal -- equality. This one has a little problem that we need to adjust somewhere along the line because of a compounded three-percent -- annual increase, which is not part of the Police package, but this would make them equal with the Police so that a surviving spouse

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

annuity would equal one hundred percent of the -- deceased firefighter's retirement benefit - not their pay, their retirement benefit. It allows some -- deals with the Chicago Police Pension Fund and the Chicago Fire Pension Fund. Allows a policeman with at least -- excuse me, a firefighter with at least ten but not {sic} less than twenty years of service who is required to withdraw from service due a -- due to attainment of mandatory retirement age shall receive an annuity equal to thirty percent of average salary for the first ten years of service plus two percent of average salary for each completed year. Most of these are -- that I'm reading now are pretty much agreed upon by -- by the parties involved. It allows -- paramedics employed by the city who were enrolled in the Municipal Employees' Fund to -- to transfer -- to -- to purchase service credit in the Firemen's Fund. Allows for the employees of United County {sic} (counties) Council of Illinois to be included in the IMRF. They're one that was inadvertently left out. Allows an annuitant who participates in the early retirement incentive to receive compensation for an elective office, provided the annuitant does not participate in IMRF while holding the elected office. Provides that a spouse who was married to the deceased annuitant for at least eight years on the death will be eligible for a surviving spouse annuity. In the State Employees' Retirement System, SERS, it allows full-time officers and employees of statewide labor organization representing members of SERS to be deemed employees and to participate in the System. Opens the window for people who render full-time contractual services to the General Assembly as a member of a legislative staff for up to eight years of credit till March 1 of -- I mean, 2004. It allows anyone with service credit in SERS, even if not a -- currently an active member, to establish up to ten years of service credit for current or former employment with the Illinois Sports Facility {sic} (Facilities) Authority Board. Allows the Illinois Department of Transportation sign hangers and sign hanger foremen, highway construction supervisors and silkscreen operators to be included under the SERS -- alternative retirement formula. In the Downstate Teachers Pension Fund, it -- it states that a teacher who, on any day in -- was employed by a department on a regular

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

and permanent basis for four or more clock hours per day, four days per week shall be considered to have been on a payroll status, full-time teacher. It has to do with CTRS annuitants. Currently, also, it increases single-sum payments. Currently, TRS members with less than five years of service may elect to receive a single-sum payment at sixty-five. The payment equals 1.67 percent of the -- the member's average salary for each year of creditable service, and this allows them to take a single-sum payment up to 2.2 percent of the member's final average salary. It deals with pregnancy service credit for former CTR members. It combines contribution reserves. It covers TRS employees changing position. The Chicago Teachers' Fund - it allows a retired principal who has more than thirty years of service of - - credit and meets certain or other conditions to buy an additional five years of service credit and have the pension -- prospectively recalculated. It allows a designated domestic partner, defined as an individual of the same gender as the unmarried teacher, to qualify as a surviving spouse for purposes of survivor and death benefits. This is agreed-upon language by all parties involved there for the Chicago Teachers, and increases the minimum total survivor's pension to fifty percent of the earned retirement pension for survivors of members who died before 1/1/87. And I'll try to be happy to try to -- answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Any discussion? Senator Brady, what purpose do you rise, sir?

SENATOR BRADY:

Speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BRADY:

Thank you, Mr. President. That was an excellent mumbling explanation of what's in this, but I -- detailed as all, get-out. I mean, there were four inquiries to move to the previous question while you explained the bill. Ladies and Gentlemen, I want to again compliment Senator Jacobs for his work this year, but, again, this is a bill that should have gone through the Pension Laws Commission. I know that's not within his control

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

and there are various provisions in this bill which give us some concern. And I would recommend a Present or a No vote to our side of the aisle.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Jacobs, to close. Okay. The question is, shall House Bill 581 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 31 Ayes, 21 Nays, 4 voting Present. House Bill 581, having received the constitutional majority, is declared passed. Okay. Ladies and Gentlemen, proceeding on House Bills 3rd Reading, we will move on page 34 of the Calendar, House Bills 3rd Reading. House Bill 697. Senator del Valle. With leave of the Body, we'll come back to 697. On page 34 of the Calendar, House Bill 707. Senator Welch. Senator Welch, do you seek -- Senator Welch seeks leave of the Body to return House Bill 707 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 707. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is amend the Comprehensive Health Insurance Plan Act. It extends a one-time waiver of the sixty-three-day break in creditable coverage that's a -- requirement for individuals who qualified for the health care tax credit on December 1st of '02 to enroll in CHIP as long as all the other -- eligibility requirements are met. I'd be glad to answer any questions on 3rd Reading. This is..

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Welch, do you wish to proceed, sir?  
Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 707.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

I'd -- I'd just like to add to my description of the bill in the -- on the 2nd Reading the fact that this is a trailer bill to House Bill 3298, which passed both Houses. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Senator, in committee you suggested you had an appropriate poem.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady, to repeat the question, sir.

SENATOR BRADY:

In -- in committee, you suggested you had an appropriate poem that we said we'd wait till we heard out on the Floor.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Well, I've -- I've got a Shakespeare quote ready, but I don't have my poem ready, if you'd rather have that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator, I believe you made a commitment to the committee. Ladies and Gentlemen, this is a good bill and I suggest you support it.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 707 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 707, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading, House Bill 719. 719. Senator Shadid. Senator Shadid. Senator Shadid seeks leave of the Body to return House Bill 719 to the Order of 2nd Reading. Leave is granted. On that Order of 2nd Reading is House Bill 719. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid, on Floor Amendment No. 1, sir.

SENATOR SHADID:

Yes. Thank you, Mr. President. Senate Amendment No. 1 deletes all and becomes the bill. The underlying bill was a vehicle bill. All the provisions of the amendment are technical in nature and apply to the Secretary of State's Office. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will vote Nay. The Ayes have it and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sieben, on Floor Amendment No. 2, sir.

SENATOR SIEBEN:

Thank you very much Mr. President. Ladies and Gentlemen of the Senate, Floor Amendment No. 2 incorporates language worked

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

out with IDOT to allow the permitting system for trucks transporting bulk milk to cheese plants in northern Illinois. There's no opposition. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator -- Senator Shadid, do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 719.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. A bill from last year, Senate Bill 1657, added sanctions of suspension for a violation of failure to yield the right of way to authorized vehicles or workers in a highway construction or maintenance area. However, no language was added to give the Secretary of State the authority to suspend the privileges of a person convicted of violating this Section. This amendment adds the needed language. Thank you and I would answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Shadid, to close. Senator Shadid asks for affirmative roll call. The question is, shall House Bill 719 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 719, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Reading, on page 38 of the Calendar, House Bill 765. Senator Demuzio. Senator Demuzio, you wish to proceed? Seeks leave of the Body to return House Bill 765 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 765. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a interfund transfer in the School Code. It would allow for school districts, for a period of two years, to utilize their -- their education, operations and -- I'm sorry, education, operations and maintenance and transportation funds to be utilized for the two-year period. It was a recommendation of EFAB, but it was much greater than that. This is not permanent. It's an experiment. It's for a two-year period. It may help some of the school districts to alleviate some of their current problems. I believe it passed committee unanimous. I would ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. All -- is there any discussion? Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Demuzio, do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 765.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SENATOR DEMUZIO:

Well, again, this would afford the school districts throughout Illinois to utilize their current education, their operations and maintenance and transportation funds for a period of two years in order to help to ease some of the tough economic times that we have. It was a recommendation of EFAB, as I recall correctly, to consolidate, I think it was eleven levies, into seven -- nine, and as a consequence, we're affording these school districts - just these three areas - to do this for a period of two years as -- as an experience to hopefully to alleviate any economic strains that they might have. It's unanimous. I don't know of any opposition.

PRESIDING OFFICER: (SENATOR DeLEO)

The Chair would like to recognize a former Member of the Illinois Senate, Senator Robert Molaro. Senator, welcome back to the Illinois Senate. Senator Roskam, what purpose do you rise, sir?

SENATOR ROSKAM:

Briefly, to speak to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR ROSKAM:

I just rise in support of this. I think it's a creative way to try and give some flexibility to our school districts. It would allow them, on a short-term, two-year basis to transfer funds and I think it's a creative approach. And I urge its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further discussion? The question is, shall House Bill 765 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. House Bill 765, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading, on page 51 of the Calendar. House Bill 948. Senator Harmon. Senator Harmon seeks leave of the Body to return House Bill 948 to the Order of 2nd Reading. Leave is

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

granted. On that Order of 2nd Reading is House Bill 948. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, on Floor Amendment No. 1, sir.

SENATOR HARMON:

Thank you, Mr. President. The amendment is to a shell bill. It becomes the bill. I'd be happy to talk about it on 3rd Reading, if folks would allow me.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? All those in favor will say Aye. All those opposed will say No. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Harmon, do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 948.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. This is the trailer bill to the DuPage Water Commission bill, 3402, that we passed out -- I guess it was last week. This replaces the Auditor General language. The language was suggested by the Auditor General. I'm aware of no opposition and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, the question is, shall House Bill 948 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. House Bills -- 948, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, moving along, House Bills 3rd Reading. On page 57 of the Calendar, there's House Bills -- 1027. Senator Radogno, do you wish to -- do you wish to have -- Senator Radogno seeks leave of the Body to return House Bill 1027 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1027. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno, on Floor Amendment No. 1, ma'am.

SENATOR RADOGNO:

Thank you, Mr. President. Floor Amendment 1 becomes the bill. It provides a mechanism for residents that live in a territory that is being taxed twice for recreational services to de-annex from one of those units.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Radogno, do you wish to proceed, ma'am? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1027.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Thank you, Mr. President. As I just explained, that's what the bill does. It passed unanimously out of committee and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no discussion, the question is, shall House Bill 1027 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. House Bill 1027, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading, page 60 of your Calendar, is House Bill 1070. Senator Jacobs. Senator Jacobs seeks leave of the Body to return House Bill 1070 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1070. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, on Floor Amendment No. 1, sir.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. House Bill 1070, Floor Amendment No. 1, just basically corrects a mistake that was made in '99 where we passed the dockside and three boats under the old -- or, the original legislation required that three boats be on the Mississippi. Well, in 1999, when we passed dockside, we did not eliminate the provision of the three boats being on the Mississippi. So, currently, seven out of the ten licenses have been allowed to take advantage of the dockside and the three boats on the Mississippi have not been allowed to do that. So, this just corrects that -- that concern.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Jacobs, do you wish to proceed with House Bill 1070, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1070.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you. I just stand in support of the -- the bill as explained by -- by Senator Clayborne. We wanted one more piece of language in there that we hope will come in a later bill and that was -- has to do with severability, because severability is an important aspect of if dockside -- or, if a court case comes through, we would have to go back to -- to -- to cruising and that would cost the State enormous harm and enormous amounts of dollars. I just ask for an Aye vote and Senator Clayborne can further explain the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates he'll yield, sir.

SENATOR ROSKAM:

Senator Clayborne, are you confident that the Governor will sign this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, I am.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Well, I have his candidate survey from February 4th, the year 2002, when he responded to the Illinois Church Action on Alcohol Problems, and they asked a series of questions and he -- he filled it out the same way you and I fill out physicals. We're fine, all the way down, and we sign our names at the bottom. 'Cause on every question, Senator, he answered no. In other words, he'd oppose everything, and there's ten or twelve things here. And one of the things that he checked off and signed his name on was moving riverboat casino licenses -- or, I'm sorry, moving riverboat casinos off the Mississippi River. Now, that would fall into this category, wouldn't it?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Technically, it would. The problem is that this is just a mistake that was made. Maybe he didn't understand the significance of it at the time, Senator Roskam.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Well, I think he's shown a tremendous amount of, shall we say, legislative flexibility on this issue over the past couple of weeks, and enough said on that. I just urge, for those of you on my side of the aisle who are -- are concerned about the ability to -- to move a casino off of -- off of the Mississippi River and really have a land-based casino, just heads up. I think it's a good No vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, to close.

SENATOR JACOBS:

Yeah. Just -- I just want to add one thing to that. This actually was done under -- under former Governor George Ryan. The problem that we had, they allowed Rock Island to move. They inadvertently left East St. Louis out, and this is just an effort to -- to rectify what was done under the current administration of George Ryan, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 1070 pass. All those in favor, vote Aye. All those opposed will vote Nay. The

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 32 Ayes, 21 Nays, 3 voting Present. House Bill 1070, having received the required constitutional majority, is declared passed. On page 62 of the Calendar, House Bill 1179. Senator Larry Walsh. Do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1179.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1179 amends the Disabled Persons Rehabilitation Act in regards to wages of personal care attendants. Raises the minimum hourly wage for personal care attendants to eight dollars per hour, commencing on July 1st of 2003, and to nine dollars per hour minimum wage, starting on January 1st of '04, 2004. Currently, personal care attendants are paid seven dollars an hour. In addition to receiving -- very low wages, personal care attendants are also required to pay a portion of their own health care. Because many of the personal care attendants are able to make more money in service industries, there's such a high turnover of workers and subsequent increase in inexperienced workers. Workers with less experience affect the quality of care for a person with disabilities and discourage others from working as them. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Righter, what purpose do you rise, sir?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he'll yield, for a question.

SENATOR RIGHTER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator, you and I discussed this, I recall, a few weeks ago in Health and Human Services Committee when this bill passed out, and I recall that there were a number of people there in committee who would benefit from this -- I'm sorry, who would benefit from a pay raise. I'm not so sure they would benefit under this legislation. Can you tell me if there is any money in the budget, the spending plan that is sitting -- getting to the Governor's desk, that would pay for this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

I cannot -- I cannot tell you, Senator, that there is actually a line item in the Governor's -- in -- in the budget plan that will take care of this.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

That's -- that's our information as well, Senator. And -- and my concern then is the same as -- as we had in committee, which was we all want to stand up and we all want to tell these folks that we -- that -- that they should get a pay raise because we all know that they should get a pay raise. But if there's no money behind it, aren't we just raising expectations that are going to be dashed? I mean, if the money's not there, then are not the people who maybe are listening to this -- who are -- who are pinning their hopes on the General Assembly to -- to get them a pay raise, they're just going to be crushed because it's not going to be there because we don't have the money.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

We'll, I'm -- I'm glad you brought that up, Senator, because the issue is that over the last number of years, these people, these workers have basically been promised time and time and time again that they're -- they were going to be taken care of. Over the last number, -- six years, seven years, we have watched the general budget in the State of Illinois go from thirty-four billion dollars to fifty-four billion dollars. Fifty-four billion dollars. And every time that we tried to

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

pursue fifty-cent-raise increase or a dollar increase, these people were basically promised it in the beginning of the year and never, never received it. And when the other side of the aisle was in -- in the Majority, they told them and told them that we were going to get that in there. And one year, specifically, we bounced this issue around like a basketball, back and forth, back and forth, tying it to -- to transfers in the Secretary of State's Office and every other issue. So the time has come that we are going to put, basically, our money where our mouth is and we are going to say to the Governor that -- that the time has come that these people deserve - deserve - these workers deserve this increase. If the Governor so desires that he does not feel that this fits into his appropriation program for this year, then he has -- he has every right to -- veto this piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

One moment, please. Senator Shadid, what purpose do you rise, sir? Senator Shadid?

SENATOR SHADID:

I want to talk to the sponsor. Okay, go ahead.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, I agree with just about everything you said there, that -- absolutely, but I -- the only thing that I can think of that is worse than telling people that they're going to get a raise and then not passing a bill that gives them the raise is passing a bill that gives them a raise and then not putting any money behind it and that's what I'm concerned that we've got here. I mean, we're actually going to send something to the Governor's desk. All of these people are going to assume that they've got it coming to them and there's no money in the budget. Let me ask you a question, Senator. If it goes to the Governor's desk and he signs it and there's no money in the budget specifically allocated for that, will they get their pay increases and, therefore, the twenty million dollars that's attached to this be drawn from some other program like human service providers in other areas on something like that, or will they just not get their pay raise?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Senator, I truly have the utmost confidence in the Governor and his staff that have been working endlessly in putting this budget together that if this bill goes to the Governor and the Governor signs this piece of legislation, that he will make sure that there is the necessary funding in the budget to take care of this.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Senator Walsh, thank you very much. I appreciate your honesty and I appreciate your work on this issue. Ladies and Gentlemen, this is like an issue that we've had a number of times before where we've got a great idea, everyone wants to do it, but it's a question of money. And for us to pass a bill that requires a pay raise that we know they deserve but we know the money's not there, as well, and saying, "Well, hopefully the Governor will come up with it" is a little like flipping a quarter in the wishing well and hoping that you're -- you're going to be able to come up with your kid's college tuition. There's no guarantee the money's there. There's no indication at all that it's in the Governor's budget. And if it passes and the Governor signs it and they get the pay raises, then where is that twenty million going to come from? Some other program that your community depends upon? That may very well be the case. I would urge extreme caution on this. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno, what purpose you rise?

SENATOR RADOGNO:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR RADOGNO:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator Walsh, was this item in the bill that we heard in committee yesterday, House Bill 3738?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Senator, specifically...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno, did you have a...

SENATOR RADOGNO:

Well, I -- I think I can answer the question. I believe it was contained in that bill, the bill that we're not hearing today. And, again, the thing that bothers me so much is this process is such a scam. It is so dishonest and misleading to people that are counting on this money. It -- it is not included in this budget bill that we just passed. And so, I am the first one to be arguing for raises for these people. I led the charge on the dollar an hour for the developmentally disabled workers. We've talked numerous times. I am for this bill. I voted for it in committee yesterday. But to vote for this again as a freestanding bill, it is a complete lie. The only reason we're doing it is so we can send a mailer -- a mailer at election time saying, "I supported this." It is not true unless we have the money to back it up. And I know it's hard to take a vote where you're voting No on something that we all believe is true and we're on record all over the place as supporting, but it's just a lie to vote for it and then not have the money. So, as much as -- as difficult as it's going to be for me because I believe in this and have voted for it before, I -- I can't support this.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Yes. Thank you, Mr. President. You know, I'd just like to respond to this convoluted logic on the other side of the aisle.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, one second. Could you -- Ladies and Gentlemen, could you give the speaker your attention, please? Senator Welch.

SENATOR WELCH:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

You know, the criticism over here is just unbelievable. First of all, is it in the bill? No. Is there revenue? No. We haven't -- have you seen the revenue? No, we haven't seen the revenue. Stay tuned. Those bills are coming. You'll get your chance to vote for them. All the programs you wanted to put in yesterday when you voted for the captains, when you voted for the hundred and thirty-two million for the -- the health care workers. Hey, you can vote on the bills coming up. In committee you said you weren't voting for any revenue. You thought you could squeeze it out of somebody else's hide. You know, talk about hypocrisy, hyperbole and hyperactivity. That's what we're getting over there. For God sakes, let's -- you know, let's be realistic here. You can't put new issues in the budget without having the money. To say you're going to keep squeezing things, we're going to close down a branch office in China for DCCA - oh, that's going to raise a lot of money. That'll -- that'll pay for everything, won't it? The revenue is coming. Stay tuned. It'll be there to pay for the bill. It'll be there to pay for Senator Walsh's bill. That's all you got to do. So if we can stop the same arguments about how we're -- we're coming up with a sham on the voters, they're waiting on this money. And then you tell them you're not voting for the revenue. Who's fooling who? If you're for the projects, vote for the revenue to fund 'em. You know, this is the perfect definition of a compassionate conservative, which a number of you claim to be. A compassionate conservative is a person who votes for all of these social programs but is fiscally -- conservative so he doesn't vote for the money to pay for 'em and that's what we're getting from this side. So, hold on. You'll have a chance to put your money where your mouth is and the people's money where your mouth is when the revenue bills come up.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CULLERTON:

Yes, for the point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR CULLERTON:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Mr. President, I just wanted to introduce. A very distinguished Member of the House of Representatives is over visiting us, Speaker Mike Madigan.

PRESIDING OFFICER: (SENATOR DeLEO)

Speaker Mike Madigan, welcome. Senator -- Senator Shadid, for what purpose do you rise, sir?

SENATOR SHADID:

Speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR SHADID:

Yes. I rise in strong support of this bill. I think it's been four or five years now. Every year we have a bill that we're going to give the home care workers a dollar-an-hour raise. They're presently making seven bucks an hour with no benefits. They take care of elderly people in the elderly people's home -- they take care of the elderly people in the elderly people's home who would otherwise be in nursing homes. I -- I've had the opportunity and been fortunate enough to watch them. I've gone with several of them to the homes and see what they do. They do the work that nobody else wants to do, not even some of the families. We got to give these folks a dollar-an-hour raise and quit talking about we can't afford it, it's not in the budget. They'll never get a raise if we don't pass this bill, and I have confidence the Governor will find some money to pay these folks the money they deserve and should have got this raise at least four or five years ago. And some of them are in the audience up there, and these folks, I want to thank you for the job you do. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The -- Minority Leader Watson, for what purpose do you rise, sir?

SENATOR WATSON:

Thank -- thank you very much, Mr. President. I -- I guess we learn from the best. Happened to hear Senator Welch's comments about a year ago. Think those comments were being made on this side because we voted for the budget, a responsible budget, last year and so did you over there on that side. Wasn't really, necessarily, a responsible budget because,

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

obviously, we came back here on June 9th and we, once again, on this side, did the responsible thing and upheld about five hundred and forty million dollars' worth of -- of vetoes that Governor Ryan had to make in the budget to balance it. Now, where were you last year? Where were you last year when the votes were needed to -- to pass the revenues that were necessary to fund the budget - the cigarette tax, the increase in taxes on riverboats? You were AOL {sic}. Every single one of you over there was AOL. This side of the aisle last year did the responsible thing and we were there when it counted and we did what had to be done for the best interests of the people of this State in a budget that was passed and ultimately vetoed by the Governor, much of which had to be sustained by us on this side. So I don't want to hear, Mr. President, I don't want to hear from those of you over there on that side telling us how to be responsible. I don't want to hear about it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you very much. Senator Rauschenberger, for what purpose do you rise, sir?

SENATOR RAUSCHENBERGER:

Oh, thank you, Mr. President. How are you today?

PRESIDING OFFICER: (SENATOR DeLEO)

Very good. How are you, sir?

SENATOR RAUSCHENBERGER:

I'd just like to know if we can make an inquiry of the Chair, when we expect to go to 2nd Readings. There's a very important House Bill on 2nd Reading. It's House Bill 3738. It contains the funding to make Senator Walsh's program work. We were quite excited yesterday. There seemed to be bipartisan support in the Senate Appropriations Committee. Senator Trotter, I think, one of your leaders, is the sponsor. And if you're going to ask us to pass a substantive bill while there's people in the gallery, maybe we should tell them when they can come back to hear when we're going to take up the appropriations to put the funds in the program to pay for it. I just wonder if the Chair could advise me when you intend to go to 2nd Reading on the order of appropriations, House Bill 3738.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Thank you very much, sir. We're not on that order of business yet, but we will be getting to that order of business and I'll let you know. We'll be back with you in just a few minutes. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, is this about the same time we're going to go to Motions in Writing? I mean, you know, I just -- I wonder, are we seriously going to the -- I mean...

PRESIDING OFFICER: (SENATOR DeLEO)

We'll probably get to that right -- directly...

SENATOR RAUSCHENBERGER:

I think there's people in the gallery that would just like an answer from the Majority about whether they're going to call a bill.

PRESIDING OFFICER: (SENATOR DeLEO)

I -- I think we'll get to that right after -- right after the Conference Committees. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Thank you, Mr. President. I'm very pleased with the fact that you know how to handle yourself in that chair. They've been berating you and hassling you all day. We've been here -- I've been here eleven years now and we've seen the same people -- the only problem that you have is the same people who were here right now were here last year, year before, when there were more Republicans in the Senate than Democrats, and you had entirely different answers. Everything Pate Philip told you to do, you -- you -- you marched lock, stock and barrel to whatever he said. So now you want to complain because the pendulum has swung to this side of the aisle and you want to try to berate and ridicule the President. You did the same thing to us. I was surprised that Minority Leader Watson didn't throw the papers up in the air again, which has become his modus operandi. He almost hit my lovely Adeline Geo-Karis last time. So, just be a little more careful when you're throwing this time. You may as well throw 'em now and get it out the way, Frank, but we intend to pass what we have to pass for the people of Illinois and you need to do the right thing and vote for this bill and support these workers.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Walsh, to close, sir.

SENATOR WALSH:

Well, thank you, Mr. President, and I thank everybody for the debate on this very important issue. And I thank Senator George Shadid, that brought a lot of the points to -- to the forefront, that these people being paid seven dollars an hour are -- are workers that do personal hygiene and other issues with -- with their clients that, unfortunately, some of our own family members don't want to take the time to do, that they use their own car, they make -- extra trips on their own gas, on their own time, because they care. They are compassionate about the people that they care for. And for the number of years that I've been here, going on seven years, I have heard that this year is the time we are going to give these people a dollar-an-hour raise, and it's been bantered back and forth, bounced around, like I said, like a basketball, used as a political pawn when we were debating transfers and other issues. The time has come. The budget has increased from thirty-four billion dollars to fifty-four billion dollars and we couldn't find the necessary funds to give these people fifty-cent increase or a dollar increase. Well, today the time has come. We are not giving them any false hopes. If the -- if the Governor decides that this is an issue that he can support and there is money in the budget, he will sign this piece of legislation and they'll get their dollar an hour. They know what the process is. They've been down here. There's lobbyists sitting up there that have been here for a number of years. They know what the process is. They know whether this bill gets passed and goes to the Governor desk, it's his responsibility. This is a good piece of legislation. I think it's time that we move forward and rectify many of the promises, the promises that these people have heard in the past. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay. The question is, shall House Bill 1179 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 53

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Ayes, 2 voting Nay, 1 voting Present. House Bill 1179, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading. Senator Sullivan, for what purpose do you rise, sir?

SENATOR D. SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR D. SULLIVAN:

Thank you, Mr. President. If the Senate could please welcome the true power behind the influential Chairman of the Executive Committee, his beautiful bride, Debra, has joined us. Debra Silverstein.

PRESIDING OFFICER: (SENATOR DeLEO)

Debra, would you please rise and be recognized by the Illinois Senate? Welcome to Springfield. It's the first time your husband's had a smile all week. Continuing on House Bills 3rd Reading, on page 62 of the Calendar, House Bill 1251. Senator Haine, do you wish to proceed? Out of the record. On - - Ladies and Gentlemen, on page 64 of the Calendar. House Bill 1458. 1458. Senator Walsh seeks leave of the Body to return House Bill 1458 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1458. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh, on Floor Amendment No. 1, sir.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. 1 to House Bill 1458 is the Grain -- Grain Code insurance rewrite, and I would like to move it to 3rd and we'll just debate the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any -- is there any discussion? Senator Clayborne, what purpose do you rise, sir?

SENATOR CLAYBORNE:

I rise for a point of personal privilege.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, state your point, sir.

SENATOR CLAYBORNE:

Behind me is the former Mayor of East St. Louis, Mayor Gordon Bush. I'd like for him to be welcomed and recognized.

PRESIDING OFFICER: (SENATOR DeLEO)

Mayor, welcome to Springfield. Is there any discussion? Is there any discussion? All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Walsh, do you seek leave -- you wish to proceed on this, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1458.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill -- or, Senate Amendment No. 1 to 1458 becomes the bill. It makes numerous changes to the Grain Code, including changes with respect to the following: the purposes of the Code, definitions, examinations, administrative review, electronic warehouse receipts, bonds, fees, assessments, deposit of funds, criminal history investigation, financial requirements as licensees, price later contracts, fines, criminal penalties, suspension and revocation of licenses, Department on Agriculture expense reimbursements, procedure upon failure, designation of Administrative Law Judges, compensation for claimants and the creation of a Regulatory Fund as a trust fund. Ladies and Gentlemen, what this is, is the Grain Insurance Fund. Back in about 1983, due to the number of grain elevators and facilities that were going bankrupt and the number of our producers and farmers that had grain in -- in those facilities that lost

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

money, lost their -- lost their grain, maybe received ten cents on the dollar, that this Body created Grain Insurance Fund. And they...

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, could you give the speaker your attention, please? Ladies and Gentlemen, could you please give the speaker your attention?

SENATOR WALSH:

And what they did was they created a pool, a reserve, that the grain industry -- the feed and grain industry put in an assessment every year. Created a pool of about three million dollars, and once that was hit, they ceased putting the money in. The interest accrued to -- up to close to five million dollars. Everything was going along real fine until 2003 -- or, 2001 and we had the largest grain elevator bankruptcy in the history of Illinois, Ty-Walk. The Ty-Walk issue depleted the Fund, not only depleted the Fund but took four million dollars out of GRF that we needed to underwrite the cost in order to pay off the producers and the claimants. What we have here is a work in progress. I thank all the people that took part. We have been working on this piece of legislation since the beginning of this spring Session. We have held continuous and countless meetings, trying to bring all the parties together to give their point of view. Illinois agriculture is a very diverse industry. To try and bring everything together and to come to a consensus is a difficult task, but I compliment the partners and the participants in this that they did come forward, and we finally have a piece of legislation that we can live with. I think it's a good piece of legislation, addresses many of the issues that we found in the Ty-Walk bankruptcy. We have given the Department some flexibility to be -- be able to look out and find some red flags that pop up when we can maybe stop some of these bankruptcies before they get that far along. It's a good piece of legislation. I compliment Senator John Jones who, as Minority Spokesman on the Senate Ag Committee, worked with us on this and participated in many of the meetings and brought his -- his side of the aisle's input into this. So, I'd be more than willing to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator John Jones, for what purpose do you rise, sir?

SENATOR J. JONES:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR J. JONES:

Senator, one quick question and then -- and then I'd like to speak to the bill. But the -- the question is, is we've -- for the past five months around this Capitol here we've heard, coming from the Second Floor, the raiding of lots of funds. I would hope that this Body and -- and with your help that -- that we don't allow the Governor to raid this Fund, not now or not in the future.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Thank you -- thank you for that question, Senator. And I concur, and that was one of the very touchy situation points that -- that we debated over and over again, on how large we wanted this surplus Reserve Fund to be. It is built into the bill. It's built in the language of the bill that that is not to take place.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR J. JONES:

First off, I want to thank the -- the Representative that's standing behind Larry there, Mary K. O'Brien. She spent an awful lot of time on this. Senator Walsh did, myself, and -- and then I also want to commend the staff on both sides of the aisle, the Democrat staff and the Republican staff. A lot of hours, a lot of time-consuming meetings. I think, as I told Senator Walsh in committee, maybe one of the best things that he did is we held the meeting in a little conference room up on the sixth floor, which sometimes got hot and crowded and we may have to work on this bill a little more next year, and if we do, I

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

have encouraged Senator Walsh to use that same room. I think it got a lot of satisfaction real quick. But I -- I just want to commend everybody on their hard work of this bill. It is a good bill. I know Senator Luechtefeld asked a question in committee, would this stop the -- the corruption, really, that -- that happened at Ty-Walk. No, it will not. It will tighten it up. Hopefully we can catch it a lot quicker than -- than what we did with Ty-Walk. But it's a good bill and I would recommend all the Members to vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SIEBEN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SIEBEN:

Senator Walsh, I support your legislation. It's very important to farmers across this State to have the financial security of the Illinois Grain Insurance Fund. Prior to the Ty-Walk failure, we had a failure in my district at Hannaman-Albrecht about three years before Ty-Walk, and it was several million dollars - not near as large as Ty-Walk. And throughout this process over the last several years, the major issue has been, how do we give the Department of Agriculture the oversight authority, how do we give the Department of Agriculture the tools that they need to stop the operation of the corruption. It wasn't an issue of not being able to go to a warehouse and measure the warehouse and inventory the grain and determine that you had a hundred thousand bushels of corn or soybeans in the warehouse. The problem and where the hits to the Fund have come, when you have a fraudulent operator who gets involved in using the futures commodity market and begins fooling around with hedge-to-arrive contracts and price later contracts and gets on the wrong side of the market and then compounds their problem by trying to get out of the problem that they've created by misuse. Can you explain a little bit more about the oversight authority the Department of Agriculture will have now and the reporting information that will come to them so that within thirty days, hopefully, they can stop an operation or a

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

fraudulent operator who is misusing bank funds, who is misusing producer funds by issuing multiple grain warehouse receipts to secure credit for futures trading?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Well, thank you, Senator, for those questions. One of the things that we're doing in this -- in -- in this new -- rewrite is the fact that we are going to use the electronic warehouse receipts, which is definitely going to help speed up, for the Department, the -- the knowledge of what is happening back in -- in the local grain elevators. We have instituted a tier process of -- of -- of examinations for -- for different -- for the facilities based on whatever the -- the issue that comes up at that time. We have given -- many of these rewrites have come from the Department themselves. Tom Jennings, who was the Deputy Director for a number of months while we were waiting for Chuck Hartke to -- Director Hartke to be appointed, was very instrumental in making sure that the things he felt that he needed, that he had asked for in the past and were not basically given to him, he feels confident that -- that we have put these safety valves and -- and checkpoints in there, Senator, to -- to try and make sure that if somebody gets into financial trouble, we will see it before we get to a situation like what happened here and, hopefully, what happened in yours. When it comes to fraud, just as Senator Jones had said, that is a very difficult task. You know, I -- I -- I don't know whether we could ever write a piece of legislation with the regulatory requirements in there and the guidelines that would be able to catch that. But hopefully - hopefully - that we know that some people, just as you say, maybe get a little bit on the wrong side of the market so let's double up the catch up, and that ends up just getting them more in trouble, that we will be able to see this before it gets to the point. Just in the last month -- just in the last two months, the Department has worked with a -- with a grain elevator that would have cost us over a million dollars' hit again on the Grain Insurance Fund, but because of this, they were able to work this out and -- and save quite a bit of -- of the money that we would have had to pay out.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sieben.

SENATOR SIEBEN:

Well, thank you very much, Mr. President. Now to the bill. Excellent piece of legislation..

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR SIEBEN:

Very important to the agricultural industry, our number-one industry in the State of Illinois. I just encourage Senator Walsh and Senator Jones, as they continue to work on this with Director Hartke, that they focus on regulatory oversight of operators and make sure that weekly, biweekly, bimonthly, they monitor the trading transactions of grain elevators in the State of Illinois so that the General Revenue Fund doesn't have to kick in four million dollars and the producers of this State don't have to kick in another seven million dollars to fund fraud and -- and -- and criminal activity by operators of the elevators. So, good bill. I think everybody can vote Yes on it.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

Thank you, Mr. President. I rise in support of this bill. This is a very, very important piece of legislation for the State of Illinois. And I, too, want to congratulate the sponsor and all of those that worked very hard on this bill to bring this good piece of legislation to us, and I hope that all of us can put a green light on the board.

PRESIDING OFFICER: (SENATOR DeLEO)

Our last speaker, Senator John Jones, for the second time.

SENATOR J. JONES:

Thank you, Mr. President, for coming back to me again. And I know you've been in the same position that I'm in right now. But after I got up and thanked everybody, which you have to be very careful doing because you always forget somebody, some of my Members on my side of the aisle said you thanked everybody but the Members of your committee. So I want to thank Senator Luechtefeld, Senator Brady, Senator Bomke and all the Democrat

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Representatives -- or, Senators on the -- on the committee. Thank you all very much for your participation. Now let's give it an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh, to close.

SENATOR WALSH:

Thank you, Mr. President. This has been a work in progress. We know that we are going to continue, as I gave my assurance -- as I gave my assurances to the Minority Spokesman that we are going to continue to work on this issue, but we needed to create a foundation. We needed to move forward this year. We needed to get this assessment process in -- in the works so that we could get started on this -- this calendar year coming up. I want to thank, as Senator Jones did, the staff on both sides of the aisle, the Republican staff, the democrat staff. They have been fantastic in keeping -- keeping all of this together. I can't thank the Department of Agriculture -- Tom Jennings, Tim Kraft. Those individuals have been phenomenal. Many of the -- many of the partners that came together: Farm Bureau, Corn Growers, Soybean Association, Grains and Feeds, the lending institution, who for the first time, the lenders are participating with assessments in this piece of legislation. So, it's been a good piece of legislation. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall House Bill 1458 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 1458, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading, we're moving to page 71 of the Calendar. House Bill 3553. Senator Welch. Madam Secretary -- Senator Welch seeks leave of the -- seeks leave of the -- Body to return House Bill 3553 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 3553. Madam Secretary, are there any Floor amendments approved for consideration?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch, on Floor Amendment No. 1, sir.

SENATOR WELCH:

Thank you, Mr. President. This becomes the bill and what it does is allow the Illinois Environmental Protection Agency to sell nitrogen oxide allowances to sources in Illinois based on a pecking order of priorities. It's supported by both the Illinois EPA and the Illinois Energy Association. I'd be glad to answer any questions now or on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. The amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Welch, do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3553.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the bill that allows EPA to sell NOx allowances in Illinois based on three priorities. It will not impose any cost upon the Agency and allows them to sell these credits. The bill sets up standards for getting these credits to allow the State of Illinois to be in compliance with the National Ambient Air Quality standard for ozone. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Sullivan, for what purpose do you rise, sir?

SENATOR D. SULLIVAN:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Thank you, Mr. President. Just to comment on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR D. SULLIVAN:

Ladies and Gentlemen of the Senate, this bill passed -- out unanimously out of committee. I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch, to close.

SENATOR WELCH:

I would urge an Aye vote, too.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 3553 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 Nays, 3 {sic} voting Present. House Bill 3553, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading, on page 72 of the Calendar. We'll proceed to the middle of the page. House Bills 3rd Reading. House Bill 3653. Senator Martinez. Senator Martinez seeks leave of the Body to return House Bill 3653 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 3653. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez, on Floor Amendment No. 1, ma'am.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the -- of the Senate. This deletes all and becomes the bill. An employer must give an employee up to a total of twenty-four hours during any school year to attend school-related activities for their children that could not be scheduled outside their work time. The employee must exhaust all accrued personal leave, compensatory leave, and any other leave that may be granted to the employee except sick leave, vacation leave and disability leave. And I'll be happy to answer any questions on 3rd Reading.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Is there any discussion? Senator Geo-Karis, this is -- we're on 2nd Reading. Do you... Okay. All those in favor will say Aye. All those opposed will say Nay. The -- the Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Martinez, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3653.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez, on the bill.

SENATOR MARTINEZ:

Thank you. Thank you, Mr. President. The -- the proposal would amend current law to provide up to twenty-four hours - now eight - of unpaid leave for parents to attend their children's school conference or classroom activities. Parents would be limited to four hours of leave on any given day. Assuming they have utilized the full four block, a parent will have six days for such activities. The legislation would eliminate the requirement that an employee must first exhaust all accrued vacation leave. They will leave -- they will still have to use any of their personal, compensatory or other leave first, but they would {sic} have to exhaust all vacation leave or disability leave first. The law already provides that an employee has the option of making up the time taken so that day they don't lose their pay, but there is no requirement to do so. It is entirely voluntary on the part of the employee and the employer must make good-faith efforts to allow the employee to make up that time. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Will -- will the Senator yield?

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates she'll yield for a question.

SENATOR GEO-KARIS:

The reason -- the -- the bill, as captioned in the -- in the -- in our Calendar, said something about Minimum Wage Law. Does that have anything to do with that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

It's just an Act to remain -- on -- on the -- hold on one second. It's just an Act relating to employment. That's all that is.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further discussion? Senator Rauschenberger, for what purpose do you rise, sir?

SENATOR RAUSCHENBERGER:

A couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

Senator, could you tell us who brought you this bill or who suggested this bill or what group is advocating for this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

This bill is initiative of the Governor's Office. I think what we want to do here is actually, given the State of the State Address that he made to us regarding how families need to -- especially parents need to be involved in the education of their children, that's what this -- that's how this bill came about.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Martinez, as I -- as I understand it, under law, they're entitled already to leave to be with their kids for student conferences or PTA meetings. Do you know of any kind of

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

egregious problems or reasons that it's necessary to statutorily double this and mandate this on employers?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

The only problem is that eight hours out of the whole calendar year is not enough time. Twenty-four hours in increments of four hours gives the parents enough time, especially those parents that don't work regular 9 to 5 but have different shifts. This allows them to spend a little more time being involved in the school activities of their children.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, could you cite any kind of studies or any information that would somehow substantiate? I know -- maybe it ought to be forty-eight hours or maybe it ought to be sixty-four hours or maybe three hours is enough. Do -- do you have any substantiation for why you and the Governor's Office suggested twenty-four hours? I mean, what -- what -- is there a -- I mean, do you have anything -- any -- you know, any specific reason?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Well, there have -- studies have documented that, exactly that, that no -- regardless of the economical, ethnic or cultural background, parental involvement of a child's education is a major factor in determining success in school. And again, we're trying to make sure that parents are allowed enough time to be able to go to their schools for conferences and other activities. That eight hours in the calendar year -- school year is not enough.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, to speak to the bill, I -- and just kind of get this over with, this is another example of social activism on this year's legislative agenda. There's no question parents being

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

involved with their schools and with their schoolchildren is important. But another mandate on employers as we're getting ready to -- to wind up and swing, to -- to -- to take -- to increase their fees that they have to pay to do business by three hundred million dollars, to change the tax laws and increase business taxes by three hundred million dollars, what kind of -- what kind of atmosphere, what kind of message are we sending to prospective and current employers in the State of Illinois? There's not a scrap of evidence that the Senator or the Governor can offer about why they want twenty-four instead of eight, except it fulfills a news release and it moves things forward for whatever the Governor's agenda is. You know, I think it's about time we stop kicking the people that employ our constituents, that -- that help create the wealth in the State of Illinois, that produce the manufactured and the gross national product. I think if I was an employer - and I was before I can to the General Assembly - I would be sick and tired of getting messages from the General Assembly by people that didn't have a single scintilla of information or evidence to prove that their social agenda was somehow better for my employees than my policies. And I think it's just disreputable. I mean, what are we doing here? The last day of Session. We can't bring the revenue pieces 'cause there's no deal cut in the House. The Governor's got three billion dollars' worth of one-time revenues in his budget, and we're -- we're mandating -- school leave on -- on employers. I think you guys should be ashamed of yourselves.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question.

SENATOR ROSKAM:

Senator Martinez, I think you misspoke on what you said earlier about the amendment, and if -- if you can get the amendment. It's Amendment No. 1, I assume, on the bill. You said, or at least I thought you said, that an employee would

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

have to use up essentially all of their other time, including their vacation time. But the amendment itself, Senator, says that it -- it -- you move the word -- the phrase "vacation leave" and you insert it into an area where vacation leave is an exception. So, on -- on line 17, "other leave that may be granted to the employee except..." - and this is the things that the employee does not have to use up. In other words, an employee can have all these things in their pocket, so to speak, jam-packed full, time that they have. And under your amendment, as you're proposing, they wouldn't have to use this. They'd be able to go to the employer now for twenty-four hours' worth of time, and these are the things that are off: They wouldn't have to use their sick leave. And I sort of understand that. That makes sense, okay. They wouldn't have to use their disability leave, and that's makes sense. But you say in this amendment that they wouldn't have to use their vacation leave. That doesn't make any sense, and I think you misspoke earlier. Surely you're not telling employers that they've got to offer twenty-four hours of unpaid leave to an employee who doesn't even have to use their own vacation time for this. That cannot be. Tell me that is not true.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Senator Roskam, this is family-oriented here. We're talking about actually seven hours -- as a -- let me just real quickly give you the notification and verification requirements. The current law always has strong notification and verification requirements which still remain unchanged. Employees must give seven days' notice to their employer, twenty-four hours in emergency situations. Employees must provide employers with documentation provided by the local school administration that such visitation occurred. This -- this legislation is to make sure that if parents have planned for a vacation time, they don't -- they shouldn't be able -- to have to use their vacation time to deal with school activities that they can actually use on compensation time or other time that's allowed, which they can actually work -- make up afterwards. We're just saying that -- families plan vacation during the summer months, but during

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

the school year, you're talking about -- you're talking about almost nine months of school year that parents only are allowed eight hours out of that time to go to a school conference or work or go to a -- to a -- an activity that's going on in the school. That is not enough time, especially the fact there's a lot of single parents out there that depend on themselves to have to go and make some time to go to school to spend some time with their kids. Eight hours is not enough and this just changes that to twenty-four hours on increments of four hours, and I think that that is the best thing that we can do for parents out there who don't have any other resources. They have to do -- have to go to the school for the kids themselves, and I think this is a great -- this is a great amendment that the Governor has actually presented here.

PRESIDING OFFICER: (SENATOR DeLEO)

The -- the Chair -- before we go to Senator Roskam, the Chair would like to recognize another former Member of the Illinois General Assembly, the Illinois State Senate. Former Majority Leader Walter Dudycz is here this afternoon. Senator Dudycz. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: I appreciate, Senator Martinez, your -- your clearing that up, because I -- I interpreted your first remarks to say vacation time wasn't something that they should use, and I appreciate your answer that vacation time is, in fact, off-limits, that this bill is exactly the way I read it and that's the way you intended it. Well, to the bill: You know, I -- I -- I understand the -- the -- well, actually, you know, I don't understand the thinking behind this one. We have seen over the past couple of weeks and past couple of months an agenda that is -- and it's just getting more and more hostile to business. We, in this -- in this State, over a period of time, if we're not careful, we're going to kill the goose that lays the golden eggs. We're running around here. We're using all this creativity to come up with revenues, to come everywhere and to look at that productive operation in society and look at that productive person and that productive profession, and rather than using all of the energy that we have collectively on the spending side of this equation, we're

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

constantly going after the revenue side. Well, here's another example where we're trying to social engineer. We're putting a tremendous burden now on all of these businesses, and we're not even requiring employees to put their own money where their mouth is. We're not even requiring them to -- to use their own vacation time for things that they consider a priority. I think it's a foolish thing and I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LUECHTEFELD:

Thank -- thank you, Mr. President. For a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LUECHTEFELD:

What's wrong with my...

PRESIDING OFFICER: (SENATOR DeLEO)

Your -- would -- Mr. Electrician, would you let Senator Luechtefeld -- turn on Senator Jones for Senator Luechtefeld, sir?

SENATOR LUECHTEFELD:

Just a -- just a couple questions. So that I understand the bill, there's twenty-four hours a year a parent can use to do things, like maybe meetings with teachers and that sort of thing. Now, could you use that, let's say, two hours one day, two the next and -- and so on down the line? Could you use that -- well, that would be twenty-four hours. That'd be forty-eight -- forty-eight visits. No. Twelve visits you could make, two hours at a time. And -- and it doesn't make any difference - am I right, about that? - when you use it. Just twenty-four hours. It could be twelve different days that you -- you do something for two hours a day. Is that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Yes, as long as it's documented and there -- and that there is actually proof back that that's what they're doing, going to the school to -- to attend a parent conference or a school activity.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, I -- as I -- as -- as you know, I -- I taught school for a long time and -- and dealt with parents and dealt with kids. And if everyone would have that opportunity to come in that many times -- and I guess I look at it as an employer. If I have people taking off two hours, three hours out of a day for twelve days a year, is possible if two hours are used, I -- I just think it's -- it's unmanageable. And if all of my parents who work for me have that opportunity -- first of all, you know it's going to be abused many times. Now, I -- I -- not everyone will abuse it, but an awful lot of people will abuse it. Now, I -- I guess I say to myself, I've seen an awful lot of legislation go through here that I say, "Wow, why are we doing this?" I mean, it's feel-good legislation. We -- we get a great pop out of it when we put out a mailer, but I'm saying, "Why would we do this?" And we do it over and over on things. Again, I ask you -- if you were an employer, can you imagine putting up with this? If all of my employees had that opportunity -- and I -- and I -- you know, many of you are old enough to have raised kids. Many of you have kids who are grown today. What if you had that -- would have needed that opportunity? You raised kids. Would you have needed that opportunity? And I'm sure you have -- many of you have very great kids. Would you have needed that opportunity? I don't think you would have. You did a good job. You will find -- if you want to, you will find a way to meet with that teacher and you'll get the job done if you care enough about your kids. And I -- I just can't believe that we are really looking at this. And very likely, this will come down again as a partisan vote. And I say, "How can a Democrat look at something completely different than I do on an issue like this?" It's unbelievable. I mean, you have raised kids. You wouldn't take advantage of the situation, but a lot of people will. And you wouldn't want to put an employer through this. This is -- this is ridiculous. I mean, you already have - what? - eight hours. Now we're going to go to twenty-four. When do we go to forty-eight? I -- I

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

can't believe that we look at things so different just because we're sitting on the other side of the aisle. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Soden, what -- what purpose do you rise?

SENATOR SODEN:

Thank you, Mr. President. To the sponsor, question and a statement.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SODEN:

Most of the current teacher conferences I've had are in the evening when they have open school and you come in, talk to the teacher and, you know, find out how your kids are doing. How about that teacher that's staying overtime in the evening? What comp time does she get?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

I'm pretty sure she's taken care of. But what about these parents that work not 9 to 5, but work 5 to 10 or 10 till 7 next morning? What about those parents? So, those are the parents we want to make sure. What about all those single parents out there that don't have the opportunity to at least get involved more often into the -- children's activity at the school? This is something that is good for our children. This is something that's good for the families. And shame on anyone here who votes against that bill, because the fact is that children need more parent involvement. And we are too busy working so hard all the time for them, that this should be allowed by any employer out there.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Soden.

SENATOR SODEN:

I'm sure that if the parent made a request, that the teacher would stay, even after hours, to meet with that parent or make some arrangement. I don't think that there are that many parents out there that need this type of legislation, and certainly the employers don't need it.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator Kim -- Kimberly Lightford, what purpose do you rise?

SENATOR LIGHTFORD:

Thank you, Mr. President. I rise in support of this legislation. I'd like to commend the sponsor and I'd like to speak to some of the previous speakers. Know, I'm a single mother. My son is young. I am living this today. If I did not have a job that allowed flexibility, as mine do, then I would be in the same position that many mothers are in today. I'm not even going to exclude the fathers. Let's be reasonable. This is 2003. Luechtefeld, you're not raising children in sixties anymore. This isn't the seventies anymore. We need parent involvement. These children are struggling. Let's be more realistic to the needs that are there. If it were that easy, this bill wouldn't be putting forth now. You're here. Parents need help back in the City of Chicago. Parents need help across the State of Illinois. This is not a bipartisan issue. This is not a black-and-white issue. This is an issue for children, children who have needs, parents who need to assist their children. Parents need to get more involved. And I commend the sponsor. I commend the Governor, and I hope that there's many green lights on the board to support the children.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Geo-Karis, for what purpose you rise? There's one other speaker seeking recognition after this. Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for one question?

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question, ma'am.

SENATOR GEO-KARIS:

Senator, under the present law, does an employee have eight hours, did you say?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Yes, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SENATOR GEO-KARIS:

Mr. President...

PRESIDING OFFICER: (SENATOR DeLEO)

Yes, ma'am. To the bill.

SENATOR GEO-KARIS:

...and Ladies and Gentlemen of the Senate, we keep forgetting that if we don't have employers, we don't have jobs. You have eight hours. And I'm not going to be ashamed to vote No on this bill, I'll tell you right now, because I'm practical. We have had much unemployment. I don't want any more unemployment. And you put these things together when you know you have eight hours. Any conscientious parent will make an arrangement to visit the school or visit the teacher or call the teacher. The conscientious parent doesn't need twenty-four hours. Eight hours should be sufficient, and I rise -- against this bill 'cause I think we're going too far. And, believe me, I love kids. I try to help kids all the time. I don't have any children of my own, but my constituents are my children and I want them to keep their jobs. I don't want the manufacturers or the employers leaving. So, I speak against this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HARMON:

A point of introduction, Mr. -- Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR HARMON:

We are joined in the Senate Chamber by one of my favorite constituents, the Lieutenant Governor of the State of Illinois, Pat Quinn.

PRESIDING OFFICER: (SENATOR DeLEO)

The Illinois Senate welcomes Lieutenant Governor Pat Quinn. Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Thank you. Senator Martinez, couple questions. Does the -- does the -- this bill apply to all employers - local governments, school districts, as -- as well as private employers?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Right now, at the State of Illinois, actually, this is in law, signed by the Governor in March for all State employees. So, it is here. The State does have that. And I don't know about private companies right now, but we're just trying to make sure that this also is extended to every employer out there to make it easier for parents to spend a little bit more time with children's activities in schools.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Well, Senator, I guess I want to be clear, then. Are -- is this bill simply increasing the number of hours of unpaid leave that the parent would get in -- and in addition to that, pulling -- making the change with regards to vacation, or is it doing that and expanding the scope of employers to which this would apply?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

It's expanding the unpaid leave.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Right. And then, I -- I guess there's two basic ways to do that. One is to actually expand the number of hours that a person could be gone. The other way to do it would be to expand the category of employers to which it might apply. And my -- and my question is, if this becomes law, will this be a mandate on just private employers, private employers and just State government, private employers and local governments or State governments? Is it -- or is it just the whole basket?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator Martinez.

SENATOR MARTINEZ:

Fifty and above, the same as the Family Act -- Medical Leave. Fifty or more.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Then - and I'm not familiar enough with that, Senator - can you tell me whether or not that covers local governmental entities, like a school district?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

So, someone who works for a county or a school district or some other entity will not benefit under this, and those employers won't be subject to this requirement. Only those in the private sector would be subject to this. Is that fair to say?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

If it's fifty or more, yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill: I appreciate very much...

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you - what the Senator is doing, and I know that her convictions on this are heartfelt, but I have a couple of concerns - first of all, that it's placing a burden on private employers that government is not willing to put upon itself with regards to giving parents the opportunity to go to school

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

activities that their children may have. The second is a more general philosophical issue that I think that Senator Luechtefeld raised, and that is, I don't know that we encourage parents to go do more with their children or go to more of their children's school activities by expanding this. I think there's more to the problems that we have with regards to parent involvement in their children's lives and in their day-to-day school activities than we have with regards to just days -- days or hours they might have available to 'em. I appreciate, Senator Martinez, very much what you're doing here, but I think that this is, quite frankly, unbalanced. It does not apply to the local governmental entities. Those employees will not be able to enjoy the benefits of this bill. And I would urge an Aye -- a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any further discussion? Seeing none, Senator Martinez, to close.

SENATOR MARTINEZ:

...does include -- just -- just to Senator Righter. It does -- it does include any school district and any employer no matter what. It does include everyone. But anyhow, in closing, let me just say real quickly that it's very important that we look at twenty-four hours that we're talking about. Eight hours, when you divide that, you're talking about four hours and four hours. That's two days - two days - half days maybe, of the whole school year for the children. That is not enough. We are talking about twenty-four hours that can be divided and that's maybe -- maybe six days, and not even talking about full days. We're talking about half days. So, I think the employers would be very happy to know that they're going to come back. But more important, there's documents that have to be presented. So, no one's going to abuse it. I don't think any parent is going to abuse that time to go to school and say to the employer then not go in the school 'cause they have to show documentation. It is done the right way by giving a seven-day notice, but more important, parents don't work anymore nine-to-five shifts anymore. They're working different shifts of the day. And I think it's important that we allow something like this to happen so parents can spend a little bit more quality time in the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

schools with their children to let the children know that they are there and that they care and that they're -- they're there watching their education. So, please, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 3653 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam -- Madam Secretary, take the record. On that question, there are 30 Ayes, 25 Nays, 1 voting Present. House Bill 3653, having received the required constitutional majority, is declared passed. Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

To request a verification, please, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Roskam has requested a verification. Will all Members please be in their seats? Madam Secretary, would you read the affirmative votes?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, do you question the presence of any Member voting in the affirmative?

SENATOR ROSKAM:

No, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Madam Secretary, on a verified roll call, there are 30 Ayes, 25 Nays, and 1 voting Present. And House Bill 3653, on a verified roll call, having received the constitutional majority, is declared passed. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

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

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, Senator.

SENATOR SCHOENBERG:

I happened to look across the aisle at my dear friend, Senator Geo-Karis, and see that she's being joined by one of -- by someone who I was a -- who I fondly remember for her tenure in the House as a colleague, who's now a leading visionary with the Department of Natural Resources, former Representative and current suburbanite, Andrea Moore.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois Senate. Welcome back. Senator Soden, for what purpose do you rise, sir?

SENATOR SODEN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SODEN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I rise today to make a request. I realize I cannot submit -- or can't...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, one second, please. Ladies and Gentlemen, would you give the speaker your attention, please? Thank you. Senator Soden.

SENATOR SODEN:

That I cannot -- you know, submit a resolution, but I think this Body and I think the State of Illinois and all the veterans of this State, we would like to send a message to one of the most outstanding citizens of this nation, who gave very, very much. And I would like, somehow, some way, even if the Governor can send a letter, because I know he will respond, to Bob Hope on his hundredth anniversary and the things that he done for this nation and the troops during his years of service. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much for your remarks. Senator Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Thank you, Mr. President. Last week a telecommunications company called Sage Telecommunications said that because of the law we passed here, they will not be doing business in Illinois. So I do restate my inquiry of the Chair as when we will be going to page 81, Motions in Writing, so we can discharge the bill to repeal the SBC law.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. That's not the order of business we're on, but we will be back to you very shortly. Senator Burzynski, for what purpose do you rise, sir? I think you have an announcement, sir.

SENATOR BURZYNSKI:

Thank you, Mr. President. We'd request a Republican Caucus immediately.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski, could you tell me approximately how much time you'll need, sir?

SENATOR BURZYNSKI:

About forty-five minutes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The -- that request is always in order, sir. The Senate will return at the hour of 7 o'clock to the Senate Floor for further Floor action, 3rd Readings. Ladies and Gentlemen, the Senate Democrats, I've been asked by the Senate President to ask you to stay very close by. Senator Demuzio. Senator Demuzio, for what purpose do you rise, sir?

SENATOR DEMUZIO:

Yeah, I think -- I think, at some point, also, we need -- we'll have a Rules Committee, I suspect, and we'll make some announcement..

PRESIDING OFFICER: (SENATOR DeLEO)

We're -- yes, sir. We are waiting for paper for the Rules Committee. Once again, the Senate will stand at recess to the hour of 7 o'clock.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senate will come to order, the hour of 7:15 having arrived. Madam Secretary, do we have resolutions? Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 194, offered by Senator Dillard and all Members.

And Senate Resolution 195, offered by Senator David Sullivan and all Members.

They're both death resolutions.

PRESIDING OFFICER: (SENATOR DeLEO)

Consent Calendar.

SECRETARY HAWKER:

And Senate Joint Resolution 37, offered by Senator Munoz. And it is substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Consent Calendar. I'm sorry. It's substantive. Ladies and Gentlemen of the Senate, for those that are within the sound of my voice, we are going back to 3rd Readings, final action. I would request all Membership, please, to come back to the Floor. This is final action, Concurrences on 3rd Reading. Okay. Ladies and Gentlemen, on Secretary's Desk, Concurrence, Senate Bills, on page 75 of the Calendar, middle of the page, Senate Bill 133. Senator Garrett, do you wish to proceed, ma'am? Madam Secretary, read the bill.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 133.

Motion filed by Senator Garrett.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. Basically we are agreeing to concur with Senate Bill 133 which allows for one enterprise -- new enterprise zone to be introduced in the State of Illinois versus five enterprise zones. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Any discussion? Senator Dave Sullivan, for what purpose do you rise, sir?

SENATOR D. SULLIVAN:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

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

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question.

SENATOR D. SULLIVAN:

Senator Garrett, do you know where this enterprise zone will be located in the State?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

No, I don't, because the way the application process works, Senator Sullivan, is that this enterprise zone could be open to any community that would qualify throughout the State of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

What was the reason for going now from five down to one?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

That is a very good question. Honestly, I wish it were five, but you do what you can do sometimes.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

Couple of questions of the sponsor, if she'd be gracious enough to yield.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

Senator Garrett, could you kind of tell us real quickly what kind of thing -- what kind of benefits go along with an enterprise zone? I mean, what -- what happens in an enterprise zone?

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, would you give the speaker your attention, please. Ladies and Gentlemen. Senator Garrett.

SENATOR GARRETT:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator Rauschenberger, I'm more than happy to answer these questions, but this bill has been debated and passed the Senate. We're just bringing it back on Concurrence. But nevertheless, enterprise zones provide for tax incentives for new businesses to -- to locate in areas where -- in communities where there is low employment and they don't have the same kind of abilities to attract new businesses. I can speak to my area. In Lake County, we are seeing a lot of businesses move out of our area and go to Wisconsin. So, this is a way to attract new business in depressed communities.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I appreciate that answer, and I think -- I think, from my recollection - although I'm not carrying the bill, so I'm not -- don't feel responsible for exactly the right answer - but I think what enterprise zones do is they offer sales tax incentives, in particular. So, things that you buy, you avoid paying sales taxes on if you're going to construct or build or purchase or bring things into that enterprise zone. And I -- I just kind of find it fascinating that here we are on the night of the 30th debating whether we ought to expand an enterprise zone, perhaps to protect Lake County from the effect of the revenue bills that are likely to follow tomorrow, where we're going to go in and we're going to take away more than four hundred million dollars' worth of tax incentives that were built into the structure of our revenue. It just seems to me not very linear for us to be here arguing that we need to make special carve-out tax exemptions or loopholes and then tomorrow I'm sure we're going to hear thundering on the Floor here, how we've got to close loopholes. So, I just don't understand how you're going to consistently vote on these things, but that's just my observation. Good luck on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard, for what purpose you rise, sir?

SENATOR DILLARD:

Would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Yes, she indicates she'll yield, sir.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SENATOR DILLARD:

Thank you. Senator Garrett, I'm looking through the new handbook of the Illinois Legislature, which we got over the last twenty-four hours, and I notice that you live in the economically depressed Village of Lake Forest. And I'm just wondering whether your hometown is a candidate for an enterprise zone under this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

To be perfectly candid with you, Senator Dillard, I don't take this bill very lightly. I, at one time, did represent North Chicago and Waukegan and this was one of my top priorities, to make sure that they had the same kinds of opportunities as the hometown in which I live in, Lake Forest. This is a very important piece of legislation for those areas that don't have these kinds of opportunities.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question.

SENATOR GEO-KARIS:

Senator, you know that the Zion-Waukegan area and North Chicago have been distressed areas, and you know that we are interested in the enterprise zone. We are...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

I didn't hear what the Senator said.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis, could you repeat your question, please?

SENATOR GEO-KARIS:

Certainly. You know that Zion and North Chicago and Waukegan are very much interested in the enterprise zones. Now, does your bill, the way it was amended, will that stop Zion, for example, from having an enterprise zone?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator Garrett.

SENATOR GARRETT:

Senator Geo-Karis, there is one enterprise zone -- new enterprise zone that will be allowed with this legislation. It is open to any community in the State, no specific regional area. So, I can't -- I -- I certainly can't stand here and determine who will be the receiver of that enterprise zone.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What I want to know is, when you say there's just one enterprise zone, what I don't understand -- supposing, for example, Zion wants to qualify for it and Waukegan, which I still represent part of it, wants to qualify for it. Will they -- will each of those communities be entitled to an enterprise zone under your bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Senator Geo-Karis, the way it works is that applications will be submitted and the new DCCA will make that determination on -- on who best is suited for an enterprise zone. But let me say, I -- I am disappointed because I wanted five enterprise zones so more communities that really deserve these would be able to have them, and -- and it is a disappointment, I'm sorry to say. But as you know, you -- you sometimes have to compromise to -- you take a step forward and you take a couple step back -- backwards. This is better than nothing, so I'm concurring with it.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator, how would we explain -- if -- if we go back to our communities and -- and we vote in favor of this - and I know

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

you're disappointed in this going from five down to one - but how do we explain to our local communities or some folks, 'cause there's a number of impoverished areas across the State, that we voted in favor of an enterprise zone but the enterprise zone didn't come home?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Well, let me give you a little history of this, Senator Roskam. I have introduced this bill every year that I've been in the General Assembly and this bill has been locked up in Senate Rules, locked up with a big padlock. So, as much as I've tried to get this through, I -- as I said, I'm disappointed, but I'm really happy, at least, that we get one new enterprise zone. And every year I will continue to introduce this bill and try to add to that because I think the State would do much better than just add one new enterprise zone.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Do -- do the -- do the enterprise zones have geographic limitations? In other words, it -- is it a five-mile area? Is it a one-mile? Is it a city? Can you just explain that, briefly?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

The -- in order to qualify for an enterprise zone, there are -- there are requirements, and I don't know exactly what the -- it's a certain area of land and the poverty level has to be at a certain rate. So there are specific qualifications and a very rigorous application process, I might add.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no further discussion, the question is, shall Senator -- concur in House Amendment No. 1 to Senate Bill 133. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 38 Ayes, 20 Nays, 0

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

voting Present. On the motion to concur with House Amendment No. 1 to Senate Bill 133, having received the required constitutional majority, the Senate concurs and the bill is declared passed. On the same page, Ladies and Gentlemen, on Secretary's -- Concurrence, Senate Bill 170. Senator Walsh. Out of the record. Ladies and Gentlemen, turning the page on the Calendar's Concurrence, Senate Bills, page 76. Senate Bill 460. Senate -- Senator Trotter. Senator Trotter, you wish to proceed, sir? Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 460.

Motion filed by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. This is essentially a technical amendment. It's a -- this is a recommendation by the BlueCross BlueShield. It retains all the language of 460. What it does is it clarifies the provision of the Act which mandates health plans to furnish their enrollees with clear information concerning their rights and responsibilities in securing referrals to -- and to make appropriate use of health care facilities when they access primary care physicians. The amendment itself will ask the health plans to furnish enrollees with a description of their rights and their responsibilities. This is a -- a bill that has been pushed by BlueCross BlueShield.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, the question is, shall Senate concur in House Amendment No. 1 to Senate Bill 460. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. On the motion to concur in House Amendment No. 1 to Senate Bill 58 {sic}, having received the required constitutional majority, the Senate concurs and the bill is declared passed. Ladies and

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Gentlemen, on page 78 of the Calendar, on Concurrence, is Senate Bill 1066. Senator Crotty. Senator Crotty, do you wish to proceed, ma'am? Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1066.

Motion filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Yesterday I pulled out of the record Senate Bill 1066 to answer a question on whether or not disclosure is needed. I did say disclosure was not in the bill, but I did double-check just to see if that would be something that is needed and is not required. Although I -- we did speak to DCCA and they said after they would start this bill, it's up to ten percent so it really is hard to say -- disclose how much of the -- of the fund would be used for administration and so, therefore, I'm ready now to just ask for the vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch, for what purpose you rise, sir?

SENATOR WELCH:

I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Welch has moved the previous question. There are two speakers seeking recognition, and then Senator Crotty to close. Senator Rauschenberger, for what purpose do you rise, sir?

SENATOR RAUSCHENBERGER:

Questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

Well, maybe I'll save her some time. I'll just kind of speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR RAUSCHENBERGER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

As I understand, this is -- this is Patrick Quinn's, you know, mail donation in. It's going to be deposited in a fund in a treasury that's not protected in any way, shape or form from the Bureau of the Budget's authority tomorrow to sweep those funds, to take eight percent off the top or any balance. We have the largest State LIHEAP fund in the nation on top of a very generous allocation from the federal government. This -- I think the goal the -- of the Lieutenant Governor is to require the utility companies to put a donation mail card in all of our utility bills as if there's some problem with our State LIHEAP program. You know, I just don't think this is a good idea, and I don't think it's fair to raise concerns among our constituents and the utility customers we have that somehow the Legislature is not owning up to its responsibility to take care of low-income people who have problems paying their -- their heating bills. So, you know, I -- I think this is another one of those ideas that Patrick Quinn needs to work on a little bit longer. I know Senator Crotty had this and we had extensive debate, and she took it out of the record so she could study it again. This is a -- a good bill to save for the Veto Session by voting it down now and asking the Lieutenant Governor to polish it up.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

To speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR ROSKAM:

You know, yesterday we -- we -- we spoke about this and the numbers that we were using were not hocus-pocus numbers. Ten percent of this fund, the -- ten percent of this contribution can be used for overhead. An additional eight percent, which is the current bidding range of the Governor in terms of taking money from other funds, would move the contribution of the citizens that are making these contributions now up to eighteen percent, which is almost a fifth of their contribution. I really urge caution. I think that there's a better way to do this, as Senator Rauschenberger said. There's ways that we can address this problem far more effectively, and I urge a No vote.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, to close.

SENATOR CROTTY:

Thank you very much. Senate Bill 1066 is different from LIHEAP because LIHEAP does not deal with arrearages. That's what we call the Good Samaritan Act, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1066. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 38 Ayes, 19 Nays, 0 voting Present. On the motion to concur in House Amendment No. 1 and No. 2 to Senate Bill 1066, having received the required constitutional majority, the Senate concurs and the bill is declared passed. Ladies and Gentlemen, on page 79 of the Calendar, middle of the page, Senate Bill 1527. Senator John Jones. Out of the record. With leave of the Body, we'll now go to Supplemental Calendar No. 1. Senator Emil Jones, for what purpose do you rise, sir?

SENATOR E. JONES:

Personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR E. JONES:

In all my years in the Senate, I had never been afforded the opportunity of going to the Republican Caucus, and I -- during the recess and their caucus I accidentally walked in their door. And I was given a tremendous ovation, and the Minority Leader welcomed me in and wanted me to stay. I should have stayed because I could have convinced them to do the right thing in the very near future. But I got a standing ovation in the Republican Caucus, which tell us we're doing a great job.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR WATSON:

Well, he was very gracious in his comments, in the fact that he said, "Stay to it, guys. You're doing the right thing

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

over here." If -- that's all we heard from him. We appreciate it very much. He recognizes what we're all about.

PRESIDING OFFICER: (SENATOR DeLEO)

One of the caucuses serves alcohol. Senator Meeks, for what purpose do you rise, sir?

SENATOR MEEKS:

Mr. Chairman, I rarely invoke my privileges as a pastor, but after hearing from the -- the Leader and the Minority Leader, the confessional booth will be open as soon as Session is over tonight.

PRESIDING OFFICER: (SENATOR DeLEO)

So, to the Membership, Pastor Meeks will be hearing confessions in booth number three upon adjournment. Okay. Ladies and Gentlemen, going back to Supplemental Calendar No. 1. Madam Secretary. Senate Bill 24. Senator Miguel del Valle. Okay. With leave of the Body, we'll come back to that. Continuing on Secretary's Desk, Concurrence, Senate Bills, Senate Bill 46. Senator -- Senate Bill 46. Senator John Sullivan. Do you wish to proceed, sir? Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 46.

Motion filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President. This amendment makes two changes to the Senate Bill 46. First of all, it introduces a different tax -- exemption schedule, reducing the partial exemption from the current seventy percent to eighty percent, and also adds the exemption to biodiesel blend fuels on the same schedule. And the second thing it does is it -- its passage is conditional on the passage of House Bill 46 and Senate Bill 1212, both of which have passed the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Lauzen, for what purpose do you rise? ...Lauzen, your light is lit. Senator Burzynski, for what purpose do you rise, sir?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SENATOR LAUZEN:

Just questions for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR LAUZEN:

Senator Sullivan, if you were sure that an ethanol and bio-fuel plant would not be built in Illinois, namely in Rochelle, if this bill passed, because of the increase in the labor costs that are implicit in this, would you still press it forward?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Senator, Senate Bill 46, if somebody wants to build an ethanol plant and not use any State funding for it, they can do so with their own private funds. And there would no be -- there would be no stipulations as to labor contracts or anything to that regard.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski, for what purpose you rise, sir?

SENATOR BURZYNSKI:

Thank you. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you. The -- the -- the plant that's in question -- and I'm trying to remember right now if they've already received any State grants. But let's just -- hypothetical: A plant is in the process of being built; they've received a State grant. Will your bill apply to them, or is it prospective, after they've already -- you understand what I'm saying? If they've already started their process, they've received a State grant but they haven't started -- they haven't put a shovel on the ground yet, are they going to have to abide by prevailing rate?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Senator, are you saying -- Senator Burzynski, are you saying this is a new plant that is going to be built and they

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

have taken some funds -- State funding to build 'em? So, I guess that the answer would be yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I -- I've not really had a chance to look at this, Senator. I know that when it first went over to the House, there was a lot of speculation it would have prevailing wage, it would have labor agreements on it. Are any of these things on here, and -- and how is this different than House Bill 46 - I believe it was House Bill 46, wasn't it? - that Senator Walsh had?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Well, they're quite a bit differently actually. House Bill 46 establishes the Renewable Fuels Development (Program) Act that will assist ethanol plant builders if they want some State assistance to build the plants. And then it also -- if they do take some State funding, that a project labor agreement will become a part of the building process.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Will the sponsor yield for one question?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

Senator, I couldn't quite hear you earlier when you explained what the change was that was put on in the House. Can you tell us now, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Senator, did you ask about the changes that were put on in the House? Is that correct? Yes. You're nodding yes. Basically two things: It changed the tax exemption rate from what was in the initial Senate Bill. It was a graduating rate. It's at seventy percent now. It drops to -- or, it increases to

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

seventy-five percent and then to eighty percent; whereas, this bill goes automatically from seventy percent to eighty percent. That's the one thing that it does. And then the second thing it does is that its passage is conditional upon the passing of House Bill 46, which Senator Walsh and we voted on just recently here today, and also Senate Bill 1212, which has passed both Houses and is on the Governor's Desk right now.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'm a cosponsor of this Senate Bill 46, and I'm all for development of ethanol fuels and I urge its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LUECHTEFELD:

A question to the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LUECHTEFELD:

Senator, yesterday I asked you, in committee, a question that I'm not real sure I got -- I got a -- an answer for, and that is, you know, you talk about if they use some of the grant money and apply for the grant money, they must have a labor contract. What if they apply for things like the EDGE program, which, you know, is -- is -- is State money, or at least a -- a incentive from the State to build a plant here in Illinois? Would they then be -- have to have the labor contract or would they be able to build it with who they want to?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

According to the staff, no.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

So then -- so then, you're saying that any other incentive that the State offers they can receive even without a -- a labor contract. And that -- is that what you're saying?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Senator, the -- if they receive any of the money that is being set aside to be used for this construction by DCCA, or DCEO, if they take some of that State funding money, some of that money, and use it in their -- in this process of building this ethanol plant, then, yes, they would be subject to the -- to those terms of House Bill 46.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Just to -- just to make sure. That -- that's the fifteen dollars, we've -- we've -- the fifteen -- million dollars that's set aside in a grant. But any other State incentive that they used would not require them to have a labor contract, is that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

That's correct. That's my understanding, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones. Senator John Jones.

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR J. JONES:

Senator Sullivan, I -- I stand in strong support of the bill, but I -- I think there's a couple things that -- that maybe needs to be cleared up. If we're building a new ethanol plant and they receive some of this grant money, they would have to have a labor agreement paying prevailing wage. Correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

It's actually not stipulating prevailing wage, Senator. We're talking about a project labor agreement where the labor organizations would sit down with the builder and determine what

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

kind of terms that are going to be used in the construction of that plant.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. And that's what I wanted -- wanted to hear from you, John, is -- is -- really, is that -- that's just -- I think that clarifies it a little bit for -- for our Members. But I -- I stand in strong support of this. I -- I know that Speaker Madigan, you know, made some requests. We had to pass House Bill 46 and House {sic} Bill 1212 in order to get to this bill. And this is a -- this is a great bill, really, and it will be very helpful to the agriculture industry in the State of Illinois. Everybody supports it, and so I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, what purpose do you rise for the second time, sir?

SENATOR LAUZEN:

I'm sorry. Thank you very much for your indulgence, Mr. President. Just a final clarifying question. It's along the same lines, but just want to confirm, asking it, maybe, the reciprocal way. What you're saying, Senator, is that if there's no State money used in building a project, then Senate Bill 46's labor provisions will not apply. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate -- shall the Senate concur in House Amendment No. 1 to Senate Bill 46. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question, there are 59 Ayes, 0 Nays, 0 voting Present. On the motion to concur in House Amendment No. 1 to Senate Bill 46, having received the required constitutional majority, the Senate concurs and the bill is declared passed. Senator Pat Welch in the Chair.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR WELCH)

On the Supplemental Calendar, Senate Bill 130. Senator Obama. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 130.

Motion filed by Senator Obama.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is the KidCare expansion bill that had been voted out with bipartisan support, part of the -- the Governor's initiative to expand health insurance coverage to children who don't qualify for Medicaid and are uninsured. It was amended in the House to add -- in addition to eliminating the sunset provision, add a FamilyCare provision. Some of you may or -- be aware of the fact that we've been able to obtain federal waivers that allow the parents of these same children to be covered. It does carry a cost with it. It is a cost that has been incorporated into the Governor's budget and I'm happy to answer any questions that people may have.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill, briefly. As the sponsor said, Senate Bill 130 comes back to us in a substantially different form than it left this Chamber. The House added the expansion of FamilyCare from approximately forty-nine percent of the federal poverty level to something closer to ninety percent. For the State of Illinois, that is a sixty-three-million-dollar outlay. Then we get federal reimbursement of approximately forty-one or forty-two million dollars, which means net cost to the State in Fiscal Year 2004 will be an additional twenty-one or twenty-two million dollars. As the sponsor stated here on the Floor, and he did in committee as well, this is incorporated into the Governor's budget. This is part of the eighty-eight million dollars in new programs that the Governor announced to us in the State of the State Address.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

And so just for the -- for the Body's edification, this is one of those votes where you have to decide whether or not you're willing to vote for legislation that has new spending in it at a time when we've got somewhere near a five-billion-dollar deficit, when we are cutting programs left and right, programs that are already on the table that we've had for years, obligations that are -- that are before us, whether it's a good idea for us to be taking on new ones at this time. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama, to close.

SENATOR OBAMA:

I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 130. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Members voting Yes, 14 voting No, and no Member voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 130, the motion having received the required constitutional majority, the Senate concurs and the bill is declared passed. Senator Dave Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

Thank you, Mr. President. Inquiry of the Chair.

PRESIDING OFFICER: (SENATOR WELCH)

State your inquiry.

SENATOR D. SULLIVAN:

Mr. President, as you know, you and I and Senator Rauschenberger are cosponsoring an amendment to House Bill 875, and on page 81 of the Calendar, we have a Motion in Writing to discharge that from the Rules Committee. I've asked a couple times already today if we're going to be able to get that out of the Rules Committee so we can hear about it and talk about it and repeal SBC's law before it takes a bad effect on the Illinois economy. Looking for a response.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

My response is we're not on that order of business, Senator. Senator Rauschenberger, for what purpose do you stand?

SENATOR RAUSCHENBERGER:

Yeah. Well, to finish the -- I have my own inquiry, but I think we were kind of wondering when we might go to that order of business. We've had several breaks and thought maybe we'd get around to Motions in Writing.

PRESIDING OFFICER: (SENATOR WELCH)

As soon as I'm directed to, I will go to that order -- order of...

SENATOR RAUSCHENBERGER:

The other question I have is, on House Bills 2nd Reading, I was hoping we would get to that order of business. We've had quite a bit of debate and it seems that we're committed to some programs. I know there's a lot of Members who'd like to take a recorded roll call on House Bill 3738, which is the appropriation bill I think that you voted for, along with myself, and it was unanimously moved out of the Appropriation Committee.

PRESIDING OFFICER: (SENATOR WELCH)

Senator, we'll have all day tomorrow to talk about that. Senate Bill 274. Senator Cullerton. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 274.

Motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I would ask that we would concur with House Amendment No. 1 to 274. When this bill left the Senate, it was controversial. It was a health care lien Act issue, and the -- the Bar Association -- Chicago Bar, Illinois State Bar and the Trial Lawyers were on one side and the hospitals and the Medical Society were on -- were on another. Over in the House, they worked out an agreement and now we have an agreed bill. The issue is -- has to do with the fact that there are eight current lien statutes

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

for health care providers. What this bill does is to create -- to repeal those eight lien statutes and -- and create two classes of lienholders for health care liens. One would be health care professionals and the other would be health care providers. The basic premise of this bill is to make sure that there's an incentive for an injured party to want to settle, and therefore by having some money left over, if you will, when there's multiple liens. The way this bill is -- is designed to do that is to say that the total amount -- when the total amount of the liens is -- is forty percent, that those -- that forty percent would go to the health care professionals and health care providers, and we, at the same time, limit the attorney's lien for the first time to thirty percent, thus leaving thirty percent left over for the -- the injured party. So, as I said, it's an agreed bill. It's a nice solution to the problem, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 274. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Members voted No, none voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 274, the motion having received the required constitutional majority, the Senate concurs and the bill is declared passed. Senate Bill 404. Senator Schoenberg. Senator Schoenberg. Madam Secretary, read the motion. Mr. Secretary, read the motion. Pardon me.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 404.  
The motion, by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment -- I move to concur with House Amendments 1 and 2 to Senate Bill 404 which creates the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Children's Privacy Protection and Parental Empowerment Act. Essentially, House Amendment No. 2 becomes the bill. Very briefly, the highlights for this bill, which creates protection from -- for children having their personal identifiable information being used without consent for -- for -- having -- and having their privacy violated: There's a definition of -- for a child, that it's under the age of sixteen rather than eighteen, as it was previously. There's a -- there's a definition of what personal information includes and does not include. Does not include public records, court records or any information found in a publicly available source. There's a prohibition on the sale or purchase of personal information concerning an individual who's known to be a child without parental consent. Provides conditions by which consent of the parent on the sale is allowable unless parents choose to opt out. And there are prohibitions that relate to those who sale in -- who sell or facilitate selling personal identifiable information for -- for children. Finally, this amends the School Code as well to provide for the State Board of Education to disseminate information which would enable children -- the parents of children to opt out from having their personal identifiable information sold for commercial purposes. This amendment addresses many of the concerns that were raised by Members on both sides in the committee, and I urge you to concur in these amendments.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Amendments No. 1 and 2 to Senate Bill 404 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Members -- voting Yes, no Members voted No, 1 Member voted Present. On the motion to concur in House Amendment Nos. 1 and 2 to Senate Bill 404, the motion having received the required constitutional majority, the Senate concurs and the bill is declared passed. Messages from the House.

ACTING SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

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 719, with House Amendments 1, 2, 3 and 4.

We have like Messages on Senate Bill 75, with House Amendment 1 (and 3); 741, with House Amendment 1; 1000, with House Amendments 1 and 2; 1548, with House Amendment 3; 1101, with House Amendment No. 1 (and 2).

All passed the House, as amended, May 30th, 2003.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, we have a problem here, and the problem is we can't read a signature on one of the motions to concur. So, I would ask the Members to print their names and sign below. That's why we're sitting here with nothing to do. Senate Bill 487. Senator Emil Jones. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 487.

The motion, by Senator Jones.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones, Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. House Amendment No. 1 and 3 is the compromise language worked out between all the parties involved in the rewrite of the Private Detective, Private Alarm and -- and Private Security, and -- Locksmith Act. The amendment clarifies several definitions. Eliminates the requirement for submission of a photograph with application. Requires a new fingerprint check for individuals applying for restoration of an employee registration card if the card expired more than a year ago. A requirement for a -- private alarm contractor employees to be trained in nonlethal force. And establishment of a five-year statute of limitation for disciplinary action. House Amendment No. 3 makes changes in the provision for issuing a license without examination for a private alarm contractor. It also makes a few other technical changes. And this is -- this bill is supported by all those who are involved in this

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

industry. It is an agreed bill in that profession, and I -- I move for the concurrence to House Amendment No. 1 and 3 to Senate Bill 487.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? The question is, shall the Senate concur in House Amendments No. 1 and No. 3 to Senate Bill 487. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, 1 Member voted No, no Member voted Present. On the motion to concur in House Amendments 1 and 3 to Senate Bill 487, the motion having received the required constitutional majority, the Senate concurs and the bill is declared passed. Senate Bill 699. Senator Viverito. Read the motion, Mr. Secretary.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 699.

The motion, by Senator Viverito.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President, Members of the Senate. This is the Open Meetings Act for electronic attendance with cause or a doctor's permission. This is supported by the trial attorneys, as well as the press. I'll -- answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 699. All those in favor, 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 59 Members voting Yes, no Member voted No, none are voting Present. House Bill 699, on the motion to concur in House Amendments 1 and 3 {sic} to House Bill 699, the motion having received the required constitutional majority, the Senate concurs and the bill is declared passed. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR LAUZEN:

On Senate Bill 487, as amended, my computer was not advancing forward, so I'd like the record to reflect my intention to vote Yes.

PRESIDING OFFICER: (SENATOR WELCH)

The record will so reflect, Senator Lauzen. NBC-Channel 5, Chicago, Dick Kay asks permission to tape. Is there leave? Well, I think I heard more Ayes than Nays. Leave is granted. It's a -- it's a tough crowd. Senate Bill 820. Senator Clayborne. I'm sorry. Senate Bill 726. Senator Garrett. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 726.

The motion, by Senator Garrett.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. Amendment No. 1 deletes and becomes the bill. Creates the Regional Transportation Task Force which shall consist of eleven voting members, three appointed by the Governor and two each appointed by each of the four legislative Leaders and nine nonvoting members. It establishes a quorum of six voting members. No compensation, but it permits reasonable travel expenses. Requires IDOT to provide staff and administrative support services. The task force shall gather information and make recommendations to the Governor and to the General Assembly regarding area transportation programs in northeastern Illinois, which includes, without limitation, the counties of Cook, DuPage, Kane, Lake, McHenry and Will, by March 1, 2004. The proponents of this are the Chicago -- Chicagoland Chamber of Commerce, Metropolitan Planning Council, Center for Neighborhood Technology, Illinois Tollway, Chicago Metropolis 2020, Openlands Project, Metropolitan Mayors Conference, and the Illinois

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Municipal League is neutral. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

The previous question being moved, there are two speakers. Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield -- she'll yield, Senator.

SENATOR ROSKAM:

Senator Garrett, one of the -- there's four members who are -- designated by the Metropolitan Mayors Caucus. Is that -- are the DuPage Mayors and Managers a part of that, or is -- I've not heard of that group. That's what I'm saying. And according to the analysis, they're appointing people to the study commission.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

I -- you know, I don't know if the DuPage Mayors -- Mayors are part of that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Senator, who are the -- what is the Metropolitan Mayors Caucus?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

It is a conference of mayors in the metropolitan area of Chicago. It may not include the south suburbs. I know it includes at least the northern suburbs.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Oh, I'm sort of informed my -- by my quasi staff that that's sort of Mayor -- that's kind of Mayor -- and I'm not giving you a hard time. I just want to know who they are. This is Mayor Daley's group that -- that he brings in from time to time and -- okay. I'm getting a lot of yeses. One question in terms of the timing, Senator. The bill requires a report to be issued on March 31st, 2004. If -- if this is enacted -- you know, that's ten months from now, something like that. If this is enacted, even, you know, signed by the Governor in June, presumably there would be some sort of a ceremony June or July, it seems like there's a timing problem, that they may not be able to meet -- you know, everybody's got to get appointed by the Leaders and so forth. Have you -- have you thought about that? Is that a concern of yours and is there some way that we can address that in the future?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

You know, Senator Roskam, it's a good question. The original bill had a longer time for this task force to meet but it was really from within -- I think it was Metropolis 2020 and -- and some of the original sponsors of the bill that came from the House that felt that they didn't want to take so much time, that, in fact, this would be very expeditious and -- and professional and they could, in fact, get it down by March, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. A question or two of the sponsor and then a comment on the bill. Senator, there was -- there have been -- you know, we've been looking at massive drafts that keep changing every day. There's been kind of a recurrent theme in some of the reorganizations where the executive director or the executive secretary or the -- the head of the staff of these boards and commissions, we were changing their status. Instead of being hired by the board, they were being appointed by the Governor. Do you know if that's the case in your reorganization bill? How

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

is the executive director of the Health Facilities Planning Board employed?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

I'm sorry. This has nothing to do with the Health Facilities Planning Board. This is a regional task force having to do with transportation. You've got another bill, Senator, which I will be introducing tomorrow. But I'm glad you asked me that question; I'll be prepared.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett, to close.

SENATOR GARRETT:

This actually is a bill that originated from the House, and it's -- it's a long time coming. It's an initiative from the Metropolis 2020, and I ask for your Aye vote. It's a really good piece of legislation to...

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Amendment No. 1 be concurred in by the Senate to Senate Bill No. 726. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Members voting Yes, 16 Members voted No, no Member voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 726, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 820. Senator Clayborne. Read the motion, Mr. Secretary.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 820.

The motion, by Senator Clayborne.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank -- thank you -- thank you, Mr. President. Senate Bill 820, with House Amendment No. 1, just authorizes the consolidation of two existing Teacher Retirement System funds

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

into a single fund. Eliminates the sunset date on the current provision allowing TRS members to upgrade their prior service to 2.2 pension formula by -- by means of a twenty-four-month reduction in retirement benefits. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I just rise in support of the concurrence motion.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 820. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Members voting Yes, no Member voted No, no Member voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 820, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 946. Senator Cullerton. Read the motion, Mr. Secretary.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 946.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- oops.

ACTING SECRETARY HARRY:

Motion by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I would move to concur with the House Amendment No. 1. It's very, very simple. It's -- just says that anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 946. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Members voting Yes, no Member voting No, no Member voting Present. On the motion to concur in House Amendment No. 1 to Senate Bill 946, the motion having received the required constitutional majority, is declared -- the Senate concurs and the bill is declared passed. Senate Bill 947. Senator Cullerton. Read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House..

PRESIDING OFFICER: (SENATOR WELCH)

Excuse me. Mr. Secretary. Want it out of the record? Take the bill out of the record, Mr. Secretary. Senate Bill 974. Senator Wendell Jones. Read the motion, Mr. Secretary.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 974. The motion, by Senator Wendell Jones.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. This is a -- an annexation to the Water Reclamation District - Metropolitan Water Reclamation District. When it left here it had a couple of Hoffman Estates locations in it, and it returned and it had a Ford Heights addition to it. So, with that, it has three pieces of property that are annexed to the Metropolitan Water Reclamation District. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill -- Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, I rise in support of this water district -- great reclamation

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

district bill. This is a bill that even Lloyd Bridges would be happy with. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 974. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Members voting Yes, no Member voted No, no Member voted Present. On that -- on the motion to concur in House Amendment No. 1 to Senate Bill 974, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1038. Senator Trotter. Read the motion, Mr. Secretary.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1038.

The motion, by Senator Trotter.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. House Amendment No. 1 deals with changing and -- excuse me, regarding the requirement that regional superintendents to certify the county report their claims by July 1st instead of July 15th, removes this change because the current law is unchanged and it deals with the school year calendar. It's an amendment that has been asked that we promote by the Illinois State Board of Education. It still retains all the original language in the bill which dealt with the certification of State aid claim and filing dates.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1038. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Members voted No, and no Member voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 1038, the motion having received the required

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1044. Senator Schoenberg. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1044.

The motion, by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I urge you to concur in House Amendment No. 1 to Senate Bill 1044. Amendment No. 1 changes the disbursing agency from the Department of Public Aid to the Department of Public Health. There's no opposition.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1044. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Member voted No, no Member voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 1044, the motion having received -- the motion to concur having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1047. Senator Schoenberg. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1047.

The motion, by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 is a technical amendment, in that the Student Assistance Commission requested that we clarify that payments to higher education institutions from the Prepaid Tuition Trust Fund can still be offset by the Comptroller's

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Office if the payments are to be used for child support; however, the payments from the Prepaid Tuition Trust Fund will never be used for child support. So by contract and State law, the payments from the institution from the Prepaid Tuition Trust Fund can only be used for payment of tuition and fees. This clarifies any concerns that the State would be limiting the Comptroller's authority to offset payments for child support. There's no opposition to this. I urge your concurrence.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1047. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Member voted No, no Member voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 1047, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1102. Senator Jacobs. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1102.

The motion, by Senator Jacobs.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. Chairman. Both House Amendment 1 and -- House Amendment 2 deals with the Telecommunication Infrastructure Maintenance Fee Act, which we've acted upon before. Be happy to explain the amendments if -- it -- basically what it does, Amendment No. 1 provides clarity to the underlying bill by changing the term "channel point" to "channel termination point" to make the reference consistent. And it -- it provides that municipalities with less than five hundred thousand, upon adoption of an ordinance authorizing the imposition, amendment, or repeal of the Act {sic}, the municipal clerk shall transmit a certified copy of that ordinance to the Department. So, what it does is clarifies some of the language.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

And Amendment No. 2 shortens the notification period by ten days. This was a -- a Department of Revenue request. And it takes away the individual notification of the certificate -- certification of an ordinance to the telecommunication providers of the State. The Department shall notify the telecommunications provider via a posting on the Department's website, which is available to all those parties. Know of no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1102. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Members voting Yes, no Member voted No, and no Member voted Present. On the motion to concur in House Amendment Nos. 1 and 2 to Senate Bill 1102, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1109. Senator Hendon. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1109.

The motion, by Senator Hendon.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Amendment No. 1 would restore the copay for brand names to three dollars. We'll still have the generic. There will be no copay at all for generic prescriptions, generic drugs under this amendment. And I'd ask for an Aye vote. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR RIGHTER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator Hendon, you and I discussed this bill a little bit in committee, and I just want to go that -- go over that a little bit for the rest of the Members of the Chamber. You've made some more adjustments to the copay reductions or changes. What is the fiscal impact on the Medicaid budget with -- if this became law?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Well, the Department of Public Aid believes that if the elimination of the copay on generics causes more people to use the generic, the fiscal impact will be minimal, most certainly lessened. We did discuss the fact that it is initially a 8.2-million-dollar hit, which is reimbursable by the federal government, which will be 4.1 million. And we believe with the encouragement to use generic, it'll be much less than that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill. Senator Hendon, thank you for your work. I know that you've worked on this for some time and -- and made adjustments as the parties have required. The concern that I have and I think that a number of the other Members have as well is that we're at a time where our Medicaid budget is anything but flush. Many of our hospitals and our nursing homes are complaining to us and telling us that not only are the rates inadequate, which we all know that, but we're not paying the bills on time. This legislation -- and again, my thanks to the Senator for minimizing the impact, but this legislation still pokes another hole in the Medicaid bucket, another hole for more money to run out of, more places to send our money, and I don't know that that's a good thing for us to do right now. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon, to close.

SENATOR HENDON:

Thank you, Mr. President. Well, I had the pleasure to work with Minority Leader Watson last year in this area, and a lot of

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

good ideas came out of those meetings that he brought together and this was one of them. I understand what you're saying about the -- the fiscal impact, but we believe we'll be able to absorb it and do something good for our senior citizens who cannot afford the copay. It is supported by the Department, by the Illinois State Medical Society, the Illinois Pharmacists Association, INCIL, the AIDS Foundation of Chicago, Health and Disability Advocates and others, and I hope you would vote for it.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1109. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 48 Members voted Yes, 7 Members voted No, 2 Members voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 1109, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. On page 3 of the Supplemental Calendar No. 1, Senate Bill 1149. Senator Shadid. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1149.  
The motion, by Senator Shadid.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. House Amendment No. 1 represents a compromise between the Illinois Automobile Dealers Association and the Illinois Bankers Association.

PRESIDING OFFICER: (SENATOR WELCH)

Could we please -- please clear the space..

SENATOR SHADID:

You don't mind, do you, Senator?

PRESIDING OFFICER: (SENATOR WELCH)

...ten feet around Senator Shadid.

SENATOR SHADID:

You don't mind, do you? Where'd he come from?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid, your mike is on. Please proceed on the bill.

SENATOR SHADID:

I know it's on. Supposed to be on. I'm the one that's supposed to be talking. This represents a compromise. I'd appreciate a Aye vote. Thank you very much.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. This is a second unprecedented announcement. Senator Shadid celebrated his fiftieth wedding anniversary today and this calls for special recognition, this second announcement. He's still here in the Senate in his seat. This could very well be his last anniversary and his last bill, so I hope you all vote for this.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

You know, I'd like to respond to Senator Demuzio, but I'm going to try -- I got to try and keep it clean 'cause it is my anniversary and my wife is probably listening. So I just ask for an Aye vote. Thank you very much, Senator, for your comments.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1149. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. I think we're going to have an explanation of vote on this one. The -- on that question, there are 57 Members voting Yes, 1 voted No, no Member voted Present. On the motion to concur in Amendment No. 1 to Senate Bill 1149, the motion having received the required constitutional majority, the Senate concurs and the bill is declared passed. Senator David Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

I think we should verify that roll call.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator Shadid, for what purpose do you rise? Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Parliamentary inquiry.

PRESIDING OFFICER: (SENATOR WELCH)

State your inquiry.

SENATOR CULLERTON:

Does a bill pass if the sponsor votes against it?

PRESIDING OFFICER: (SENATOR WELCH)

Yes, especially in Senator Shadid's case. We are now going to Senate Bill 1210. Senator Larry Walsh. Senate Bill 1336. Senator Schoenberg. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1336.

The motion, by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the House -- that the Senate concur with House Amendment No. 1 to Senate Bill 1336. House Amendment No. 1 makes the prohibition on posting a cash bond apply only to State construction contracts. There is no opposition to this amendment.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1336. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Members voting Yes, no Member voted No, no Member voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 1336, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1379. Senator Cullerton. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 1379.

The motion, by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is an initiative of the Attorney General and we attempted to negotiate this bill when it was in the Senate. We ran out of time so we made it into a shell and we continued the negotiations over in the House, and we now have an agreed bill. Parties involved, of course, in addition to the Attorney General and the -- the Illinois Environmental Protection Agency, included the Chamber of Commerce, the Illinois Environmental Regulatory Group, the Illinois Energy Association and the Illinois Farm Bureau. The bill does three things. It, number one, amends the Procurement Code so that someone -- it would prohibit the State from doing business with someone who willfully and knowingly violated an -- an EPA order from a court or -- or, anyone who knowingly violated the Environmental Protection Act for five years from the time a court or the Pollution Control Board entered such an order of that willful and knowing violation with certain exceptions for if there's no practical alternative for an entity for the State to contract with. The second part of the bill is -- amends Section 39 of the EPA to consider -- to allow the EPA to consider a permits -- applicant's prior adjudications of noncompliance when the -- with the -- with the Act when the Agency is determining whether to issue a permit and to determine what conditions to impose in the permit. This is a new provision. Also, it amends Section 42 of the Act to allow the Board to consider additional factors when determining the appropriate civil penalty for a violation. This would require the Board to set the civil penalty at least as great the economic benefit accrued by the respondent as a result of the violation. Again, as I said, it's an agreed-upon bill. The Farm Bureau was involved as well. They signed off on the language, and I would be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President. On our side of the aisle, you may notice in your analysis that the Republicans did not vote for this in committee. That was because we had some unanswered questions, I think in large part because the fine sponsor of the legislation wasn't able to make committee. We have had those questions answered, so we now recommend an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall the House -- shall the Senate concur in House Amendments No. 1 and 3 to Senate Bill 1379. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Member voted No, no Member voted Present. On the motion to concur in House -- in House Amendments No. 1 and 3 to Senate Bill 1379, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1458. Senator Harmon. Mr. Secretary, read the motion. Senator Harmon, I missed one. Senate Bill 1417. Senator Obama. Read the motion, Mr. Secretary.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1417.

The motion, by Senator Obama.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is a bill related to coverage for colorectal cancer. House Amendment 1 really actually just stripped the bill. Apparently, procedurally, we have to adopt it, but House Amendment 2 actually is the substantive amendment. It is now an agreed-upon bill between the American Cancer Society, the Illinois State Medical Society and the Illinois Life Insurance Council. I know of no opposition. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1417. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Members voting Yes, no Member voted No, no Member voted Present. On the motion to concur with House Amendments No. 1 and 2 to Senate Bill 1417, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1458. Senator Harmon. Read the motion, Mr. Secretary.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1458.

The motion, by Senator Harmon.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. The underlying Senate Bill made certain amendments to the Criminal Code to ensure the status of probation officers as peace officers for the purposes of arresting juveniles on probation and the like. In an abundance of caution, the language in the underlying bill said that for the purposes of this Act only they shall be peace officers. In an attempt to avoid some unintended consequences, we found another unintended consequence. We apparently took away their rights to carry their -- their weapons. The amendment in the House will give them that right back. I'm aware of no opposition and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment -- Amendment No. 1 to Senate Bill 1458. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Members voting Yes, no Member voting No, no Member voting Present. On the motion to concur in House Amendment No. 1 to Senate Bill 1458, the motion having received the required constitutional majority, the Senate concurs. The

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

bill is declared passed. Senate Bill 1493. Senator Obama.  
Read the motion, Mr. Secretary.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their  
Amendments 1 and 3 to Senate Bill 1493.

The motion, by Senator Obama.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of  
the Senate. This bill was addressing the tragedy of E2, as well  
as the tragedy in Rhode -- Rhode Island, with respect to  
nightclubs, and set up a -- a variety of safety procedures in  
nightclubs. These are some modest amendments that were attached  
and agreed to by the industry, as well as the Fire Marshal, the  
State Fire Marshal. I know of no opposition, although I know  
there were questions raised in committee which I thought were  
rather modest, but I guess Roskam wants to run with 'em. So, go  
ahead, Senator Roskam.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

...indicates he'll yield.

SENATOR ROSKAM:

Senator Obama, when this bill left the Senate, we probably  
all voted for it unanimously. I think it was something you  
worked hard on and it was a good bill. I think the House did  
you and us a disservice, and here's -- here's my point: On  
Amendment No. 1, you know, you had -- in -- in the bill you put  
together, Senator, which was good, there was no ambiguity about  
the duty of a club owner. In other words, the club owner,  
according to the language that you drafted, had to make an  
announcement to the patrons advising them of all exits and fire  
escapes. Unambiguous, clean, well thought-out. The House,  
however, came up with an idea. They said, "Oh, no, no, no. We  
don't like the way Senator Obama did it. We've got our own  
idea." And I don't know who got their mitts onto this thing,

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

but what they did was, they said that a -- an owner needs to generally inform those patrons of the locations of exits and fire escapes at the -- at the licensed premises. That's a problem. It's vague, and it's arguably void for vagueness. I think we're imposing a criminal penalty. We're imposing a felony penalty under this bill. And now, in sort of legislative parlance, we're shooting with live bullets tonight, because if we all vote Yes, just to be nice and charming, this is going to the Governor and very likely will become the law of the land. I think that we can do better than this. I think Senator Obama's bill that he sent out with our unanimous support was far better than this, and I would urge our -- our rejection, as a Body, of this. This is murky. This is sloppy language. This doesn't create a clear picture for bar owners, and somebody is going to be able to argue, they're going to say, "Well, you know, I know there was this terrible tragedy, your Honor and ladies and gentlemen of the jury, but, you know, my client generally informed those patrons of the locations of the exit." And they did it with a little bumper sticker sign. That -- there's the problem. We can do better than this. Let's reject this and let's do the right thing. Thank you. Vote No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President. And just to follow up on the theme that Senator Roskam has laid out. One of the hallmarks of criminal jurisprudence in the United States is simply this: That before an individual can be charged with a criminal offense, that they should be able to read the plain language of the statute and find out what it is that if they do it, they'll be violating the law. We are not talking about a Class A misdemeanor or a Class B misdemeanor or a business offense, but, for gosh sakes, we're talking about a felony. I concur with Senator Roskam, Senator Obama. When this bill left the -- the Senate, it was a good piece of legislation, something that you could be proud of. Unfortunately, we now have inserted not only sloppy language, but something that I suspect will be constitutionally -- infirm and that all of your hard-earned efforts may get washed down the drain by Appellate Court, that

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

they be less forgiving than this General Assembly. And so, for that reason, I would urge this Body to reject it, stick it into a conference report, get that language out and -- and get the job done that needs to be done. You've got a problem that needs to be attacked, but by doing it in this manner, I think that you are opening up to a challenge that I think will be successful.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama, to close.

SENATOR OBAMA:

Well, the -- I think that the point that Senator Roskam and Senator Petka make are important in the sense -- I agree with them the -- with the notion that we want to provide specificity, as much as possible, whenever there's a criminal law. I think that's a basic principle of criminal law. I think they're absolutely right on, in that respect. As I look at this language, "generally informs", this might not be the way that I would have drafted it -- this amendment. I think it still provides sufficient notice in terms of what's required. This is language that those who are subject to -- that those who are subject to the penalty actually helped draft. Were we not two days before, or one day actually, about thirty hours before adjournment, hopefully, I might agree to send this into some sort of conference committee. Apparently, there is no conference committee. As I look at the language, I feel confident that this isn't unconstitutional, and this is only one modest component of a bill that had a number of parts to it. So, my suggestion is, is that we go ahead, pass this bill, move to concur. What I will make a commitment to is to examine this language and to the extent that there -- perhaps the word "generally" is struck through amendatory veto, that is a recommendation I'd be willing to make to the Governor if you thought that that would provide more certainty. Other than that, I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The -- the question is, shall the Senate concur in House Amendments No. 1 and 3 to Senate Bill 1493. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Members

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

voting Yes, 22 Members voting No, 1 Member voted Present. On the motion to concur in House Amendments No. 1 and 3 to Senate Bill 1493, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1506. Senator Harmon. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1506.

The motion, by Senator Harmon.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. The underlying Senate bill is an -- an initiative of the Secretary of State's Office. It's a general and technical clean-up bill addressing a variety of issues with the Business Corporations Act, the Not For Profit Act and the LLC Act. The amendment continues in that vein. It offers an additional amendment to the LLC Act to clarify what I think was a drafting error in -- in current law that would prohibit individuals, companies and LLCs from being members of -- of medical LLCs. It also, for point of convenience, permits an attorney licensed in the State to organize such an LLC and not limiting it to physicians. I'm aware of no opposition. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall the Senate adopt House Amendment No. 1 to Senate Bill 1506. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Members voting Yes, no Member voted No, no Member voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 1506, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1530. Senator Demuzio. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1530.

The motion, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the Comptroller's bill with respect to the prohibition on convicted felons from -- with respect to contracts. This amendment that the House added says that it requires, instead of allows, the contracting agencies to declare a contract null and void if it's determined that the contractor's in violation of this Section, which means that if the contractor should have a contract and should lie with respect to whether or not he's a person who has -- is a convicted felon, then the -- then the contract is null and void. I know of no opposition.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR DILLARD:

Senator Demuzio, is this in response and a bill that's supposed to get in line with the Sarbanes-Oxley Act?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

The answer to that question is yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard.

SENATOR DILLARD:

Senator Demuzio, in the form of a question, but I want to just lay a scenario for you. Suppose there's a gigantic firm, whether it's an accounting firm or a law firm, that has a thousand employees and you may have one bad apple who works about twenty to twenty-five floors above you, who you may never have met, and you have a retired Supreme Court Justice, who's

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

the most ethical person in the world, twenty floors away from the person who committed the bad act. Is that firm forever barred - everybody there, no matter how good or how bad - from doing business with the State?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

The answer to the question is no. It's my understanding, and I think this was in the analysis and my handlers are indicating that it would be the firm, and in that particular instance, that would be the -- the individuals who had committed the Act and -- and were convicted of a felony or whatever.

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? If not, Senator Demuzio, to close. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1530. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Members voting Yes, no Member voted No, no Member voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 1530, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Whoever has that cell phone, take it out of here. Senator Viverito? Senate Bill 1638. Senator Jacobs. Read the motion, Mr. Secretary.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1638.

The motion, by Senator Jacobs.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move we concur in House Amendment 1 to Senate Bill 1638. It amends the Public Safety Employees Benefit {sic} (Employee Benefits) Act, defining a firefighter to include, without limitation, a licensed emergency medical technician who is a sworn member of a public fire department. This puts the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

EMTs in Chicago on the same level as those in downstate. Know of no opposition. Ask for its support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I just stand in strong support of the Senator's legislation.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1638. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Members voting Yes, no Member voting No, no Member voting Present. On the motion to concur in House Amendment No. 1 to Senate Bill 1638, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Senate Bill 1980. Senator Demuzio. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1980.

The motion, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 1980 is a bill -- is an amendment put on by my two Representatives, Representative Hannig and Representative Watson, and I agree. This is a bill that would allow the district elections for the Lincoln Land Community College -- Community College Board, the election of trustees. This would divide the forty-one-hundred-square-mile community college district into seven segments with about the same number of people living in each. There was a map that is configured -- that is drawn that complies, I am told, with the Voting Rights Act and as a result -- the result of this legislation... Is my time up? Is that...

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Once again, please take the cell phone off the Floor or turn it down. Senator Demuzio.

SENATOR DEMUZIO:

Well, Mr. President, I can assure you the phone is not mine. I don't know whom you're referring to, but it isn't me. Apparently what is happening now, there are six of the -- or -- or the seven board members in the -- are from the Springfield area, and the district again, forty-one hundred square -- square miles, it would afford some representation from those areas that currently are underserved or those areas that would have people elected from their communities. The population base, obviously, if it's left unfettered, would have Springfield having to continue -- the Springfield area to having the -- the members of the board elected there. There is another -- southwestern Illinois, I'm told, has a similar system whereby they do run certain elections, too, and have for a number of years with respect to individual districts. This bill is a bill that -- it seems to me, that a number of people who are interested in. Hopefully if this bill, in fact, does work, that perhaps this might lead to -- other community college districts in Illinois also making sure that they divide up into legislative -- I'm sorry, into board districts so that they might -- too might have representation. So, I -- I would ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank -- thank you, Mr. President. Will the sponsor yield for a question or two?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR BURZYNSKI:

Thank you. Senator, I know that in committee we did talk about the Southwestern situation and the fact that they were facing their process in -- in 2005, 2007, 2009. We really didn't resolve anything, except that this is another way to do it, and that perhaps we need to look at both ways and see which way might be better suited. It appears that a wholesale change of this nature could be somewhat detrimental. So, if you -- if you could, sir.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Well, let me clarify that and say that for the year 2005, 2007 and 2009, these consolidated election would divide the community college into seven trustee districts. So it would not be a carte blanche, automatic election whereby there would be a wholesale change at one time.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Very good. I understand that. Senator, one question I didn't ask in committee was who was involved in drawing the -- or, in the redistricting process?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

I'm told by Representative Hannig that Representative Watson and the rest of the elected officials that were there, with the exception of Senator Bomke. I'm told he was not there, but the map was drawn, I guess... The representatives were -- were all involved with -- with it in Springfield. So, that's -- that's all I know.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. It just seems, Senator, that perhaps maybe more people could have been included in the remap. It would have made it a little bit more fair. I've not even seen a copy of the map, and I'm not sure if our staff even had one. I -- I really don't know. But it just seems like maybe it should have been a little bit more inclusive to better draw those districts. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Bomke.

SENATOR BOMKE:

Thank -- thank you, Mr. President. To the bill: I -- and I'm not sure Senator Demuzio had much to do with -- he wasn't involved in any meetings nor was I, although it takes in a large

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

part of my district. I certainly don't disagree with the intent of the legislation. I -- because of the ambiguity of the amendment - it -- it is so thick - it's hard to -- to really determine if there's accurate or appropriate representation in the rural areas. And obviously the Community College Board had no input, I'm guessing, to -- to drawing the map. Now, I know in that Southwestern university, the community college, the trustees put -- put it together. I think it would have been nice had they had some input. I certainly would have liked to have had some input. I'm afraid I'm going to have to vote No on the legislation because of lack of clarity. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Soden.

SENATOR SODEN:

Thank you, Mr. President. I just had an inquiry, Senator. Can you hear me now?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio, to close.

SENATOR DEMUZIO:

Well, there were three Republican House Members and one Democratic House Member that were involved. The Community College Board, in the original bill, was asked to participate. They felt it was inappropriate for them to do so. There is individual support from the Membership for what -- what we are attempting to do here to make sure that other communities have representation. If this project will -- will, in fact, work, then it might be something that's -- will be applicable to other community colleges throughout the State of Illinois, and I would ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1980. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Members voting Yes, 2 Members voted No, 1 Member voted Present. On the motion to concur in House Amendment No. 1 to Senate Bill 1980, the motion having received the required constitutional majority, the Senate

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

concur. The bill is declared passed. Senate Bill 1983.  
Senator Demuzio. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their  
Amendment No. 1 to Senate Bill 1983.

The motion, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR WELCH)

Could we please break up the conferences in front of  
Senator Demuzio? Senator DeLeo. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Appreciate your help. It's to  
no avail. House Amendment No. 1 to Senate Bill 1983 is a bill  
that makes a minor change in the Pharmacy Practice Act. It adds  
language for the definition of "pharmacist", which was the  
original bill. It also, I'm told on behalf of the Medical  
Society, adds a new definition for individuals currently  
licensed by the State to -- engage in the practice of pharmacy  
must also be a health care professional and provider in order to  
qualify as a pharmacist. That amendment is the initiative of  
the Illinois Medical Society. I know of no opposition.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR LAUZEN:

Senator, can you read from -- for us the definition -- the  
new definition of "pharmacist" and can you tell us why it was  
necessary to change that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

On page 2, the definition says Frank Watson. Oh, no. The  
definition of a pharmacist is in -- do not see in the amendment  
here where the -- where the statute does, in fact, define a  
pharmacist. What we are doing, however, is we are adding to  
that definition that the person must also be health -- a health

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

care professional and provider. I don't have the copy of the bill here.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Well, basically, the -- the reason why I asked the question, Senator Demuzio, is does this in any way affect citizens, residents of Illinois purchasing their prescription medication from Canadian pharmacists, as thousands of people do? I'm wondering if this is some way of the industry to limit the -- the options available to Illinois residents to buy their prescription medication.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

I do not know the answer to that question. And neither does anyone over here.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senator Demuzio, I -- you know, I am sorry. I'm trying to scroll through the language now to find out. There -- there are thousands and thousands of Illinois residents who use every month, at a savings of fifty percent on their prescription medication..

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen, I think Senator Demuzio found the answer. Senator Demuzio.

SENATOR DEMUZIO:

No. If -- if Senator Lauzen would like, I would be more than happy to take the -- the Medical Society's amendment out of the record and see if we can't come back to it sometime this Session. Get the answer for him.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Lauzen, what's your pleasure?

SENATOR LAUZEN:

I -- I would appreciate making sure that we -- we don't create a problem for all those, especially seniors, who use the program.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Then is it -- is it your request that I take it out of the record?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Yes, sir.

PRESIDING OFFICER: (SENATOR WELCH)

Take the bill out of the record. The next bill - we're going back to the top of the first page - Senate Bill 24. Senator del Valle. Mr. Secretary, read the motion.

ACTING SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 24.

The motion, by Senator del Valle.

PRESIDING OFFICER: (SENATOR WELCH)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. When this bill left the Senate, we indicated that it would be back to us because we needed to do some clean-up language and clarify some things. That's what this amendment does. There are a couple of additional changes. We changed the -- the number of days required by the licensee to notify DFI when an authorized seller is no longer an authorized seller. We changed the number of days from ten to thirty to allow additional time. We also clarified the reference to the stored value cards under the Act and extend the signage requirement to licensees, as well.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not -- Senator Roskam.

SENATOR ROSKAM:

Senator, I -- I'm not being dilatory. Could you just in a nutshell give us the three-by-five-card version of the bill as it left and briefly what the -- what -- what the changes are? I'm not even tracking what we're talking about.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator, are you asking leave for Senator del Valle to answer a question?

SENATOR ROSKAM:

Yes, sir.

PRESIDING OFFICER: (SENATOR WELCH)

Senator del Valle indicates he'll yield. Senator del Valle.

SENATOR DEL VALLE:

Okay. As it left, there was a definition of value stored cards -- stored value cards. The bill, as it left, required authorized sellers to display a disclosure notice regarding customer rights under the Transmitters of Money Act and a way to contact DFI. It also required a licensee to notify DFI when an authorized seller is no longer authorized. That notification had to be within ten days, as the bill left. It also required authorized sellers to include each receipt a separate disclosure notice regarding the customer's rights under the Transmitters of Money Act. And also it -- it -- it created the Consumer Protection Fund. That remains in the bill. We changed, in the House, the -- clarified that the stored value cards under the Act are those used by money transmitters and not retail merchants. That was a change -- a clarification that was requested by the Retail Merchants. And instead of having DFI listed on the receipt and a number for DFI because there are standard receipts that are used by Western Union and other groups from state to state, they did not want to go through the added expense of creating a different receipt, and so we took -- took that out. But the DFI number will be on a sign that the authorized sellers have to post. And so that information will be on that sign.

PRESIDING OFFICER: (SENATOR WELCH)

Senator del Valle, to close.

SENATOR DEL VALLE:

This -- this amendment that was put on in the House was worked out with the industry. All of the folks that were concerned about the original bill were involved in this, and it is an agreed bill.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 24. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Members voting Yes, no Member voting No, no Member voting Present. On the motion to concur in House Amendment No. 1 to Senate Bill 24, the motion having received the required constitutional majority, the Senate concurs. The bill is declared passed. Mr. Secretary, Resolutions. On page 74 of the Calendar is the Order of Resolutions. This is final action. ...Joint Resolution No. 12. Senator Clayborne. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank -- thank you, Mr. Chairman. Senate Amendment No. 1 to House Joint Resolution 12 just adds the accredited safety -- accredited certified safety, health, and environmental professionals to the -- to the list of groups eligible to participate in a Joint Task Force on Mold in Indoor Environments for the purposes of examining the mold issue in Illinois and making recommendations to the General Assembly -- pertaining to the regulation of mold in indoor -- indoor environments in Illinois. The Task Force shall present a -- a -- a report of its findings and recommendations by June 1st, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This came -- this amendment and the resolution came out of the committee unanimously. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

All those in favor of the amendment, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

If not, to the resolution. Mr. Secretary, read the resolution.

ACTING SECRETARY HARRY:

House Joint Resolution 12, offered by Senator Clayborne. There were no committee amendments. One Floor amendment adopted, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. I just explained the bill {sic}. It just creates a Joint Task Force on Mold in Indoor Environments for the purposes of examining the issue and the General Assembly -- making recommendations to the General Assembly by -- June 1st, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Is -- is there any discussion? The question is, shall House Joint Resolution 12 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Members voting Aye, no Member voting No, no Member voting Present. Joint Resolution -- Joint House Resolution 12, having received the required constitutional majority, is declared adopted. House Joint Resolution 14. Senator Larry Walsh. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

House Joint Resolution 14 is offered by Senator Walsh, Mr. President.

There are no committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WELCH)

Mr. Secretary -- Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 14 creates the Illinois Legislative Alzheimer's Disease Task Force mission. The mission of the Illinois Legislative Alzheimer's Disease Task Force shall be to help optimize the quality of life for people who suffer

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

from Alzheimer's disease or a related dementia and their families through advocacy, education, support, and services, while actively promoting research to eliminate the disease. The Task Force shall examine, along with other issues it chooses to investigate with respect to Alzheimer's disease, the following issues: disease facts, prevalence and costs; financial barriers to essential care; continuum of care, including medical assessment or diagnosis, drug therapy, caregiver training and support, home and community-based care, adult care services, residential care options, and hospice care; training and qualifications for those who work with the individuals with Alzheimer's; and any other issues that the Task Force chooses to examine. The Task Force is set up to have and report back to the -- its findings to the General Assembly on or before December 1st, 2003.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Joint Resolution 14 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Members voting Yes, no Members voting No, and no Member voting Present. House Joint Resolution 14, having received the required constitutional majority, is declared adopted. Ladies and Gentlemen, we're going to stand at ease for a few minutes while the Senate Rules Committee meets in the Chamber behind the Senate President. The Senate will be at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, we're going back to the Order of Resolutions. House Joint Resolution 19. Senator John Sullivan. Mr. Secretary, read the resolution.

ACTING SECRETARY HARRY:

House Joint Resolution 19, offered by Senators Sullivan, Shadid, Risinger and Halvorson.

There are no committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator John Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President. House Joint Resolution 19 extends the Ronald Reagan Trail to include Galesburg and Monmouth, and it renames Illinois Route 50 in Bradley, Illinois, after the former Mayor, Kenneth Hayes. As our nation's only Illinois-born -- born President, Galesburg and Monmouth were integral parts of Ronald Reagan's early years in Illinois. These areas are part of his heritage and his story is incomplete without their inclusion.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Joint Resolution 19 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Members voting Yes, no Member voted No, no Member voted Present. House Joint Resolution 19, having received the required constitutional majority, is declared adopted. ...Joint Resolution 21. Senator Sandoval. Mr. Secretary, read the resolution.

ACTING SECRETARY HARRY:

House Joint Resolution 21, offered by Senator Sandoval. There are no committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. HJR 21, a task force on immigrant and refugees, is a task force for the purpose of examining immigrant and refugee special needs and making recommendations to the General Assembly concerning our needs as they relate to health, human services, education, employment opportunities, and economic development. Immigrants are responsible for fifty-eight percent of the net population growth in the State of Illinois between 1990 and 2000. Indeed, were it not for immigrants, Illinois would have lost two congressional seats instead of one. Candidates for office whose constituents reside in suburban municipalities, smaller towns in districts long considered staunch partisan may need to rethink our strategies in upcoming elections and pay particular attention to

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

issues of concern to immigrants and their families. The profile of immigrants in Illinois has changed dramatically over the past twelve years. Although Chicago has been the main immigrant destination in Illinois for most of the twentieth century, a remarkable shift in this pattern has occurred. Immigration in Chicago continues to be significant, but immigrants are now also settling in a range of -- locales, including Chicago's inner and outer suburbs, smaller Illinois cities and towns and rural farming regions. Many of these areas have undergone particularly notable demographic and cultural transformations. Immigrant settlement patterns follow the path to the American dream. Immigrants live where they are needed in the Illinois labor force. They work, pay taxes and raise families. I ask support, Aye vote, on HJR 21.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. A question for the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR LAUZEN:

Senator, will there be in this task force's work and study, will there be a differentiation between legal and illegal immigration?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Lauzen, in my perspective, and I've shared this with you in the past, there are no such things as illegal aliens. We are not from Mars and we are not from the moon. They are just undocumented in this country. And I am -- I would be offended and appalled..

PRESIDING OFFICER: (SENATOR WELCH)

Senator, I think the -- question was answered.

SENATOR SANDOVAL:

...to consider anyone somewhat illegal in this country.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Thank you. I would just -- I would just ask that the record indicate that that is not my word that you're using. "Alien." And so I think that you set up a -- a straw man in the debate or the argument. I just asked the question that I had written down. Will there be a differentiation between legal and illegal immigration. No one's using any term like "alien". But there is a law in this country. It's either followed or it's not followed, and so my question to you is, will there be differentiation in this task force's study to study both factors of both legal and illegal.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

This -- this study will -- this task force will study the plight of all immigrants - Latino, Polish, Lithuanian, European, Filipino, Korean - all immigrants in the State of Illinois.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval, to close.

SENATOR SANDOVAL:

I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Joint Resolution 21 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Member voted no, no Member voted Present. House Joint Resolution 21 -- House Joint Resolution 21, having received the required constitutional majority, is declared adopted. Mr. Secretary, Committee Reports.

ACTING SECRETARY HARRY:

Senator Demuzio, Chair of the Committee on Rules, reports the following Legislative Measures assigned: Referred to the Committee on Executive - Floor Amendment 1 to House Bill 582, Amendments 1 and 2 to House Bill 721, Amendment 2 to House Bill 876, Amendment 3 to House Bill 917, Amendment 1 to House Bill 942, the Motion to Concur with House Amendments 1 and 3 to Senate Bill 75, Motion to Concur with House Amendment 2 to Senate Bill 594, Motion to Concur with House Amendment No. 1 to Senate Bill 741, Motion to Concur with House Amendment 1 to

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senate Bill 777, Motion to Concur with House Amendments 1 and 2 to Senate Bill 1000, Motion to Concur with House Amendment 1 to Senate Bill 1147, the Motion to Concur with House Amendments 2 and 3 to Senate Bill 1332, Motion to Concur with House Amendment 2 to Senate Bill 1606, Motion to Concur with House Amendment 1 to Senate Bill 1743, Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 1784, Motion to Concur with House Amendment 1 to Senate Bill 1848, and Motion to Concur with House Amendment 1 to Senate Bill 1915; to the Committee on Revenue - Motion to Concur with House Amendment 1 to Senate Bill 1172 {sic} (172), Motion to Concur with House Amendment 2 to Senate Bill 172, the Motion to Concur with House Amendment 1 to Senate Bill 969, and the Motion to Concur with House Amendments 1 and 2 to Senate Bill 1101; and re-referred to the Rules - Senate Joint -- or, Senate Resolution 173; Approved for Consideration - Senate Resolution 173.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link, for purposes of an announcement.

SENATOR LINK:

Thank you, Mr. President. Senate Revenue Committee will be meeting at 10:15 p.m. in Room 400.

PRESIDING OFFICER: (SENATOR WELCH)

Revenue at 10:15. Senator Halvorson, for the purposes of announcement.

SENATOR HALVORSON:

Thank you, Mr. President. I'd like to announce that the Senate Executive Committee will meet in Room 212 at 10:15 p.m.

PRESIDING OFFICER: (SENATOR WELCH)

Senate Executive, 10:15. Returning to the Calendar, on page 74, we have Senate Resolution 89. Senator Obama. Mr. Secretary, read the resolution.

ACTING SECRETARY HARRY:

Senate Resolution 89 is offered by Senator Obama. There are no committee or Floor amendments to the resolution, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill forms a Private Equity Task Force. As many of you know, venture capital and private equity is one of the key mechanisms by which we finance new businesses in the State of Illinois. For a variety of reasons, Illinois has been lagging behind some of our competitor states in the formation of venture capital and its deployment in terms of seeding and funding new companies. This is an issue that has peaked the interest of various persons in the industry and so they have asked that we form this Private Equity Task Force to examine these issues. I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Resolution 89 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Members voting Yes, no Member voting No, no Member voting Present. Senate Resolution 89, having received the required constitutional majority, is declared adopted. Senate Resolution 130. Senator del Valle. Mr. Secretary, read the resolution.

ACTING SECRETARY HARRY:

Senate Resolution 130, offered by Senator del Valle.  
No committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This resolution simply extends the life of the Illinois After-school Initiative, and renames it the Illinois After-school Partnership, until the year 2006, with annual reporting dates.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Resolution 130 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Members voting Yes, no Member voted No, no Member voted Present. Senate Resolution 130, having received the required constitutional majority, is

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

declared adopted. Ladies and Gentlemen, could I please have the attention of the Body? The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports and for further Floor action. We will be voting when we return, so don't go too far. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Senate will reconvene. Message from the House.

SECRETARY HAWKER:

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

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

Senate Bill 640, together with House Amendments 1 and 2.

Passed the House, as amended, May 30, 2003.

I have like Messages on Senate Bill 774, with House Amendment 2; Senate Bill 945, with House Amendments 1 and 2; Senate Bill 989, with House Amendment 1; Senate Bill 1021, with House Amendment 1; Senate Bill 1634, with House Amendment 2; Senate Bill 1701, with House Amendments 1 and 3; Senate Bill 1912, with House Amendment 1; and Senate Bill 1949, with House Amendment 2.

All passed the House, as amended, 5/30/03.

I have a like Message with respect to Senate Bill 150, with House Amendments 1, 2 -- I'm sorry, 1, 3, 4 and 5; Senate Bill 788, with House Amendment 1; Senate Bill 843, with House Amendments 5 and 6; Senate Bill 878, with House Amendments 1, 2 and 3; Senate Bill 994, with House Amendment 1; Senate Bill 1650, with House Amendment 1; and Senate Bill 1951, with House Amendment 1.

All passed the House, as amended, 5/30/03.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Committee Reports.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SECRETARY HAWKER:

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendments 1 and 2 to House Bill 721, Senate Amendment 3 to House Bill 917, and Senate Amendment 1 to House Bill 942, and Motions to Concur with House Amendments 1 and 3 to Senate Bill 75, House Amendment 1 to Senate Bill 741, House Amendment 1 to Senate Bill 777, House Amendments 1 and 2 to Senate Bill 1000, House Amendment 1 to Senate Bill 1147, and House Amendments 2 and 3 to Senate Bill 1332, House Amendment 2 to Senate Bill 1606, House Amendment 1 to Senate Bill 1743, House Amendments 1, 2 and 3 to Senate Bill 1784, House Amendment 1 to Senate Bill 1848, all Be Adopted.

Senator Link, Chairperson of the Committee on Revenue, reports Motions to Concur on House Amendment 1 to Senate Bill 172, House Amendment 2 to Senate Bill 172, House Amendment 2 to Senate Bill 417, House Amendment 1 to Senate Bill 969, and House Amendments 1 and 2 to Senate Bill 1101, all Be Adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and Gentlemen, if you'll turn to page 35 on your regular Calendar. Leave of the Body, we'll go to the Order of House Bills 3rd Reading. House Bill 721. Senator Jones. Madam -- Senator Jones seeks leave of the Body to return House Bill 721 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 721. Madam Secretary, read the bill. Any Floor amendments?

SECRETARY HAWKER:

Yes. Floor Amendment 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Amendment No. 1 to House Bill 721 becomes the bill. It creates the O'Hare Modernization Act. This is the legislative action required to permit the commencement of an ambitious 6.6-billion-dollar modernization of O'Hare Airport, ensuring that the airport will operate effectively and efficiently for years to come, maintaining its role as the engine that drives our State economy. And I move to adopt the amendment. Will discuss it on 3rd Reading.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, Senator Harmon has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments approved?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Floor Amendment No. 2 would create the Advisory Committee, which would consist of thirteen members, to oversee this project and make sure that minority and women concerns are met. I'd be happy to discuss it on 3rd Reading. I ask for -- move to adopt the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, Senator Hendon has moved the adoption of Amendment No. 2. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. On the Order of House Bills 3rd Reading, Ladies and Gentlemen, final passage, is House Bill 721. Madam Secretary.

SECRETARY HAWKER:

House Bill 721.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President. House Bill 721, as amended, is the O'Hare modernization plan for the reconfiguration of the runways and make O'Hare Airport a competitive airport. It's a six -- 6.6-billion-dollar public work project. It is a -- it'll create a hundred and ninety-five thousand jobs. It creates a

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

western terminal and parking and western access to O'Hare Airport. It increases the capacity of O'Hare, which will facilitate more flights in -- to other cities. It ensures that Illinois will remain the air transportation capital of the nation. It has in there language to deal with minority and female hiring through contracts. It -- it reference -- it references the City ordinance as it relate to hiring and -- and contracts for minorities and women. This legislation is legislation that has bipartisan support. It will make this airport and keep this airport as one of the finest in -- in this country. O'Hare Airport is -- is the economic engine - economic engine - that -- that fuels the economy throughout the State of Illinois. The reason why we need this legislation is to ensure that conventions and travelers will not bypass the City of Chicago and the State of Illinois and go to other hubs around the nation. I stand ready to answer any question individuals may have as relate to this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This is not to move the previous question. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, that's too bad, Senator Jacobs. There's about thirteen lights. Yes, he indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Senator, we -- we -- you know, downstate we had some motor fuel tax monies that were taken from us, and, you know, it would be nice if we could have a little tradeoff here to ensure that our downstate motor fuel tax monies were reinstated so that we could get some jobs in downstate Illinois, too. But we know that's not going to happen. So, what I stand here to -- to say is that I support your bill. And I might add that I think to this point in this Body this year, it is truly the first and only jobs-creation bill that I have seen. And for that reason, I stand in strong support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

SENATOR WATSON:

Yes. Thank you very much, Mr. President. In the committee, we asked a couple of questions and we'll make 'em brief here. I hope Senator Jones was listening to Senator Harmon's response to our questions. But, Senator, I want to ask you a couple questions, if you'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Watson.

SENATOR WATSON:

Thank you very much. Senator Jones, as you know, the University of Illinois did a study concerning the loss of revenue to the local school district, to the community colleges, and I believe we have in here some language that would enable twenty million dollars to be made available over six years to those school districts and community colleges that are adversely affected and that that -- beginning in the year 2002 -- the taxable year 2002, and then it will be changed each year based on the consumer price index. Is that correct, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR E. JONES:

You're absolutely correct. That language is in here and that is the provision that was negotiated and just -- just -- just so that those persons in those school districts and those schoolchildren do not lose out. You're right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much. In -- in regard to soundproofing for homes and schools in the area, the O'Hare Noise Compatibility Commission has made a written statement that would say that those homes and schools that are now affected by the new runways might be expedited as far as the soundproofing is concerned. Is that correct, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR E. JONES:

Yes. You are correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator Watson.

SENATOR WATSON:

Thank you. Also, in regard to the western access and the accompanying bypass road, this legislation makes a commitment to the construction of the western access. Is that an accurate statement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR E. JONES:

That is accurate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

And also, the City of Chicago supports the construction of an on-airport bypass road along York Road, the west -- what would be the western corridor of O'Hare, and that would be, obviously, subject to approval by the FFA -- FAA. Do you also agree with that statement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR E. JONES:

If this is something that you agreed to and you negotiated and they said it will be done, you're correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

We've oftentimes asked for an audit of the Chicago -- or, of the O'Hare Airport, and we understand that there is an annual audit. We would like that audit to be made available to the Leaders of the General Assembly within thirty days of the annual audit's report. Would you agree with that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR E. JONES:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Well, thank you very much, and we appreciate that. I -- I want to just make a couple of comments here. First of all, I appreciate the City of Chicago and the airline industry and those that were interested in the expansion and the modernization of O'Hare Airport of sitting down and negotiating with our task force on this side of the aisle. It was Bill Peterson who headed that task force up, and many of the people who are impacted by this legislation, many of the Senators who live in the area, sat down and negotiated what I think was a -- a reasonable request. The airlines and the City agreed to much of what we've done. They've tightened up the quick-take provision, which many of us had some major concerns about. They made available the twenty million dollars over six years for the local school districts and community college districts. They also gave us the opportunity to get the commitment for soundproofing for the homes and schools in the new areas that are impacted. And the western access has been an issue that many of us are -- in the area -- or, many -- many of the legislators, Senators in the area, have been concerned about a long time, and we also appreciate the fact that they were able to agree with us on those provisions. Is this a perfect solution? It probably is not. But it is something that obviously needs to be done. And what does it do? And I think you had mentioned earlier, Senator, about the economic engine and the -- and the impact that this has, not only for the region and the Chicago area; this is something, I think, that we have to realize is a -- as a statewide concern. We have to be competitive with Denver and Dallas-Fort Worth and Atlanta. We have to make sure that our airport - O'Hare Airport - is -- is kept at the same level as -- as all other airports who -- which are modernizing and expanding. And we want to make sure that the flights are no longer delayed. And it is a 6.9-billion-dollar project, which involves no State money, no State dollars whatsoever. As you referred to, a hundred and ninety thousand jobs will be generated as a result of this. So this is something that isn't only just for the City of Chicago. It's not only for the region of Cook County and the collar county areas. This is something that I think that is a concern to all of us and it should be a concern to all of us throughout this

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

State. So I rise in support, and I'm glad to add my name as a sponsor to this legislation, Senator. And I wish you well. Hope everyone will join us in support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have so many lights, I'm being blinded. Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. This is a six-billion-dollar plan but a future twenty-billion-dollar cost to the State of Illinois. Airline ticket taxes pay Chicago's share. Illinois taxpayers will pay the rest. Who plans and pays for the off-O'Hare site infrastructure? Is there a -- coordinated plan to link the tollway and non-tollway traffic to western access? If this is O'Hare modernization on Chicago property, why are we ignoring eight Sections of Illinois statutes and giving Chicago our State power? We are ignoring the following State statutes: The Archaeological and Paleontological (Resources) Protection Act, the Human Skeletal Remains (Protection) Act, the Illinois Municipal Code, the Downstate Forest Preserve (District) Act, the Vital Records Act, the Illinois Aeronautics Act, the Code of Civil Procedures, and the Religious Freedom Restoration Act. I believe it is special legislation. I believe it violates the equal protection clause. The litigation portion of this has been moved to Cook County, while the quick-take is in DuPage County. It destroys part of the largest industrial park in the State of Illinois, in Elk Grove, and it interrupts the water supply in Bensenville. Should we be concerned with security, or should we be concerned with growth? With United Airlines now bankrupt and American Airlines teetering, we should be -- reevaluating the entire system. Maybe, just maybe, we need competition at O'Hare Field, instead of a duopoly of two airlines who control everything. Two weeks ago we were commissioners for the Illinois Commerce Commission. This week it's apparent that we were -- that we are federal aeronautics administrators. Downstate needs permits to modernize our airports, but not Chicago. The FAA says the runways must be forty-two hundred feet apart and the proposal says they are fourteen hundred feet apart. Downstate would have to comply. Downstate would have to comply, but not Chicago.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion?

SENATOR W. JONES:

Yes. Let me finish my statement, please. We've had four minutes to discuss this. So, let me finish what I have to say. We cannot quick-take property outside our boundaries, but not Chicago. We cannot tear up a neighboring town, but not Chicago. We cannot move a cemetery without State approval, but not Chicago. Chicago, under this legislation, is a city/state bent on controlling everything in Illinois. I'm betting on Chicago. Or is it Illiago? Atlanta, London, New York, LAX, John Wayne and Midway all - now listen to this, this is -- this is great stuff - and you ought to learn something about this. Listen to this information. They all have fewer acres of land than O'Hare currently has. LaGuardia has six hundred eighty acres. Newark International, two thousand twenty-seven acres.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, can you bring your remarks to a close?

SENATOR W. JONES:

John F. Kennedy, four thousand nine hundred and thirty acres, and Hartsfield, which ties us every year for the most busy airport, has three thousand seven hundred fifty acres. Elk Grove and Bensenville get nothing out of this. Our school districts maybe will get twenty million. This is David and Goliath, Ladies and Gentlemen, but this time David doesn't even have a slingshot. A week ago we had a hearing on O'Hare modernization, not expansion. Expansion means grow or get larger. Modernization means getting better. This bill is better than it was two weeks ago. It is still flawed in many ways. It is a one-way flight with one-sided might. It has the votes, but it's not the right way. This flight is not ready for takeoff. Let's do the right thing. Let's do what's right. Let's cancel this flight.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. I -- Ladies and Gentlemen, I don't have the timer on, but I am keeping time up here. So, it's one -- twenty minutes to 1 on a Sunday -- Saturday morning. Further discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I do find it ironic that we're dealing with another Chicago airport issue in the middle of the night. This is what we're talking about. This is the O'Hare plan. This is where the quick-take is. This is where they're going to take cemeteries and homes and bulldoze them over to add a new, bigger airport. I do actually have something positive to say, though. I want to compliment Senator Watson and Mayor Daley for negotiating this bill, as Senator Jones pointed out, to make it better. It's still not a good bill, but they came together, they worked together. Mayor Daley made his staff very available to us, and we appreciate that. This bill is still not good, but they negotiated. They listened to us. Last year, I sponsored a resolution this Senate voted out and we got real, factual information out of the University of Illinois on how we can help, particularly, the schools, but the other taxing districts. And the City of Chicago, under Mayor Daley's leadership, listened to that and we now have at least some money in this legislation to protect those schools, to protect those taxing bodies, most importantly to protect those kids' education. So they will get some money for the money that they are going to lose. We also limited the quick-take. When this first came to us, this was really bad. This quick-take, I believe, would have taken -- could have taken my home and many, many other homes in the area. We limited it, I believe, by shrinking it eighty acres to really just what Chicago says that they needed to have on this. So, it's better. We -- we kept it east of York Road, which in my district is very important that we don't just completely bulldoze that area in Elk Grove Village that has thousands of jobs. So we do appreciate that the bill is better, but there are many reasons to vote against this. The cemetery quick-take language is just plain and simply not good. We should not be quick-taking cemetery land. I hope none of you have family members buried there, or they're -- those bodies are going to be dug up and put somewhere else. I have always said in my district that we need to keep O'Hare Airport strong. We have to. It is the economic engine of my area and of the entire Chicago area. We do appreciate its value. But with this legislation, we're going from nine hundred thousand flights in

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

and out of O'Hare every year to at least 1.6 million. That's almost doubling a great place. That's -- that's a big step. We shouldn't be doing this in the middle of the night, but we are. 1.6 million flights brings up huge environmental questions that I don't believe we have all the answers to. It brings up huge safety concerns that we do not have the answers to. This should not be done this quickly, in this manner. This quick-take precedent is unprecedented. For the City of Chicago to be able to come into Des Plaines, Bensenville and Elk Grove Village and just quick-take this land and get back to those owners later when they feel like it about what we're going to pay you and -- and probably go to court, there's just many reasons to be against this. I could go on for a long time, but two other quick points. This -- this passes, Meigs Field is dead. I think Meigs Field is dead already. But Meigs Field is dead and Peotone is on life support. I ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. You know, it is very refreshing to see the Minority Leader stand up and support the President, and it would be great to see some of his Members stick with the Leader and vote with your Leader on this issue. It's not a perfect bill. Senator Sullivan has pointed that out. Some of us would have preferred if your house was still in there and maybe we could get you to move to another district, but that won't change my mind on the bill. I hope that the flight is not canceled. I want to praise President Jones for his patience with us and with changing and tweaking this legislation to make it a -- a -- a bit better. It is better and I hope that we can put the votes on it. We need an economic engine. Since 9/11, you know where the airline industry has been and the problems that they have faced. This would be a good bill for this time because of that situation, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...

SENATOR HENDON:

I move -- move previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Well, we're way beyond that. Senator -- further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I, too, agonized as to what I was going to do about this issue. But the facts are these: We cannot be smaller than San Francisco, Los Angeles, Atlanta and Denver. We have to compete. The way to compete is to have an airport that can be useful and -- and -- and usable by all these big companies. We want to bring business and industry into Illinois. We want more jobs. I am certainly concerned about more jobs, and these jobs will float all over. I mean, let's not kid ourselves. It isn't the best thing to do, but it's better than it was and it's -- and I admire both the President of the Senate and the Leader of the Republicans, Senator Jones and Senator Watson, for getting together, because Senator Watson lives downstate. I live in Zion. But my area is affected. My area is affected because we need the industry and the business that can generate from a big, modern airport. I speak in favor of the bill and I urge my colleagues to vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I think, as Senator Sullivan has already indicated, it's unfortunate that we're dealing with another airport issue in the middle of the night. On behalf of my friends in the general aviation community, fellow pilots, members of the Aircraft Owners and Pilots Association, Friends of Meigs Field, and general aviation in general, I would be remiss if I didn't express the disappointment that there's nothing been done in this legislation to honor the agreement that was made two years ago between Mayor Daley and former Governor Ryan as -- as relates to the continued operation of Meigs Field. Express that disappointment. And because there's no mention in this bill of honoring that agreement or that commitment, Meigs Field apparently is dead, which is unfortunate to many people. This was a viable airport, important to general aviation, to corporate aviation, to conventions and visitors and people that

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

wanted to visit City of Chicago. I think could have accomplished a park in this area along with the airport. An air park would have been feasible. And so on behalf of general aviation across the United States, I express extreme disappointment that there's no attention being given to the continued operation of Meigs Field.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Garrett.

SENATOR GARRETT:

To the bill: I just would like to make a comment with regard to the language on the Religious Freedom Restoration Act in Section 96. It's my understanding that most, if not all, of the religious community will be seeking to repeal this language, this new Section 30 of RFRA, limited to cemeteries' relocation with regards to this one project. We ask that the sponsors of this legislation agree to support this RFRA Section repeal after all land acquisition for this project is completed, seeking the cooperation and support of the City of Chicago for the subsequent legislation. Just wanted to make that point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Soden.

SENATOR SODEN:

Thank you, Mr. President. To the sponsors of the bill, I want to approach this from a different aspect, the human aspect. How can we justify taking this bill -- passing this bill and we've had many bills on affordable housing? This bill, if passed, would demolish approximately six hundred homes in Bensenville. And it talks about to make way for modernization of O'Hare Airport. There's a lot of Hispanic businesses. Most of these people are Hispanic and they're trying to achieve -- they worked hard to achieve the American dream of owning a home and raising their children so that they can play in backyards instead of streets. The City of Chicago claims they would give them fair market value. Big deal. Sure, they're going to give these people, you know, fair market value and they're going to give them some additional money for relocation. Well, where do these people go? Where do these people go, is the question. You can give them money, but where do they move to? Think about three thousand people. Young children, families. As I stated,

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

people who worked hard to buy this home and figured that this was the place that they were going to live and be happy and raise their children, go to a good school. But this is not going to happen. We talk about jobs. Sure, during construction, there'll be jobs. But what happens after the construction is finished? Everybody goes. You got two airlines that are almost in bankruptcy laying people off. Let me ask you, would you -- if you were in business, would you build a plant that was losing millions of dollars a year and put an addition on it? I don't think so. I ask you, from the human aspect, please do not destroy these homes and these people's future. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. To the bill: This bill was negotiated in good faith by all parties concerned. I would like to commend the City of Chicago, their representatives, who were always available to give us information and take back our positions as we negotiated the various aspects of this bill. The O'Hare modernization plan is vital to the -- as -- as vital to the suburbs as it is to the City of Chicago. Thousands of construction jobs are going to be created, as well as many permanent positions that probably will be equal to the number of construction positions. It's a bill that's certainly vital to all of us in Cook County and the surrounding areas, and I urge an Aye vote on House Bill 721.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. You know, Ladies and Gentlemen of the Senate, tonight we're being asked to trust the same entrenched political power that took the unfortunate action of carving Xs on Meigs Field at about the same time in the middle of the night. Many of us are for modernization and even careful expansion, but we are being asked to trust that a cemetery will be moved in an appropriate way, that Chicago will open the books of O'Hare at least, maybe not Midway, after three years of fighting it - and during an era of Enron, WorldCom and the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

demise of Arthur Andersen, I think that this is too little, too late - that the western access surface plan someday is going to be all right. Or how are we going to pay for it with airlines that have already withdrawn their offer to build terminals at O'Hare? They're now on the hook, if I'm not mistaken, for about half the cost of this project with, as it's been mentioned, United Airlines already filed in bankruptcy, American Airlines teetering on the edge. And I do hope that they -- they make it through these troubled times, but they're teetering on the edge. This is somewhere between a six- and a twenty-billion-dollar plan -- financial plan that nobody's really seen. We're being asked to give a financial and public authority blank check, which many will regret tomorrow, a year from now and five years from now. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. I don't want to -- go on about a bill and talk about the same things that have been, but I represent the area of the south suburban airport. And I think nobody's talked about -- when you talk about the human side, nobody's talked about the people that have been held hostage over the years because one day you're going to build an airport, then the next day there's no mention. There was an agreement. I'm very disappointed in the fact that we aren't taking a look at this as a regional transportation issue. There are places all over the State that we need to work on, not just O'Hare, and now it -- it's not even being considered anymore. And nobody could even answer the fact that if we build and reconfigured O'Hare, which I am not opposed to, because I know we need the economic engines. We need the economic engines in a lot of parts of the State. But we cannot forget about the commitment that has been made or about the poor people who have been held hostage, whose land is being taken away and maybe never have the opportunity to build that south suburban airport. So I want to encourage everybody to remember that we need to do something on a regional basis, not just for one area of this State. And I plan to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Further discussion? Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President. I'm happy to follow the previous speaker, because that's what I was going to speak to, the commitment. In 2001, Mayor Daley announced their agreement regarding expansion of O'Hare International Airport. It was the Ryan-Daley agreement, and this is what they agreed to: Flight caps at 1.1 million annually; construction of Peotone Airport; extend operation of Meigs Airport until 2026 or the General Assembly can close airport after 2006; western access to include construction of a terminal, runway and a bypass road; soundproofing for impacted homes and schools, which is going to happen and that is agreed to now, but also utilizing the Rockford Airport as a reliever airport. My main concern is the western access. If anybody travels those roads -- if you go down York Road, it's known as "truck city". You're -- there is no way that you're going to be able to get into that western access, unless you enhance the O'Hare Expressway and you do the circle route, if I may say that, and you have the extension to 290 and you open Lee Street. That was agreed to. That's where we were. I would have no problem if that would be happening today. But because that's not happening and my concern is the congestion in that area, I would have to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The last speaker, Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I didn't realize I'd be last. I just want to, first of all...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the -- the sponsor has a right to close, but I mean you're going to be next to last.

SENATOR DEL VALLE:

Okay. Well, that's what I thought. I just want to, first of all, thank Senator Soden for his expressions of concern regarding the Hispanic population and Hispanic homeowners in -- in Bensenville. From the very beginning, I said to the City folks that I was concerned about the disproportionate impact on -- on Latinos, not only in Bensenville, the homeowners in Bensenville, but also the many who work in those industrial

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

parks in those manufacturing plants. They are overrepresented in the manufacturing sector, and so the impact will be both in terms of the loss of homes and the loss or relocation of jobs. If those jobs go to Elgin or they go someplace else, well, they won't be too far away, but it'll make it more difficult for people to -- to get there. We're certainly hoping that they don't -- don't leave -- leave the State. And in discussing these concerns with -- with the City, I was assured that there will be extra efforts made to make sure that those individuals who want to stay in Bensenville are not only given the fair market value for -- for their home and -- and the relocation expenses, but there'll also be additional assistance provided for those who identify properties within Bensenville that may not be within the reach of whatever the compensation adds up to. And we're going to be watching very carefully to make sure that that happens. In addition to that, we have the commitment of -- of Senator Harmon and -- and the Representatives in the House that they are going to personally be involved in lending assistance and advice to -- to these homeowners. It's important also for us to note that again, once again, the argument on jobs is being made here. Yes, it will produce jobs, but I hope that some of those jobs are going to go to some of those families that are being affected, that are being displaced in terms of their homes and in terms of their current manufacturing jobs. And one last thing. I want to once again send my usual message to the construction industry, to the building trades, to the unions, that once again, people like me vote for these big projects and then I look at what happens afterwards, and usually I am not totally satisfied because the jobs that have been promised -- that are promised don't fully materialize. I hope that it will be different this time. And that's why I want to commend Senator Hendon for the amendment that he attached to this bill, and I guarantee you that there will be more people watching this project than ever before. And we hope that the results in terms of employment opportunities on this project will be different than what they've been in the past and that this economic engine that we're talking about tonight becomes an economic engine for all of the State and all its residents, all

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

segments of the population, and not just the usual segments that end up benefiting from these huge construction contracts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones may close.

SENATOR E. JONES:

Thank you, Mr. President. First, let me thank the Minority Leader, Watson, for his enthusiastic support for this very worthwhile project. And listening to the debate, you know, we are working late into the evening. And all the innuendos that I heard about this piece of legislation. But the agreement that was struck between former Governor Ryan and -- and Mayor Daley had to do with Washington, D.C., not here in Springfield. And had that Senator done what he's supposed to have done for the people of Illinois, Peotone may be open. But he didn't. You should have told him. As relate to the southern suburb, which I represent, well, it's about time the people hear the truth. All the millions of dollars we have poured into Peotone, appropriations for acquisition of land, the deal that was struck for that was that it would be moved up on the list in Washington. We can't do that here in Springfield. Maybe our federal Congressperson will help get some money back. The airports are run by the feds, not the State. And -- as relate to those individuals who are looking for affordable homes, the hypocrisy that you hear on the Senate Floor when legislation was before all of us to provide more opportunities for affordable housing in this State. If you're really concerned, then you would not have voted No, Senator. The record speaks for itself. This bill, the -- the modernization of O'Hare Airport, is something that is needed to keep this State competitive. When people come through O'Hare Airport and they spend their dollars in sales tax, that feeds the entire State of Illinois. And we should not be sticking our head in the sand saying that's Chicago. That money goes throughout the entire State. And my friends in labor, the building trades, there is going to be a fight and you're going to support opening up those apprenticeship jobs to those individuals who are qualified and need the jobs, 'cause I'm going to fight you like hell on that issue. If you can't do that, don't come asking me for anything. But this is a major project for Illinois. If I happen to move

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

my home and go live and build my house next door to a tavern, I'm not going to complain about the people there. I made that decision. The airport was there before many of the homes in the area were built. They decided they wanted to be close to the airport then complained about the -- the airline that flew it. You knew the plane was there. Let's stop playing games. When we, as a State, decide to invest and create opportunities, everyone benefit. Leader Watson recognized that, recognized that even though some Members of his Caucus would be affected by this modernization plan. But he recognized it is his duty to do the right thing. Years ago, a former Governor of my Party didn't have the vision. When you -- when you look at all the congestion of the expressway systems in and around Chicago, it should -- we should have had a cross town. But they played to the cheers of the crowd as those same individuals who are opposing this bill. This -- this bill should receive the affirmative vote of all Senators from both sides of the aisle. This is the biggest economic package that's being put together to benefit this State. So not -- let's not play partisan or regional politics with this issue. It is important. I support Peotone. I support it. But it has nothing to do with the modernization of O'Hare Airport. I told the individuals who were fighting for it, you're sitting in Washington, you're sitting on the appropriation, bring some of the money back. You're not going to cut the President off, are you? So I ask for an affirmative vote on this issue. This benefits all Illinoisans. It should receive fifty-nine affirmative votes. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 721 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 19, none voting Present. House Bill 721, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, we have two more pieces to do. Page 49, Ladies and Gentlemen, leave of the Body, is House Bill 917. Senator Wojcik seeks leave of the Body to return House Bill 917 to the Order of 2nd Reading for the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 917, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Wojcik.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President. The language provides if a -- if a proposed transfer station would be located within an unincorporated area of DuPage County and immediately adjacent to a municipality or within a municipality in DuPage County, then the local siting approval may not be granted unless approved by resolution of the municipality. The reason for this bill is the City of West Chicago. They have a transfer station currently..

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Ladies and Gentlemen, why don't -- why don't we adopt this amendment, and we can do this on 3rd Reading. Would you mind?

SENATOR WOJCIK:

Oh, I think that's sound like -- you know what? After following that act, I don't know what to do. My emotions are really high.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why -- well, we -- we don't want to get 'em too high.

SENATOR WOJCIK:

No, no, no, no, no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik has moved the adoption of Amendment No. 3. Is there any discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Now, do you wish to have the bill called, Senator Wojcik? On the Order of House Bills 3rd Reading is House Bill 917, Madam Secretary.

SECRETARY HAWKER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

House Bill 917.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik.

SENATOR WOJCIK:

I'll speak to the bill, Mr. President. It's a fine bill. It's a bill that concerns a city that I represent. They currently have one transfer station in the city. They're having a thorium problem. They have contaminated wells problems, and another transfer station is now currently being considered about half a mile outside of the city, which would cause a very severe issue regarding health and the conditions of contamination where they reside. So, I would ask for it to be passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Welch.

SENATOR WELCH:

Senator, as I understand it, there's going to be a transfer station a half mile outside of the town you live in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik.

SENATOR WELCH:

It's hard -- it's hard to hear you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- excuse me just a moment. The hour is 1:10 on a Saturday morning. Can't hear what -- what's happening here. So if you don't mind breaking up the caucus or taking it somewhere. Senator Welch.

SENATOR WELCH:

Well, my question is, if we don't have a transfer station in the area, where does the garbage go?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik.

SENATOR WOJCIK:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

Senator, there already is a transfer station in the City of West Chicago. It's existing. It's now running. There is another transfer station proposal, like a -- a -- maybe five blocks outside of West Chicago, which is almost right there where the transfer station that's operating is now. So, the City of West Chicago has enough problems, as we speak, regarding contaminated wells. They had a thorium problem with the Kerr-McGee plant and they're cleaning that up. So they're -- they're feeling that this could be a tremendous hazard to the residents in that city, so therefore they want to have a say not to have it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Garrett.

SENATOR GARRETT:

To the bill. I just want to stand up in strong support of House Bill 917. I do know from personal experiences how important this is to allow municipalities to have local control when it comes to transfer stations and how important siting can be. And I think what Senator Wojcik is saying is that there will not be any economic problem if, in fact, this bill is allowed to pass, that that would be worked out. But municipalities far too often have these transfer stations in the middle of their communities. It causes environmental issues, and I would ask that this Body support her legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. I, too, rise in favor of this project. I've known Kay Wojcik for many, many years, working with her in township government. I know her to be a person that's deeply concerned for her area, and I know that she wouldn't do anything that she -- was not in the best interest to the people in that region. So I urge everyone to vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Wojcik may -- may close.

SENATOR WOJCIK:

I would just like to thank the Senator for his very kind words, and I think what he said is exactly what I am. And I would ask for its favorable passage. Thank you very much.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 917 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 4, none voting Present. House Bill 917, having received the required constitutional majority, is declared passed. Page 51, Ladies and Gentlemen. Leave of the Body is House Bill 942. Senator -- Senator Crotty, for what purpose do you rise? Stretch your legs. That's -- that's good. That's good. Senator Jones, 942? It's my understanding that Senator Schoenberg is now the sponsor. And, Senator Schoenberg, with leave of the Body, requests House Bill 942 be brought back to the Order of 2nd Reading for the purpose of an amendment. Leave granted? Leave is granted. House Bills 2nd Reading, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. -- No. 1 becomes the bill. It makes a slight adjustment to the Procurement Code relative to the method of source selection. This is -- this pushes the five-year window for making a final outcome on what to do with real property, extends that by one year. CMS has requested this in order to enable them to further vet some -- a number of real estate transactions that they have inherited. This is by no means, as I think Mr. Rauschenberger will attest, any weakening of the Procurement Code. I wouldn't support it if it were. And I'd urge your adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Schoenberg has moved the adoption of Amendment No. 1, House Bill 942. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. On the Order of House Bills 3rd Reading is House Bill 942, Madam Secretary. Read the bill.

SECRETARY HAWKER:

House Bill 942.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The hour is late. I've explained this already and I'd be happy to answer any questions, and I urge...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 942 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. House Bill 942, having received the required constitutional majority, is declared passed. I believe that that is -- in effect, has concluded our business. We have some... Messages from the House.

SECRETARY HAWKER:

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

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

House Bill 422.

Passed the House, May 31 {sic} (30), 2003.

PRESIDING OFFICER: (SENATOR DEMUZIO):

House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 422, offered by Senator Link.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

5/30/2003

All right. Further business to come before the Senate? It's my understanding it's 10 a.m. tomorrow morning. 10 o'clock tomorrow morning. Whoop, hold it! Whoop, whoop! I'm sure you know what I mean. Be 10 o'clock this morning. Messages.

SECRETARY HAWKER:

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

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

Senate Bill 2003, together with House Amendment 4.

Passed the House, as amended, May 30th, 2003.

I have a like Message with respect to Senate Bill 842, with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, if I understand you correctly, we will be coming in at 10 a.m. this morning, correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes.

SENATOR GEO-KARIS:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Some of you who don't vote right can come in tomorrow. All right. 10 o'clock tomorrow morning. Wait a minute. You got one more? Any Messages? You have any motions on file?

SECRETARY HAWKER:

Yes, Mr. President. I have a motion on file, filed by Senator Peterson, with respect to Senate Bill 1149.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Placed on the Calendar. All right. 10 o'clock tomorrow morning. Senate stands adjourned.