

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
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109th Legislative Day

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PRESIDENT PHILIP:

The Senate will please come to order. The Members will please be in their desks. Will our guests in the galleries please rise? Our prayer today will be given by Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer by Senator Geo-Karis)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

...have a request to film today from WCIA - Channel 3, Champaign, Illinois Information Service, and the Associated Press would like to take some still pictures. Is leave granted? Hearing no objections, leave is granted. Reading of the Journal. Senator Wendell Jones.

SENATOR W. JONES:

Mr. President, I move that the reading and approval of the Journals of Thursday, May 30th; Friday, May 31st; and Saturday, June 1st, in the year 2002, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Wendell Jones moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chairman of the Committee on Rules, reports the following Legislative Measures assigned: Senate Amendment 1

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to House Bill 4581 and Senate Amendment 2 to House Bill 6061 referred to the Committee on Appropriations.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger, what purpose do you rise?

SENATOR RAUSCHENBERGER:

For purposes of an announcement. The Senate Appropriation Committee will meet at 2:45 in Room 212 to consider the capital budget, the capital reappropriations and the bonded indebtedness authorization. So, all Members who aren't otherwise engaged are welcome to come join us down there. Capital, capital reappropriation and the annual adjustment of the debt service. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Wendell Jones, what purpose you rise?

SENATOR W. JONES:

Thank -- thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR W. JONES:

In our continuous effort to raise money for the Boys and Girls Club of Springfield, we have placed the Senator Lauzen tie over here on this chair, and so far it's raised a dollar. And we'd appreciate it, when you walk by this chair, if you would help us out a little bit for the Boys and Girls Club of Springfield. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones, was that your dollar? WFLD-TV-Chicago requests permission to videotape the Session, today's proceedings. Hearing no objection, leave is granted. Senator Jones, what purpose do you rise?

SENATOR W. JONES:

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Yes. We have some Members in the gallery that want to donate to the Boys and Girls Fund for Springfield. It's three dollars and eighty-three cents and we appreciate it. And we got five dollars over here. So -- okay -- just bring 'em down for the envelope here for -- for the Boys and Girls Club of Springfield. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

For the final time on this very important matter, Senator Wendell Jones, what purpose do you rise?

SENATOR W. JONES:

Yes. We've raised thirty-six dollars for the Boys and Girls Clubs of Springfield. And, also, this tie goes to the Page closet.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures assigned: Referred to the Committee on Executive - Senate Amendment 2 to House Bill 2828, Amendment 1 to House Bill 4605, Conference Committee Report 1 to Senate Bill 314, and Conference Committee Report 1 to Senate Bill 1983; Be Approved for Consideration - Senate Amendment 2 to House Bill 5236, Conference Committee Report 1 to House Bill 1006, the Motion to Recede from Senate Amendment 2 to House Bill 5647, the Motion to Concur with House Amendment 2 to Senate Bill 2130, the Motion to Concur with House Amendment 1 to Senate Bill 2201, and the Motion to Concur with House Amendments 2 and 3 to Senate Bill 2212.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm, what purpose do you rise?

SENATOR KLEMM:

Yes. For the purpose of an announcement, Mr. President. The

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Senate Executive Committee will meet in Room 212 at 4:07. In 212 at 4:07. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Senate will stand at ease while Appropriation Committee hearing begins immediately in Room 212, and Executive Committee will be meeting at 4:07. Senate stands at ease till the call of the Chair.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will the Members still in their offices please come to the Floor? We are about to begin substantive action. Channel 20 News, WICS-TV requests permission to photograph the proceedings of the Senate. Hearing no objection, leave is granted. Resolutions.

SECRETARY HARRY:

Senate Resolution 454, offered by Senator Jacobs and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. Committee Reports.

SECRETARY HARRY:

Senator Rauschenberger, Chair of the Committee on Appropriations, reports Senate Amendment 1 to House Bill 4581 and Senate Amendment 2 to House Bill 6061, both Be Approved for Consideration.

Senator Klemm, Chair of the Committee on Executive, reports Senate Bills 314 and 1983, First Conference Committee Reports Be Approved for Consideration; Senate Amendment 2 to House Bill 2828 and Senate Amendment 1 to House Bill 4605, both Be Adopted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Messages.

SECRETARY HARRY:

Message from the President, dated June 2nd, 2002.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10(e), I hereby extend the deadline for House Bills 3rd Reading on the following category of bills, with specific bills enumerated under this category, to June 30th, 2002:

State Finance - specifically House Bills 4581, 5236 and 6061.

And Gaming - specifically, House Bill 822 and House Bill 4605.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendments 1 and 4 to a bill of the following title, to wit:

Senate Bill 1282.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference. Action taken by the House, June 2nd, 2002, by a three-fifths vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read in by the Secretary.

SECRETARY HARRY:

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

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

Senate Bill 2287, with House Amendment No. 2.

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Passed the House, as amended, June 2nd, 2002, by a three-fifths vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Leave is granted. If you turn your attention to the middle of page 9 of your regular Calendar to the Order of House Bills 3rd Reading. Middle of page 9, in the Order of House Bills 3rd Reading, is House Bill 5236. Senator Rauschenberger, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Rauschenberger seeks leave of the Body to return House Bill 5236 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5236. Mr. Secretary, are there any -- are there any amendments that have been -- have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger, for Senator Weaver.

SENATOR RAUSCHENBERGER:

Yeah. I'd like -- this amendment is a bill that passed out of the Senate with 55 votes for the petroleum industry. Appreciate its favorable adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. The Order of 3rd Reading is House Bill 5236. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

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House Bill 5236.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd like to defer to Senator Weaver to explain the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President, Members of the Senate. Senate Floor Amendment No. 1 {sic} to House Bill 5236 creates a new Act entitled the Petroleum Business Education, Safety, and Security Act. This is identical language to Senate Bill 1582 that passed the -- Executive Committee 12 to nothing on March 7th, and the full Senate 49 to 4 on April the 3rd. If anyone has any -- needs their memory refreshed, I'd be happy to do it. Otherwise, we'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Just have a few comments. As -- if you'll look at your analysis, the IEPA is opposed to this bill for many reasons. One, they feel that they are -- this is a raid on their fund -- on their LUST Fund, that there's presently dollars in their reserve that can be used for this and, for one, there's already been ten million dollars taken out of their -- their funds. This, again, will impact on those little, small, mom-and-pop stores that -- that are trying to clean up their underground water tanks and their gas tanks, and they feel that this, again, would just be a -- a very bad vote for us to be

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taking at this time, when we're trying to clean up the environment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR WEAVER:

Thank you, Mr. President. Well, we have limited this to a million and a half dollars annually from the LUST Fund. I think we worked closely with IEPA and with Petroleum Marketers, and they say that they can live with it. They have had a balance of approximately seven million dollars carry over every year, so I don't think this would affect their ability to operate the LUST Fund and fund it fully in the future. And this is limited, I think, to three years. So I -- I think that has answered their objections, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 5236 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 46 {sic} (48) Ayes, 6 Nays, none voting Present. And House Bill 5236, having received the required three-fifths majority, is hereby declared passed. Middle of page 9, the Order of House Bills 3rd Reading, is House Bill 4605. Senator Philip, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Philip seeks leave of the Body to return House Bill 4605 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4605. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the bill that we passed combining two racetracks. I -- it got hung up in the House and so we're putting that bill on 4605.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Senator, I -- I know we voted for this, and I supported it. I do have a question, though, about the...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Sorry. Is there a property tax break that we gave to the racetracks, and what would happen if one of the tracks closes, to that property tax break?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR CULLERTON:

Does that somehow affect our...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

If they continue to operate both tracks, they would continue the tax exemption. If they use one of the tracks for other purposes, commercial development or whatever, then it would go back on the tax rolls.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

And is -- is there any other -- if they close one track, they lose the property tax exemption, but is there any other impact on

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State finances? Do they get any other kind of a credit on their State -- on their -- on their either State income tax or their horse racing fund tax?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

To my knowledge, there's no change. They're allowed what they have now if they operate both tracks in -- in the manner in which they are operating now. If they close one, then they would lose the -- the exemption on real property tax on that which they close.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

But they would obviously keep -- be able to keep the other OTB parlors that they currently have; that -- that is, each one gets five. So even if the track closes, they still get to have five OTB parlors, which is what we did when we closed Quad City Downs. And it also -- I believe they would be part of this fifteen-percent ownership of the tenth casino license. Is that -- is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

As long -- I think it's contemplated that if they close one, then they would have racing dates from both run at one of the tracks, and they would retain the rights and privileges that now exist.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Well, Mr. Chairman, I rise in favor. I know I had a discussion

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with Senator yesterday about this and I was deeply concerned, but I've spoken to the President of the Village of Stickney and some of the trustees and some of the people in that particular area. And they feel this would be a big advantage to them, if, in fact, they were able to combine the track and be able to hold 'em all at Hawthorne, giving them more dates, and there would be a head tax for the parking in Cicero. So, both of these communities would really benefit. I would hope that there would be an Aye vote in this particular area.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Myers.

SENATOR MYERS:

Thank you, Mr. President. A couple of questions, please, for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Myers.

SENATOR MYERS:

A concern I have is a decrease in possibly the live racing for the standardbred, the Harness Horsemen, and a decrease in the amount of money that they are going to get. I wonder if you could address that for us.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Well, I -- I don't see -- if they request more race dates at whichever track survives as an active racetrack, I don't see that there'd be any loss in -- in revenues there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR WEAVER:

I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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I -- I beg your pardon. Senator Molaro had a tardy button.
Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. I thought I had it on. Senator Myers, I -- I just had to jump up to say this so -- so I understand this. I understand that the Harness Horsemen are -- are -- I don't know exactly what their position is, but let me make this clear. We did it, but I want to make it clear again. Hawthorne and Sportsmen's are right next door to each other. If you're a horseman from up north, you don't want Arlington to close. If you're from down south, you don't want Fairmount to close. If you're around Balmoral Park, you don't want Balmoral to close, or Maywood, 'cause they have live racing. These tracks are together. It's not like they're going to not have racing in Cicero and Stickney. Racing will stay. For the record, there has not been harness racing at either Sportsmen's or -- or Hawthorne for the last three or four years. There have been no harness racing for the last four years. This consolidation will make it a -- an absolute certainty that there will be harness racing there. This will increase the harness racing in the in-town track. Sportsmen's built that - I guess they call it a car track; I don't know what it is that they built - and they can't have harness racing there. They're combining so they could go back. For those of you who follow harness racing, Sportsmen's Park used to have the best harness racing meet, maybe in the country. They're going to continue to do that. Phil Langley, who's "Mr. Harness", was actually here saying they're going to go back to the glory days, and they're going to use the one-mile track at Hawthorne. Never in a hundred and forty years or so that these tracks existed, did they have racing at both tracks at the same time. It's physically impossible. So now they're just going to have one track, and they're going to have a harness meet and they're going to have a

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thoroughbred meet. This will cause more live racing, not less.
Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Chair would remind the Members that we're still on the amendment. Is there any further discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Any further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is House Bill 4605.
Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4605.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Weaver, for Senator Philip.

SENATOR WEAVER:

Thank you, Mr. President. Well, the amendment becomes the bill. We've just discussed the bill. I appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4605 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? ...the record. On that question, there are 26 Ayes, 24 Nays, 2 voting Present. And House Bill 4605, having not received the required constitutional majority, is hereby declared failed. WBBM-TV requests permission to videotape the proceedings. Hearing no objection, leave is granted. Supplemental Calendar No. 1 has been

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distributed on the Members' desks. If you'd turn your attention to page 2, the top of page 2 of Supplemental Senate Calendar No. 1, to the Order of Secretary's Desk, Concurrence on Senate Bill. Senate Bill 2201. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2201.

The motion, by Senator Parker.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this does is prohibit the Department from imposing requirements for prior approval based on a preferred drug list for the following drugs until thirty days after it -- it has conducted a study of the impact on patient care and submitted a report to the Speaker and the President. These are on anti-retroviral or any atypical antipsychotic and conventional antipsychotics or anticonvulsants used for the treatment of serious mental illness.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall -- the Senate concur in House Amendment No. 1 to Senate Bill 2201. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 2201, and the bill, having received the required three-fifths majority, is hereby declared passed. Senate Bill 2212. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

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

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Amendments 2 and 3 to Senate Bill 2212.

The motion, by Senator Peterson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Move for concurrence on Senate Bill 2212. As it left the Senate, it was a Department of Revenue initiative with many changes. It was amended in the House for the Skyway bridge and those items were passed on another bill. They're identical, but we want to save the Department of Revenue's language. I ask for concurrence with Senate Bill 2212, Amendments 2 and 3.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 2 and 3 to Senate Bill 2212. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments No. 2 and 3 to Senate Bill 2212, and the bill, having received the required three-fifths majority, is hereby declared passed. Senate Bill 2130. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 2130.

The motion, by Senator Philip.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2130 creates a Curator appointed by the Governor and

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confirmed by the Senate. That Curator would -- would be over the Executive Mansion, the Governor's Office in the Thompson Building, and the Hayes House in DuQuoin. The House put one amendment on it, and one amendment took out the term. It was a five-year term. Under this Conference Committee {sic}, it would be at the discretion of the Chief Executive Officer. So, if you had somebody of another Party who wanted to get rid of the Curator, he could get rid of the Curator. Everybody's agreed to it. Like to see a lot of green lights up there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 2130. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 52 Ayes, 3 Nays, none voting Present. And the Senate does concur in House Amendment No. 2 to Senate Bill 2130, and the bill, having received the required three-fifths majority, is hereby declared passed. Middle of page 2, in the Order of Secretary's Desk, Non-concurrence in House Bills, is House Bill 5647. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to recede from Senate Amendment No. 2 to House Bill 5647.

The motion, by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When the bill left the Senate, it contained two parts. It made all -- the close of voter registration uniform throughout Illinois. We were off by a day in some parts of the State and we

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wanted to get rid of that confusion. And the part here that I'm moving to recede from, apparently Speaker Madigan did not like touch-screen voting. And acceding to the request of the all-powerful Speaker, I would move that we would recede from Amendment No. 2 to go with the Speaker's wisdom and not do touch-screen voting at this time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard has moved that the Senate recede from Senate Amendment No. 2 to House Bill 5647. Any discussion? If not, the question is, shall the Senate recede from Senate Amendment No. 2 to House Bill 5647. All those in favor will vote Aye. Opposed will -- will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And the Senate does recede from Amendment No. 2 to House Bill 5647, and the bill, having received the required three-fifths majority, is hereby declared passed. The Order of Conference Committee Reports, House Bill 1006. Mr. Secretary, do you have a file -- a conference committee report on House Bill 1006?

SECRETARY HARRY:

Yes, Mr. President. First Conference Committee Report on House Bill 1006.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Myers.

SENATOR MYERS:

Thank you, Mr. President, Members of the Senate. Actually, the Conference Committee No. 1 to House Bill 1006 makes only a minor change to the original language that passed the Senate unanimously. So I would ask that we accept this Report.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

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Senate adopt Conference Committee Report No. 1 to House Bill 1006. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And the Senate does adopt Conference Committee -- Conference Committee Report No. 1 to House Bill 1006, and the bill, having received the required three-fifths majority, is hereby declared passed. Senate Bill 314. Mr. Secretary, do you have a file on a conference committee report on Senate Bill 314?

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 314.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 314, the Conference Committee Report, provides a one-time death benefit under the Law Enforcement Officers, Civil Defense Workers, Civil Air Patrol Members, Paramedics, Firemen, Chaplains, State Employees Compensation Act to -- to these beneficiaries, moving it from a hundred and eighteen thousand dollars to two hundred and fifty-nine thousand and thirty-eight dollars, beginning on the effective date of the Act. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Tom Walsh.

SENATOR T. WALSH:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Walsh.

SENATOR T. WALSH:

Senator Cronin, you said that there was a one-time death

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benefit. Have people died more than one time ever that you know of that we're trying to take care of here?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 314. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And the Senate does adopt Conference Committee Report No. 1 to Senate Bill 314, and the bill, having received the required three-fifths majority, is hereby declared passed. Messages.

SECRETARY HARRY:

A Message for the Governor by Michael P. Madigan, Director of Legislative Affairs, dated June 2nd, 2002.

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

To the Honorable Members of the Senate, the Illinois General Assembly - I previously asked for your Honorable Body to concur in the appointments and confirm the persons commensurate with the offices indicated below. Please remove the following individuals from the Senate Message dated May 8th, 2002.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Turn your attention to the top of page 21, in the Order of Motions in Writing to Reconsider the Vote. Mr. Secretary, read the motion.

SECRETARY HARRY:

Having voting on the prevailing side, I move to reconsider the vote by which House Bill 822 -- failed. The motion, filed by Senator Karpiel.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

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SENATOR KARPIEL:

Well, yes, I do move to reconsider the vote by which -- House Bill 822 failed. And I believe there is some new language for that bill, and I'd like to yield my time to Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd just appreciate support and -- and -- in the motion, so that we can move forward. We don't have much time left and not many vehicles.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Having voted on prevailing side, Senator Karpiel moves to reconsider the vote by which House Bill 822 failed. All those in favor, say Aye. Opposed, Nay. Oh, pardon. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wished? Take the record. On that question, there are 39 Ayes, 12 Nays, none voting Present. The motion carries, and -- and the -- and the motion carries. Senator Sullivan, what purpose do you rise?

SENATOR SULLIVAN:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR SULLIVAN:

If the Senate -- Senate could please welcome the great Treasurer of the State of Illinois, Judy Baar Topinka, to the Floor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome, Treasurer Topinka. Turn your attention to the top of page 20, in the Order of Secretary's Desk, Concurrence on Senate Bills. On top -- on top of page 20 is Senate Bill 2192. Senator

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Walsh. Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. I would move that we nonconcur with House Amendment No. 2 on Senate Bill 2192.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh moves to nonconcur -- nonconcur in House Amendment No. 2 to Senate Bill 2192. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Measures are, pursuant to Senate Rule 3-9(b), exempt from the automatic re-referral provision of that rule until November 1st, 2002: Refer to the Committee on Agriculture and Conservation - House Bill 4438; Education Committee - Senate Bill 2418; Executive Committee - House Bills 1689 and 3653; Insurance and Pensions Committee - House Bill 2112; and Judiciary Committee - House Bill 3717, and Senate Amendments 1, 2 and 3 to House Bill 3717, and Senate Bills 596 and 1127.

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the Committee on Executive - Senate Amendment 3 to House Bill 822, Conference Committee Report 1 to House Bill 2, Motion to Concur with House Amendment 2 to Senate Bill 2287; and Be Approved For Consideration - Conference Committee Report 1 to Senate Bill 1282.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm, what purpose do you rise?

SENATOR KLEMM:

Yes. For the purposes of an announcement, Mr. President. Senate Executive Committee will meet in one hour in Room 212 at 7:22. Senate Executive, 7:22, in Room 212. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

Senate Bill 2288, with House Amendment No. 5.

Passed the House, as amended, June 2nd, 2002, by a three-fifths vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Supplemental Calendar No. 2 has been distributed on the Members' desks. Turn your attention to Senate -- to Senate -- Secretary's Desk, Concurrence. Senate Bill 2288. Mr. Secretary. Senator Rauschenberger. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to nonconcur in House Amendment No. 5 to Senate Bill 2288.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger moves to nonconcur in House Amendment No. 5 to Senate Bill 2288. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Karpziel, what purpose do you rise?

SENATOR KARPIEL:

I rise to announce a Republican -- a brief Republican Caucus in Senator Philip's Office immediately.

PRESIDING OFFICER: (SENATOR DUDYCZ)

For the -- for the information of the other side, Senator Karpziel, any idea how long you're going to take?

SENATOR KARPIEL:

It should be no more than fifteen minutes. Half an hour at the most.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

There will be a Republican Caucus immediately in Senator Philip's Office. To remind the Membership of the Senate Executive Committee at 7:22 this evening. Senator Molaro, what -- Senate stands at ease until the call of the Chair.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Members still in their offices please come to the Floor. We are about to resume our Floor action. ...more time: The Membership that are still in their offices, answering constituents' mail, please come to the Senate Floor. Committee Reports.

SECRETARY HARRY:

Senator Klemm, Chair of the Committee on Executive, reports House Bill 2 - the First Conference Committee Report Be Approved for Consideration; Senate Bill 2287 - the Motion to Concur with House Amendment 1 {sic} (2) Be Approved for Consideration; and Senate Amendment 3 to House Bill 822 Be Adopted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Supplemental Calendar No. 3 has been distributed on the Members' desks. If you'd turn your attention to the middle of page 2 of Supplemental Senate Calendar No. 3, to the Order of Conference Committee Reports. Middle of page 2, in the Order of Conference Committee Reports, is -- Mr. Secretary, do you have on file a conference committee report on House Bill 2?

SECRETARY HARRY:

Yes, Mr. President. First Conference Committee Report on House Bill 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. When we created the Alternative {sic} (Alternate) Fuels Act about four or five years ago, it was funded through an assessment on fleet vehicles. That fleet vehicle assessment is -- no longer exists. And House Bill 2 -- through House Bill -- or, the Conference Committee Report on House Bill 2, this -- this'd create an opportunity or a fund so that we can seek diversions from -- when we passed the electric deregulation, there was a two-hundred-and-fifty-million-dollar pot for clean fuels. We want to be able to accept grants from that fund. I know of no opposition. It passed out of committee unanimously, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to House Bill No. 2. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And the Senate does adopt Conference Committee Report No. 1 to House Bill 2, and the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1282. Mr. Secretary.

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 1282, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

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

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Senate Bill 1282 has -- contains two provisions, both of which have previously passed the Senate. The first is the text of Senate Bill 1813, which passed unanimously. It provides that in a forest preserve district that elects commissioners by district and who are not also county board members, the president of the district shall fill a vacancy in the office of the commissioner with advice and consent of the commissioners. A vacancy in the office of the president shall be filled by the commissioners by appointing one of their own to serve as president. This, basically, is a corrective measure for the DuPage Forest Preserve District and a separation issue. The second also passed the Senate, not unanimously however, and it provides that the -- any park district organized under the Park District Code may deliver or sell alcohol on a golf course owned by the park district - now only in buildings owned by the park district - and it's subject to the approval of the governing board. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Tom Walsh.

SENATOR T. WALSH:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Walsh.

SENATOR T. WALSH:

Senator Roskam, you were talking about filling vacancies. Is there anything in Cook County in this bill? You talked about DuPage County. There's no talk of filling a Cook County vacancy for any office.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

To the best of my knowledge, Senator, no. This is Senate Bill

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1813.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Any further discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 1282. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 8 Noes, 2 voting Present. And the Senate does adopt Conference Committee Report No. 1 to Senate Bill 1282, and the bill, having received the required three-fifths majority, is hereby declared passed. On page 2 of Supplemental Senate Calendar No. 3 is Senate Bill -- 2287. Mr. -- Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 2287.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator...

SECRETARY HARRY:

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a fairly simple bill. Came over from the House. We know how wise they are over there. This amends the Department of Natural Resources' museum grant program to permit small museums to receive grants if they don't have matching funds. It defines small museums as museums that -- that -- that have attendance of less than three hundred thousand people. A good idea. Well supported by the Department and the House. I'd appreciate favorable support.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Radogno.

SENATOR RADOGNO:

Just have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Radogno.

SENATOR RADOGNO:

Is this the bill where they removed the implementation of the AABD phase-in?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, I can't answer that question. I'm not aware of whether this was the budget implementation that had AABD implementation or not.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. This has been -- the language in Amendment No. 2 has been going around for awhile now. It's good language. It's a good bill, and would ask everyone to vote for it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any -- any further discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 2287. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting -- no voting Present. And the Senate does concur in House Amendment No. 2 to Senate Bill 2287, and the bill, having received the required three-fifths majority, is hereby declared passed. Bring your

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attention to the top of page 2 in the Order -- of Supplemental Calendar No. 3, in the Order of House Bills 3rd Reading. With leave, we'll have Senator Rauschenberger handling Senate {sic} Bill 822 for Senator Weaver. Senator Rauschenberger, do you wish this bill returned to -- to 2nd Reading for the purposes of an amendment? Senator Rauschenberger seeks leave of the Body to return House Bill 822 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 822. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I want to make sure we've tabled Amendment 1 and Amendment No. 2, so we're working on Amendment No. 3.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Please make that motion, Senator.

SENATOR RAUSCHENBERGER:

I would like to move -- I would like to move to table Amendment No. 1 and Amendment No. 2 to House Bill 822.

PRESIDING OFFICER: (SENATOR DUDYCZ)

All those in favor, say Aye. Opposed, Nay. The -- the Ayes have it. And the amendments are tabled. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported -- Amendment No. 3, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the much discussed 10A license bill that I'd be very -- like to describe on 3rd Reading. Appreciate adoption of the amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd -- House Bills 3rd Reading is House Bill 822. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 822.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As the Session grows late and we all grow weary, we can think back to other Sessions where we've acted late in the evening in a rush to try to complete things. And every once in a great while in a late Session, we make a mistake or we pass a bill that, in the end, has unintended consequences that we're not happy with. I stand before you today with Amendment No. 3 to Senate Bill -- to House Bill 822 with the chance for correcting what I think was a -- a bill that -- that did not work out very well for the State of Illinois. Many people in this Chamber were around when we passed the bill dealing with the tenth license and the controversy that was embodied in that. It was -- there were many good parts of the

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bill. It included minority and female participation. It included a commitment to athletic funds. It -- it -- it included a commitment to Cook County for a portion of the proceeds. There was a lot of good in that bill, but it had some -- some flaws in it as well. One of those flaws was, it permitted the license holder to determine the site of the -- of the gaming operation. And that, along with some misbehavior, at least alleged misbehavior by the past license holder, has put us in a position where there is no tenth license effectively in the State of Illinois. When we passed the original statute, there was a mistake or two as well. For one thing, there was no description or -- or definition of what the remedy would be if you revoked a license. So before us tonight is a chance to cure those problems, as well as, I think, to embrace a reform that many people have talked about. I think the first person that talked to me about this reform was Peter Fitzgerald and my colleague, Patrick O'Malley, spent much of the campaign talking about how we could reform riverboat gaming by going to competitive bidding. So in this package, we've got three large elements. One corrects a mistake we made in -- in our late-night action a couple of years ago. Another deals with a -- a flaw in the remedy Section of the original bill. And the third thing is we really begin to move forward on a process where we commit all future licenses that are issued to the competitive bidding process and maybe kind of raise the cloud that's been hanging over the assignment of licenses. Clearly, things have changed since we first implemented the bill. Very quickly, I'll take you through the provisions of this bill and why I think there's a lot of merit. This bill establishes that if a license is revoked or not renewed or forfeited, that the license is clearly in the possession of the Gaming Board. Currently, this -- this would -- this would make it clear that the tenth license currently meets these qualifications and that the

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Gaming Board is in possession of the license. It establishes a competitive bidding process. The -- the Gaming Board would hire an investment banking firm who would conduct the competitive bidding based on the -- the criterion in the original statute that we passed more than twelve years ago, with some additional factors listed in the bill. And then it would force -- it would -- it would have the investment banking firm recommend a winning bid to the Gaming Board and then give the Gaming Board discretion to select the winner. It also establishes in statute a remedy for people who have their licenses revoked. In the revocation of a license, we make it clear in this statute that the license goes back to the State. But that doesn't necessarily mean that -- that someone whose license is revoked doesn't have the right of due process or a chance to recover. This bill establishes that the only recovery from a revocation is monetary damages if the State acted wrongly. So, this bill establishes an indemnification fund to pay -- for the Gaming Board to pay damages if a court finds that the Gaming Board acted improperly or incorrectly. It also establishes that, whether the Gaming Board acted correctly or incorrectly, innocent minority shareholders could recover under this same structure. So, it clearly provides remedy and a solution when you have a revocation, which our initial law did not. It also adjusts the wagering tax. And many people here feel that -- that there's an image, at least, and many others would argue a reality, that the gaming industry in Illinois does very well. This adjusts the tax rates for the gaming boats from -- currently, the highest tax rate is thirty-five percent over a hundred million. Under the new structure, this would raise it to thirty-five percent; over two hundred million, forty percent; over four hundred million -- and forty-five percent over four hundred million. So there's an increase in the tax rates for the current boats, as well as the new boat. This also reestablishes the Horse

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Racing Equity Fund. It does -- it inserts a cap of thirty million dollars. So, the horse racing industry would get fifteen percent of the adjusted gross receipts of the boat up to a limit each year of thirty million dollars. Together, with nearly forty million dollars of support we provide through the General Revenue Fund, this would -- would -- would support the horse racing and horseman industry with seventy million dollars. This increases the owner's license fee, as we have seen in previous bills, from five thousand to fifty thousand dollars. This bill also takes the quorum and voting language from the -- the telecommunication reform that we passed last year, imports that into this bill, to make it clear that two Gaming Board members can speak to each other without being in violation of the Open Meetings Act. That language was carefully reviewed and supported by the newspaper -- or, the Press Association. It also deals with the severability clause question. When we passed the -- the law several years ago and permitted dockside gaming, many -- many boat owners or -- or organizations are unwilling to make further investment until they have some certainty that if that law were to go down, that they would still be able to retain the right. They don't want to build a pavilion and find out, suddenly, they're in violation of the law. It also reinstates the right of minorities to participate in this new tenth license that's competitively bid. Also makes the same definitional changes we've made over the last few days in about seven different places for the Alton Belle and for the Rock Island Casino boat. I'd be happy to answer questions about the bill. It's complicated. People have worked very hard on this for -- for almost, I think, six weeks. Kind of furiously for the last four days. This is one of those bills that the more I've come to know it, I really appreciate it. But, as I say, it's got wonderful elements. It may be one of the solutions we need to move forward.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? Senator Obama.

SENATOR OBAMA:

Thank you very much, Ladies and Gentlemen of the Senate. Will the sponsor yield for questions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Obama.

SENATOR OBAMA:

Thank you very much. Senator Rauschenberger, it does sound like the proponents of this bill did a lot of hard work on it. I think there are elements of this package that make a lot of sense. In particular, I think, for the first time, initiating some sort of bidding process in -- in the gaming industry, I think makes a huge amount of sense. I do have some very particular questions that I want to ask. Number one, this bill does increase the tax on the existing -- on the other nine boats. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It does, but not immediately.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

And when you say "not immediately", could you tell me exactly when that tax on the other nine would go up?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Whenever the tenth license becomes operational or on July 1st, 2003, whichever is sooner.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

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And would that increase on the boating -- on the tax on the other boats, would that remain in place in perpetuity, or would it lapse at some point?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

That increase would be perpetual. And a quick note that I -- was just explained to me. The reason for the delay in the implementation of this tax structure is because it's quite possible that we'll reach consensus with the House on the higher tax structure until this bill would become effective. So we would -- there was some careful work done to make sure that these two tax rates didn't collide by being signed at the same time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

Which I think, I guess, brings me to my first point on this. Compared with the other bill that was voted on, that, if I'm not mistaken, had a higher tax rate. That's the bill that's currently over in the House. Obviously, that raises some concerns for those communities that currently have one of the nine licenses. But for those of us who may think that many of the boats, at least, are undertaxed and -- and might be willing to set up a more progressive structure so that the low-earning boats, like Senator Jacobs' boats, were taxed at a lower rate but some of the ones that were doing very well were taxed at a higher rate, I guess it might be perceived that this bill, although ultimately raising more revenue, at least on the front end, is not as -- as high a tax as the bill that was voted out the other day. Is -- is that a accurate, if not elegant, statement of the situation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

That -- it's both. Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

Next question. On the -- on the issue of the remedy that's provided for the existing -- I won't say possessor, because their license has been revoked. But at least in court right now they're disputing whether or not they still have a right to the tenth license. Has your staff or attorneys looked in terms of whether or not this might be perceived as an ex post facto law, a law that essentially is put in place -- you know, not to use a fancy legal term. Essentially what that means is, the Constitution says we're not supposed to pass a bill targeting somebody after the fact in taking away some right that they may possess. And I'm just wondering how that, potentially, has been dealt with.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'm going to do my best, in a -- in a recliner salesman's way, to kind of explain what has been explained to me over the course of six or seven days. The current statute is silent as to remedy. So the assumed remedy in a lot of these disputes would be the reversal of the decision. That's been in dispute, I think, almost since they closed operations in Galena, as to who should possess this license, because they were nonperforming. And the due process continues. What we've -- what we've done in here, which we don't believe is ex post -- you know what you said, ex post facto, is we -- we have just simply made a -- declaration of what we believe to be the case, which is the Gaming Board possesses the license, and defined a remedy that was missing under the statute when it was passed thirteen years ago. So, I think they have met

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that task. The...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

Let me ask this -- the question this way, I guess: What would happen, from a budgetary point of view, if this law gets challenged in court and it was potentially struck down? Would we be, then, confronted with a five-hundred-million-dollar hole in the -- in the budget?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

No. Fortunately, we did not -- we made no reliance in the budgetary plans that we worked together on for the last three weeks on this revenue. If this -- if this revenue were to be realized, it would be -- you know, particularly the -- the five hundred million or whatever bid amount was actually bid on the license, would be in addition to the revenue sources. We've written the taxes so that we could -- so the Governor could implement the tax package we passed out before. This, I think, is a -- a more elegant long-term solution, because this bill -- this -- the competitive bidding structure as well as the remedy structure are permanent and will affect all future licenses upon surrender or revocation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

Two final questions. Number one, does this bill, in any way, change the structure of the subsidy that's currently provided to the horse racing industry? And if so, can -- can you just detail that a little bit more?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The subsidy for the horse racing industry, when it was passed out of here - I -- I'm -- the year escapes me - was fifteen percent of the -- fifteen percent of the AGR of the -- the proposed tenth license. This is fifteen percent of the AGR with a cap of thirty million dollars.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

With respect to that cap, just to give me some sense of how relevant the cap is, do we have any figures in terms of what the subsidy has been, let's say, over the last two or three years?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

There is no subsidy, because there's never been a tenth license. If you assume the Elgin volume, for example, which is the largest-performing boat in Illinois right now, it would be about -- sixty-two to sixty-three million dollars would be the top end of the subsidy. If you selected another boat, maybe Aurora, it'd probably be in the range of fifty-five. At the time of passage, if you take the volume assumptions at those times, the assumptions were that they -- the horse racing industry would receive between twenty-five and thirty-five million dollars.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

A final question then. The -- again, it sounds like this bill at least provides, obviously, a significant potential front-end infusion of cash as a consequence of the bidding. Do we have a sense or has any been -- comparison been done in terms of how much

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money we stand to gain in this bill in comparison to the bill that we passed, which has the higher rate structure, in terms of -- I guess the simple way of asking would be, that five hundred million that we're getting now, we're also losing revenue on the out-years in terms of what would have been a higher rate, unless, of course, some boats went under. So, I -- I know these are a lot of variables, but do you have some sense, or have some calculations been done on that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

If you assume current volume and you assume that the industry people that have asserted that that -- that the tax package we passed are incorrect and that it would not cause any closure or restriction of operations, the bill we passed earlier would deliver between a hundred and twenty and a hundred and thirty million dollars. If you assume that -- that the -- the successful bidder in this bill would be in a location roughly similar to Elgin or Aurora and we -- we enact the tax rates included in here, the net effect would be about -- well, not counting the initial cash infusion from the competitive bid, which estimates run anywhere from four hundred to about nine hundred million dollars, the annual impact would be about -- I think it would be eighty-eight plus twenty-one. So, about 109.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

Well, I just want to thank you for providing this information, and I appreciate the patience of the Chamber.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Link.

SENATOR LINK:

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Thank you, Mr. President. Will the sponsor yield for some questions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Link.

SENATOR LINK:

Senator Rauschenberger, for -- basically, a lot of these questions will be for legislative intent. So I'd like to ask you some things. And I'm -- I'm not as good as Senator Obama; I had to scribble some notes down, because we've been here for about twenty-seven days straight. So I -- I am a little tired. Are -- for intent, are you still aware that there are at least two lawsuits pending challenging the constitutionality of the 1999 Act based on the allocation that it was special legislation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'm reasonably aware.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

So are -- with this happening, in this language found on pages 16 and 17, is it not designed for one specific community -- specified community?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

In no way do I believe this is designed for one locality. In fact, I would argue that the way it's written gives communities that haven't been under discussion here a decided advantage. Time to license -- or -- or -- or time to opening is a criterion that's been added for consideration. A number of the sites that have been actively interested are on navigable waterways and could

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bring a boat to Illinois much more quickly than one could be constructed on-site in a land-bound area. So I -- I think, actually, the way the criterion are written opens the process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Okay. Also on this criteria set forth on page 16 and 17 of this bill, are strictly guidelines for the investment bankers to consider and not mandates. Correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes, because the investment bankers are not an agency of State government. They're -- they use the criterion to develop the bidding system and then submit the study and their results to the Gaming Board, who are empowered to make the decision. They're a -- we delegate the authority to the Gaming Board. You wouldn't -- you wouldn't write prescriptions in for the investment bankers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Also, Senator, the Gaming Board will have the final say on the community that will receive the tenth license. Correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

As they did in the original nine, yes. The mistake we made when we did the last bill was that we empowered the license holder to select their location. That's reversed and corrected in this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

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SENATOR LINK:

Okay. On that question -- on the current criteria for licensing, -- suitability continue to exist, including economic-depressed communities and distribution of license throughout each region of the State also. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes. The precedent criterion in the original law governs, with the additions of the three or four additional criterion added in this statute.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Are we basing the location or the criteria on the 1990 bill, or the original bill -- gaming bill that was passed then? I wasn't here, but whatever year that was.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Could -- could you restate that question, 'cause you said 1990? Or did...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

May have. I can't read my own notes. It says: Are we basing this on the -- location on the 1999 bill, or the original gaming bill, which -- whatever year that was?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The criterion that would govern and referenced -- and are

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referenced is the original gaming bill that was passed. I think we should ask Senator Jacobs. He would know precisely, but I think it was '90 or '91. Not - not - on the 1999 law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Also, in -- in this amendment, we're talking about bidding out this license. Are we going to have a bidding of a one-time bid, or are we going to -- you know, one-time bid like we do on any other closed bid or any bid? Or will this become a bidding war?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

They would bid for the initial license. They would pay their annual renewal fees, and they would be subject to their review - I think it's every three years - under the current statute. The license would not go up for bid again unless it was surrendered or revoked or they ceased gambling operations as it currently operates under the statutory scheme of the original, early-1990s law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

One final comment. Though this may not be the perfect bill, and I know, talking to some other people over here, I would have liked some things changed in it - basically, the minimum bid - because I think the minimum bid should have been three hundred million, instead of five hundred million, to just give the perception of some other communities to have an opportunity. Although, I think the bidding on this will be going at six, seven, and maybe higher, hundred millions of dollars. I think this is a solid idea. I think this brings more into the taxpayers than we

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have before. I think that it's something that's solid, and I got to tell you, I've never voted for a gaming bill, but tonight will be the first one. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Brady. The Chair recognizes Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Brady.

SENATOR BRADY:

Senator, did I hear you say that you believe this legislation creates more of an open opportunity by a municipality to locate this boat?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Certainly more than the 1999 law that we passed, yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Brady.

SENATOR BRADY:

The gambling positions are the same in number?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

They remain precisely the same as originally authorized by the original legislation in the very early nineties.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Brady.

SENATOR BRADY:

As we've attempted to do in this Session, do we continue to have the right to increase the tax rate on this boat?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes. We retain the sovereign right to raise taxes on riverboat gaming at the pleasure of the General Assembly.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Brady.

SENATOR BRADY:

If we were to fail to act on this legislation and the court case were to be settled, would the Gaming Board then have the opportunity to issue this license for the license -- nominal license fee rather than auction it off for this multihundred-million-dollar fee?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'm not an attorney, but I believe they -- if -- if this -- if the cloud were cleared over the tenth license and it were -- and the lawsuits would end, I think they would be compelled to issue the license on the same basis as currently exists in statute, which is essentially for, I think, a seventy-five-thousand-dollar application fee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Brady.

SENATOR BRADY:

Is there any time limit under which they -- must do that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

None that I'm aware of.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Brady.

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SENATOR BRADY:

Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator del Valle. Further discussion?
Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just got a couple of statements that I'd like to read, because over the last few days, I've been hearing all the arguments about the billions of dollars that these riverboats are making. Let me just go through the facts of the case, and then... Everyone thinks that the riverboats are making billions of dollars because the total wagered on all boats is twenty-six billion dollars. Well, of that twenty-six billion, twenty-four billion two hundred and seventeen million is given back to the customers of those boats, leaving an adjusted gross -- receipts of one billion seven hundred and eighty-three million dollars. You take off the local and State taxes, payroll and benefits. Let me just read 'em. Five hundred and fifty million dollars to local and State taxes. Three hundred and sixty-five million to the employees in payroll and benefits. Thirty-five million to charitable contributions. A hundred and seventy-eight million dollars to marketing and promotions. A hundred and seventy-eight million, approximately, to maintenance and depreciation. Machine replacement, thirty-one million five hundred thousand dollars. And vendor cost, rents, et cetera, at almost fifty million. That leaves a bottom line for the nine boats of three hundred and ninety-five million five hundred thousand dollars. You add to that the new -- the new taxes that we're looking to raise - not only in this bill, but almost all bills - you add a hundred and twenty million more off that bottom line -- or, you deduct a hundred and twenty million more off that bottom line. All of a sudden, you're at two hundred

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and seventy-five million, not billions, million dollars to be distributed amongst nine boats. Of those nine boats, six are publicly traded boats, which has thousands and thousands of investors. In fact, the nine boats, under the new taxation, will receive only half as much money on the bottom line before they pay their taxes than the State of Illinois gets. Now, folks, I'm sorry. That's not billions of dollars. To the bill: One of the things I know that many people have a concern with, and that is the horsemen's Equity Fund. I think that, as indicated earlier, the horsemen's Equity Fund is receiving nothing now. And if this bill doesn't pass, they'll still receive nothing. So, I think it's an issue that is -- is not even a real issue. And for this Body to turn around and say we will give thirty million to -- to the horsemen, to the Equity Fund, I think is a very noble gesture, and you add that to the other moneys, we're subsidizing the State racing industry, which I am for. My county chairman is a big member of the Horsemen's Association. So I'm for that, and I think this thirty million dollars really helps the horsemen, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Pat Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Rauschenberger, the -- the bill allows for the reimbursement from the Owners Licensee Compensation Fund to those who have claims. What would stop, in this bill, a person who has claims and could tap into that Fund from being one of the bidders and thereby - let's say they have twenty million dollars in claims - basically, subsidizing their bid by twenty million dollars? Is

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there anything in this bill that prohibits that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Any innocent party - okay? - who met the criterion to be a -- a legitimate bidder under the original law, it wouldn't make any difference where their funds came from. So, if you had an innocent minority shareholder, for example, in the Emerald arrangement who bid for the license, they could use the -- if -- if they were to receive proceeds, they could use those, certainly. The logic, or the -- I mean, the -- the -- the time sequence doesn't work well, because it's estimated that we have eighteen to -- eighteen months to another two years, three years before we'll see settlement of the -- of the current adjudication for damages under the -- the case on the current tenth license. So it -- it's not likely, but there's nothing -- an innocent party who met the criterion, was not involved in organized crime, et cetera, et cetera, could participate. I mean, there's probably some of the minority shareholders in the Emerald case who will probably try to join consortiums to try to be involved in another bid.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

That's what I was wondering about. I was thinking that a corporation could file a -- an additional form to form a new corporation, have the same members of the corporation, same stockholders, same directors and then if they have a claim for fifty million dollars from this Fund, use that to subsidize their other corporation when they bid on this license so they'd have a fifty-million-dollar advantage over anybody else bidding. That's what I was wondering.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

If -- if they were a principal in the current license situation, the bill contains a prohibition on reissuing the license to that same person. Now, the question of the corporate veil, whether one corporation can be reformed that'd be roughly identical, would probably be a question for the Gaming Board's investigators whether it was a -- I really can't answer that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

The criteria that you're adding to this -- with this bill seems to exclude downstate riverboats from -- let's say a boat leaves Rock Island or Alton; they give up their license. How would they get the license back when the criteria seem to be based on population, number of hotels and restaurants, number of jobs, earliest date the boat could be operational? I'm not sure that that wouldn't exclude existing locations -- or, existing towns, because they wouldn't have these -- they wouldn't meet these requirements.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I would agree with you, in this sense: When we set a five-hundred-dollar-minimum bid, which was done in light of both of the public statements that have been made that kind of set the general environment we're in, as well as the kind of current fiscal conditions, that with a five-hundred-dollar -- five-hundred-million-dollar-minimum bid and those requirements, it is very likely that this tenth license will have to be issued in an area of fairly high population. So, in that sense, this tenth license does, to some extent, exclude small communities downstate.

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But this bill also does not provide, and maybe it's a thing we should take up in the future, any right of a existing license holder to move. This is strictly about issuance of the tenth license. But -- but you are right. But I would argue that the -- the biggest overriding consideration is the -- the thought that we're setting the minimum bid at five hundred million dollars, which would make it difficult to locate this on -- for example, on the Illinois River, rather than in the metropolitan area.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

One more question then. This bill contemplates that the decision of the Gaming Board is not appealable, it seems, because the bill refers to notwithstanding any appeal or -- or final determination, I think I read in there somewhere.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Can you give me the -- the -- we're not finding a site dealing with that. I'm sorry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

I've got, at the bottom of page 14, "If an owners license is revoked or is not renewed or is forfeited, notwithstanding any administrative or judicial appeal..., the owners license shall be transferred to the Board...." There is no provision that -- for this -- for the boat to have an appeal process?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

That deals with this -- this issue arising from the original

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statute where there was no clear remedy, and in -- generally in the absence, I guess -- I mean, you're the -- you probably know a lot more about this than I do. In the absence of clear direction in the legislation, the assumption is the remedy would be the reversal or the restoration of the license. Here we make a declaration and make it clear that the license returns to the State and that the only recovery that's potentially allowable to the revoked licensee would be monetary damages.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. Chairman. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Viverito.

SENATOR VIVERITO:

I -- I just need a little clarification here. I don't know if Senator Brady touched on this or not, but I recall when there was an agreement going around to a lot of the municipalities that signed on, that when the new license was agreed upon, that they would get a certain percentage to their municipalities. And I remember that in the western suburbs and the south suburban areas. Would you please answer that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Viverito, to the best of my knowledge, those relationships or -- or, understandings were -- with those municipalities and the host -- the then putative host, Rosemont. If a boat -- if -- if a license were to be granted again to Rosemont, I would presume those would still be effective. If, under this competitive bidding, the license were awarded to Waukegan or Lake Calumet, or -- or wherever else, none of the

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Rosemont understandings with its neighboring communities would be effective. Rosemont, as I understand it, pretty clearly was sharing its local share of the riverboat with the surrounding communities.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Viverito.

SENATOR VIVERITO:

Well, then, obviously, you would understand the disappointment by so many of those poor municipalities that were guaranteed at that time, if the license were issued. And they were all in favor of it because they felt that it would help their towns, because obviously they had no other real resources and they felt that was one way that they were going to get a little something back. Is it possible that you would give some kind of consideration to those municipalities that did sign on to this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Viverito, in -- in the criterion for selecting in the future, a sharing arrangement with other communities is a criterion that we require the investment banker and the Board to look to. It's one of the new requirements added as a criterion for selection. So, to the extent that Rosemont very generously arranged with its neighbors to share the revenue, they may have an advantage in the process, but there's nothing in the bill that takes the -- the -- the specific agreement of Rosemont and its surrounding communities and -- and puts it in State law. But it does give preference, or -- or it's a criterion for selection if the host municipality shares with its neighbors.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Viverito.

SENATOR VIVERITO:

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Well, the -- well, the real basic concern I had is the one that I don't think that Rosemont was so magnanimous, but I think it was a good business venture for Rosemont to include different municipalities. And perhaps when that award goes, wherever it goes, that same -- same type of consideration should be given to the areas that need assistance, in the lower income, especially. And I wish that you would, in your wisdom, be able to put something in there for those poorer communities.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator O'Malley.

SENATOR O'MALLEY:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator O'Malley.

SENATOR O'MALLEY:

Senator Rauschenberger, could you take us through the entire process that's associated with how the bidding begins? In a -- there's -- there's periods of time in here. And there's -- I think there's more than one period of time. So perhaps you could take us all through that process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

In -- in an effort to accelerate this process, because the Gaming Board in the past has been known for, some might say, excruciating long processes, this requires that applications must be filed with the Gaming Board within forty-five days of the effective date of this amendatory Act or within forty-five days, in the future, after a license is revoked. During this forty-five-day period, the Board must retain - must retain - the services of an investment banking firm for the purposes of conducting the competitive bidding process. So, there's a -- a

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disinterested third party. The banking firm must conduct the bidding processes -- process within forty-five days of its retention. Selection of a winning bid must be made -- must be within forty-five days from the expiration of the bidding process. So it -- it's an effort -- and then upon selection of the -- the -- the successful bidder, the Gaming Board has a further forty-five days to review the suitability and make sure they don't have any objections, and then they would be required either to issue or to rebid.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

So, in essence, we're talking about a hundred-and-eighty-day period with all these individual steps. Thank you for clarifying that. Is it correct that every community in the State of Illinois -- eligible community to enter into a development agreement with a potential bidder?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. To the best of my knowledge, any community could enter into a bidding -- a -- a location agreement with -- with a bidder.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Let -- let me make sure that I -- 'cause I -- I see you were troubled with that question the way I placed it. As I understand it, when you make the application and you solicit -- and you make the bid, you have to identify the community that you're going to do this with. So, I assume, then, any community in the State of Illinois is eligible. You must be a municipality. Are townships eligible, or is -- is it a village, a city?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Unincorporated areas, counties and, I presume, a township could enter into an agreement to be a host of a -- of a licensee. So any -- I think any unit of local government.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Any municipality would be eligible then. 'Cause that's a very broad definition using that -- just that term. What would be the length of the license that would be issued?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Exactly as it is today under the statutory scheme. In other words, it's a -- it's a privilege license. It's not a property right. The license holder would hold it provided they followed the statutes of the State of Illinois and the rules and regulations of the Gaming Board, subject to revocation if they violated those and subject to the same renewal terms that currently exist in the statute. It's not a perpetual license. It's not a special license.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

At -- at the end of the initial period then, which I believe would be either three or four years - does that sound correct? - what -- what would happen at that point in time? Do they lose their license, or do they reapply for an extension of them?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

It -- it's actually four years under the revised statutes, and they would -- they would apply for renewal of their license at the end of that four-year period.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

So that would be the same process that has -- that currently exists for the other nine licensees. I want to touch on an -- other nine licensees. And to some extent, you and I are going to speculate here and, of course, down my line of reasoning. Do you believe, as a sponsor of this legislation, that this will lead to a process where the Gaming Board will tend -- be inclined to encourage, and that we in the General Assembly will be encouraged to cause, the competitive bidding of those licenses when they come up for renewal?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I don't believe this statute will do that. I believe the result of this statute may be to make it clear to the public and clear to the General Assembly what the true value of these licenses are. So it may provide a test case. It may lead to better public policy where competitive bidding for fixed-term licenses might be the model we follow in the future, whether they be five-year, seven-year or ten-year licenses, where there's an ascertainable period an investor could make a reasoned choice about making that investment. So, I do not believe this statute will lead to the other nine licenses being bid, although I do think it starts that process. The only addition to that is, this statute does clearly make it permanent that any revoked or surrendered licenses would be competitively bid.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further -- Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I guess the reason we're here is, we have to fill a hole in the budget, and the Governor said he wants at least a hundred and eighty million dollars from gaming. So the problem is, what's the best way to do that. We voted on two or three different things. The House got some stuff coming over. And Senator Rauschenberger said something interesting, which I have to comment on. He said, "Well, we've been working on this for about six weeks." And he said, and I think your quote was, "It is very complex." And that's a little bit of a problem because working on it for six weeks, it's complex, and except for maybe four or five Members, we saw this about an hour ago, and that this has -- this bill has far-reaching implications. However, I'm not rising to complain; I'm just saying that happens to be the process. Maybe some time in the future, we should -- take a look at this process and see if, in fact, we're doing this right, because to -- to ask all the Members to vote on this, and we got it an hour ago, is really tough. But we did it when we ran the Chamber. This is not a knock. We -- we really got to look at this process. The other -- the other thing is, I brought up, and -- and Senator Link also brought this up, about the bidding process, whether it should be one bid or open. If you open the bidding process and you're going back and forth on bids, seems to me that, you know, the guy with the biggest pockets will stand there and just bid maybe twenty-five million more after everybody stops. If you do one

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bid, they may be scared and say, "Hey, we're going to bid seven hundred fifty million or nine hundred million." The only reason I've come off that contention that I had in committee - and, Senator, you know I gave you and your witness a very hard time there - is because I've checked this out and it turns out that after reading it, it looks as though the rules can be made by the Gaming Board. So therefore, if my suggestion and Senator Link's makes sense to them, then they will do that. So, I no longer have a problem with that. Last comment that I have has to do with, I brought up in committee that there's no secret one of the reasons it hasn't been called in the other Chamber is that we want to make sure that it doesn't have the same perception we had three years ago - insider dealing, all this other stuff - that we're not here just basically saying that this deal is a deal to make sure that MGM and Rosemont get the boat. And I was a little concerned with that because I didn't want to be fooled a second time. So, I said I wanted to hear from other people as to what's going on. Well, the good news is this: I've talked to people from Harrah's, from Paradise, Hollywood, the -- in Aurora, the Casino Queen in East St. Louis, people from Lake County, people from Waukegan. And if I've listened to them for about -- and I think it's been about twenty minutes or maybe now a half hour since we came from committee. They've all assured me that they're bidding on this boat -- or -- or, where -- this license. They're going to bid on it. As a matter of fact, Harrah's is talking about actually looking at Cal City, Senator Jones. We even have -- Aurora's talking about looking in Lake County, that they would come up with better alternatives. Someone said Franklin Park may be a great place to put this boat. So, when you're talking to these people, who I respect and -- and I -- so, if this is eight or nine people calling me in about twenty-five minutes, I think we're going to have maybe fifty or a hundred bids on this thing. This is going to

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be fun to watch. This may be the first time we do get an open process. There's no question that Rosemont has an inside track because they're so close to O'Hare, but it may not be Rosemont. It may be Franklin Park. This could actually be -- I'm coming full circle now. This could actually be a process that may be the most open way and the best way to do this. So, after making all this to-do, and -- and I thought it was important that we make sure that we're not doing this for Rosemont and MGM, that they're just one of the players, after listening to about ten or fifteen or twenty people that have come to me and say they want to be part of the boats, this may be the only way, with this legislation, where now Cal City, Lake County, Waukegan and even Franklin Park or other suburbs, this may be the only way that we can make them part of the process. So I now urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Larry Walsh.

SENATOR L. WALSH:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Walsh.

SENATOR L. WALSH:

Senator Rauschenberger, on the other pieces of legislation that we've been looking at in the last couple of days, there was a issue in there about raising the -- the cost of the renewal of the licenses. Is -- is that in this legislation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Currently a riverboat annually pays five thousand dollars. Under this legislation, a riverboat would pay fifty thousand annually, exactly the same as the -- my earlier version of 822, which received, I think, a record-low seven votes.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

And that will be for every license that currently has a boat or the one that -- this one that's going out?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR L. WALSH:

To the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Walsh.

SENATOR L. WALSH:

Am I on? Thank you, Mr. President. I think this is a good piece of legislation. I want to echo a few words that -- that Senator Jacobs mentioned. And I am fortunate that my area has been well taken care of because of the gaming industry. Senator Petka, our good friend, Representative McGuire, who's in the back of the room, we've been very fortunate to have two very profitable boats located in our county in the City of Joliet. The intention of the riverboat gaming bill back in 1990 was to bring this kind of opportunity to river towns that were facing some of the worst times in -- in history. Our unemployment rate at that time, I think, was in twenty-eight-percent bracket. And what these gaming boats have done for the City of Joliet has been phenomenal. But that also takes work, hand in hand, with the City administration. Mayor Art Schultz and his City Council and -- and John Mezera, the City Manager, could have had the opportunity to look at all of this money and just blow it. But they didn't do that. They sat there and they worked hand in hand and carefully watched how this money was coming in and carefully spent it. And the infrastructure improvements that we have made in the City of Joliet have been tremendous. And let me say this about the gaming

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industry: We have two boats, the Empress and Harrah's, and you couldn't ask for two better partners for your community. When it comes time for fund-raisers, when it comes time for social agencies that need a helping hand, they're always the first ones there. When it comes to hospitals having a capital development program, the boats were always the first ones there. They provide good jobs. Almost thirty-four and thirty-six hundred people have good jobs in -- in -- on these two boats in Joliet. What they've done for our social agencies, what they've done for United Way, what they've done for education, the money that they have, on their own, donated to make sure that education is taken care of in Joliet and in Will County area. Actually, donations to the school based on number of -- of students that come out of the City of Joliet. So, I stand in strong support of what I think has finally come down as a good piece of legislation to deal with our gaming industry, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

...you, Mr. President, Members of the Senate. Just very briefly. I stand in strong support of this legislation. I'll make three brief points. Number one, the people in my district and my friends that talk about riverboat gambling, they all have said to me, "How come you guys didn't raffle those things off?" "How come you just gave those to political insiders?" Well, this bill contains a major, major reform, by raffling off that license. Number two, they say, "And you ought to raise their taxes." This bill raises the riverboat taxes. And number three, this -- I am absolutely convinced that the bids for this license is going to be, at a minimum, seven hundred and fifty million dollars. And we're going to get it in six months. We're going to get it in six months. This litigation that's going on over this tenth license

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is going to take four more years, if we don't pass this. And not only will we get that money up front, we'll also have an operating tenth license that'll generate an incredible amount of money. And let's face it, we just concurred with the House add-ons. We -- we've already passed a budget here. We haven't passed the revenue yet. This will bring in an incredible amount of money. We have incredible needs. We know -- we've already determined where we're going to spend our money. We've got to determine how to bring in the tax revenues. This is absolutely the best place to get it and incorporate the reforms at the same time. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Emil Jones.

SENATOR E. JONES:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jones.

SENATOR E. JONES:

Senator Rauschenberger, could you tell the Body approximately how long it would be before an applicant would be cleared, as far as the background check and make sure that no unsavory individuals... About how long does that take?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Initially -- initially, I would presume that they would use fingerprinting and criminal record checks, but the Gaming Board has the right to do ongoing background investigations of all of the owners of the boats. So, I would hope, during six months, that the -- well, actually a little less than that because they would -- they would have to receive the application before they could begin reviewing, but I would assume during four and a half months, they could complete an initial review and then anybody who

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materially hid information or was found to have violated it in another way would be subject to revocation or disqualification after the initial investigation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR E. JONES:

So, in the event there are twenty-five applicants and all those background checks of all those individuals, you say that'd be done in four months?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I would hope so, if -- keeping in mind, however, that many of the applicants, when you set a five-hundred-million-dollar-minimum bid, are very likely to be corporations where it's a much simpler process. You have the SEC to rely on and reporting requirements that they already have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR E. JONES:

Well, this is basically true; however, one has to have their own money. They couldn't have gotten the money through some other source. So doing all that background checks on individuals, I don't think you'd be done in that short span of time, and it is a long, long process. So you're going to try and say it's going to be condensed in four months. That's not going to happen. Another question that was raised in committee by Senator Molaro and I'm still confused by this, and that is, it's not a closed bidding process; that is, I make my application, sealed bid, someone else make their sealed bid and so forth. So, what this is, is a bidding war between individuals and maybe the best applicant would not win because it is designed for only those who have the deepest

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pockets. And that's where I see a problem at, is that whoever has the most money is the one that will get the license, even though that person may not be the best person or -- or best applicant for the license, even though you have some other criteria set forth. Wouldn't it be nice if you have a closed bid? Each individual walk in there, they submit their closed bid, and the one who bids -- it may be eight hundred million dollars for it, and they get the license. But if it -- if it is open the way you are suggesting it's written in this bill, then those individuals with the deepest pockets will be the one that will get the license and -- and it's -- it's really not a competitive bid. It'll be going to the person with the deepest pockets.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you for giving me the opportunity to kind of clear that up because I think both Larry Suffredin and I misunderstood the question in committee. This requires a competitive bidding system where price, the amount that you bid, is clearly a factor, the statute states, and it goes on then to reference the previous ten conditions in the original law and the five new ones. But it does not specify whether it should be a sealed bid process, where people would submit written sealed bids for the price, or whether it would be an open bidding process. With -- with the number of people interested, I -- you know, it's left up to the discretion of the Gaming Board to decide the structure, along with the investment banking firm, of the -- of the competitive bidding process. My guess is, Senator Jones, you're right. What they will select is a sealed bidding process, and there is no requirement in this statute that they select the highest price. They have to -- they're supposed to select the best proposal, and price is clearly a criterion. So, I think your points are

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well-taken. We just didn't explain them very well to you in committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR RAUSCHENBERGER:

For the record, the Owners License {sic} (Licensee) Compensation Fund provided in this bill assists in the due process under the law and ensures that any innocent injured party is compensated for actual damages. I really appreciate the thoughtful debate tonight. Let me say, for the record, I think Senator Molaro raised an important point. Over the last six weeks, probably five thousand people have brought me good ideas, and as the Approp Chairman, I hear a lot of ideas. Very few of them make it past to the developed stage. I was first accosted on this idea up in the hall by the hearing room at 400, where attorneys were working on this. I got a real quick hallway briefing on it. I said, "It certainly sounds interesting." Unfortunately, deadlines tend to drive our work down here. Maybe they shouldn't. Maybe there's a better way to do a -- a legislative Body with two Chambers without deadlines. But this -- this bill does three important things that we have to keep in mind. It once and forever, I think, establishes competitive bidding as the way to reissue licenses in the State of Illinois, and I think that's a wonderful tribute to -- to people who have stood up for that principle for a long time here and for Pat O'Malley, who went all over the State of Illinois talking about competitive bidding and cleaning up gaming in the State of Illinois. So, I think that's an important accomplishment. It -- it keeps the commitment to the horse racing industry, to Cook County, to the -- to the -- the State universities sports facilities' funds, to the other commitments that were made in the statutory distribution that were

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associated with the -- the tenth license. And it -- it reverses our, I think, late-night mistake where we made the mistake of vesting in a license holder the right to select their location. This returns the authority to the Board - okay? - with directions to do an open process. So, I think -- although it arrives late and it's never fun to do these complicated things late, I think there's -- there is a lot of reform in this and -- and a wonderful opportunity. I hope Members feel comfortable, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 822 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 30 Nays, 5 voting Present. And House Bill 822, having not received the required three-fifths majority, is declared failed. If the Members will turn their attention to the top of page 10 of your regular Calendar, in the Order of House Bills 3rd Reading. House Bill 6061. Senator... With leave of the Body, Senator Rauschenberger will be handling House Bill 6061 for Senator Philip. Senator Rauschenberger seeks leave of the Body to return House Bill 6061 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 6061. Mr. Secretary, are there any -- Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. This is House Bill 6061. With Floor Amendment No. 2,

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after it's adopted, it will contain the cap -- the capital budget of the State of Illinois. I'd -- I'd appreciate its adoption. I'll be happy to explain it or -- or confuse people about it on the -- on the 3rd Reading.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of House Bills 3rd Reading is House Bill 6061. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 6061.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Chair would ask the Members, please take your conferences off the Floor. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 6061, as amendment -- amended, contains the capital reappropriations, the general obligation appropriations, the Build Illinois appropriations and the school construction appropriations of the State of Illinois. It was introduced originally at seven hundred and twenty million dollars. It was reduced by fifty-three million dollars in reductions to the Governor's introduced level. It was increased by a hundred million dollars in GO and in Build Illinois, and nine hundred and thirty million additional in school construction. I think all Members have lists on their desks of the capital projects. It is all of the Governor's introduced,

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except for the fifty-three reductions, or I would really call them postponements. I'd be happy to try to answer questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. As outlined by the Appropriations Chairman, there are projects in this -- as outlined by our -- Chairman of Appropriations, there are projects in this bill that help strengthen this entire State. The dollars that we...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Trotter. The Chair requests the Members please take your conferences off the Floor. Senator Trotter.

SENATOR TROTTER:

Thank you very -- thank you very much, Mr. President. The dollars in this bill actually will go to every area and every corner of this State. We have dollars here that will be going to -- for homeland security. We see more dollars going to the Illinois Community College Board, to our universities and to many of our other museums and institutions. It's a good bill. We've worked on it for awhile and we look for its passage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR RAUSCHENBERGER:

Thank you very much, Mr. President. I took a long time on the last bill. Hopefully I'll get a better roll call, or maybe hopefully I don't. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 6061 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open.

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 5 Nays, none voting Present. And House Bill 6061, having received the required three-fifths majority, is hereby declared passed. We'll now be returning to the Order of Supplemental -- to Supplemental Calendar No. 1. Bottom of page 2, in the Order of Conference Committee Reports. Supplemental Calendar No. 1. Mr. Secretary, do you on file a conference committee report on Senate Bill 1983?

SECRETARY HARRY:

Yes, Mr. President. First Conference Committee Report on Senate Bill 1983.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Conference Committee Report on Senate Bill 1983 has been discussed at length. The underlying bill deals with the issue of assessments, school report card and transitional bilingual education. All of these ideas have gained widespread support at every step in the process. The additional item in this Conference Committee Report deals with the issue of poverty grants, and it changes the formula in the following manner: Schools with low-income concentration levels of twenty to thirty-five percent will have their poverty grant increased from one thousand one hundred and ninety dollars to one thousand three hundred and thirty per pupil; secondly, schools with low-income concentration levels of thirty-five to fifty percent will have their poverty grant increased from one thousand three hundred and thirty-three dollars to one thousand three hundred and sixty-two dollars per pupil. It affects a great number of school districts throughout the State, but, most specifically, this has a big impact on

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downstate school communities and we're glad to help out our fellow men and women downstate in the State of Illinois. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 1983. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, 2 voting Present. And the Senate does adopt Conference Committee Report No. 1 to Senate Bill 1983, and the bill, having received the required three-fifths majority, is hereby declared passed. ...will turn to the middle of page 19 of your regular Calendar. We will now be going to the Order of Secretary's Desk, Concurrence on Senate Bills. Middle of page 19 of your regular Calendar, in the Order of Secretary's Desk, Concurrence on Senate Bill, is Senate Bill 1543. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1543.
The motion, by Senator Peterson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. The -- the bill, as it left the Senate, granted a five-year extension of the current sales tax exemption for aggregate manufacturing equipment. The amendment in the House retains the underlying bill, adds language to decouple the Illinois Income Tax Act from the newly enacted federal thirty-percent bonus depreciation for new capital investments. This would save the State two hundred and forty

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million dollars. It would save Cook County local government sixty-two million dollars and downstate local governments fifty-eight million dollars. I ask for your concurrence to Senate Bill 1543, Amendment 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1543. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 10 Nays, no -- none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1543, and the bill, having received the required three-fifths majority, is hereby declared passed. ...turn to the middle of page 9, in the Order of House Bills 3rd Reading. House Bill 4581. In the middle of page 9 of your regular Calendar. Senator Rauschenberger, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Rauschenberger seeks leave of the Body to return House Bill 4581 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4581. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the annual adjustment in the debt limit of the State of Illinois to accommodate the appropriation for capital that we just made. I'd like it -- appreciate the Body adopting the amendment, and I'll explain it on 3rd.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Mr. President, I just want the record to reflect that I intended to vote No on the previous piece of legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator. The record will reflect your intent. Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is House Bill 4581. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4581.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Annually, as we issue our new bond program, we have to adjust the debt limitation of the State that we impose on the Executive Branch to prevent them from selling too much debt. This authorization increases the categories of bonds that the Bureau of the Budget can issue by -- in the -- in the case of General Obligation Bonds, it's an increase of one billion -- an increase of one billion six hundred and forty-three million one hundred and forty-one thousand eight hundred and sixty-nine dollars. I don't know how they get to that eighty sixty-nine, but they do. And it

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also increases the authorization for Build Illinois Bonds by two hundred and sixty-four million seven hundred and ninety-four thousand dollars. Without passage of this, the -- State government could only do its reappropriations; the new capital proposed in the -- in the appropriation that we just passed would not be -- you couldn't issue the bonds. I'd be happy to answer specific questions. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Just to cover the highlights. In this bond authorization, we put in nine hundred thirty million dollars -- nine hundred and thirty million dollars over the next two years which will go for school construction. Currently there are a hundred and eighty-three school districts still waiting for those dollars. For educational purposes, we put in dollars for various capital renewal projects. There's money in here for the Open Lands Trust, and that program, as sure as -- as we all know, is to purchase at-risk land, something we need to do. It's been a priority of ours in the past. It's something we need to continue to do. It also has dollars for economic development to -- again, to rebuild back to the level we have always been in this country. And then, certainly, there's also dollars for education. It's a good bill. I seek its passage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR RAUSCHENBERGER:

It's the bond authorization. It raises the debt of the State of Illinois by about 1.9 billion dollars. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 4581 pass. All those in

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favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 53 Ayes, 1 Nay, none {sic} (1) voting Present. And House Bill 4581, having received the required three-fifths majority, is hereby declared passed. Members will turn to the middle of page 8, in the Order of House Bills 3rd Reading. To the Order of House Bills 3rd Reading. Senator Rauschenberger, what purpose do you rise?

SENATOR RAUSCHENBERGER:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR RAUSCHENBERGER:

I'd just like the Body to know that early this morning, Senator Syverson returned home. He's been having kind of an ongoing struggle with a very painful situation in his back and wanted to be here and has been on call for us all day today. But I hadn't had a chance to say on the record that he was feeling very much under the weather, and we, you know, assured him that it was going to be bipartisan and moving well today and that -- that he was better up with his family where he could see his doctor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Rauschenberger. Senator Shaw, what purpose do you rise?

SENATOR SHAW:

Yeah. Thank you, Mr. President. I'd like for the record to show that I would have voted Yes on the previous bill, but my switch seemed to -- wasn't working at that time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Record will reflect your -- your intent, Senator Shaw. And the record will reflect Senator Syverson's absence due to illness. Middle of page 8 of your regular Calendar, in the Order of House

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Bills 3rd Reading, is House Bill 2828. Senator Dillard, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Dillard seeks leave of the Body to return House Bill 2828 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2828. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator -- Senator Dillard, for Senator Rauschenberger.

SENATOR DILLARD:

Thank you, Mr. President. I'd love to handle this in place of Steve, but earlier today I relinquished sponsorship of this legislation to Senator Rauschenberger. So, it's his amendment and it's his bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is no longer the -- if we adopt Floor Amendment No. 2, this will no longer be the Tobacco Settlement language. Amendment No. 2 deletes the underlying bill and becomes the bill. It deals with tobacco and general obligation securitization. I'd appreciate adoption of the amendment. I'll discuss it briefly on 3rd Reading.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd -- House Bills 3rd Reading is House Bill 2828. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 2828.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2828 now, as amended, contains permissive authority for the Executive Branch to request and issue up to seven hundred and fifty million dollars' worth of what is commonly called "double-barrel" bonds, or -- or -- they're -- they're bonds that would first pledge tobacco -- the Tobacco Recovery Fund and then be backed by general obligation, to be used at his discretion during the Fiscal Year '03 only. So, it's twelve-month-limited, permissive authority. It would require that for each issuance, that half of the proceeds be deposited in the Budget Stabilization Fund, or the Rainy Day Fund, as it's commonly known, and the other half placed in the General Fund's balance, ostensibly for use in supporting the year-end balance. It certainly is an idea that I think had a lot of support on the other side of the aisle. Upon reflection and working on things, we found a way we think achieves many of the goals that we share together. So, I want to thank Senator Jones for emphatically reminding us that this is a good idea. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

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Thank you very much, Mr. President. This is that elusive securitization language that we were looking for the other day. So, we're also glad that we found a happy medium. As pointed out, half the dollars -- half of the deposits will go to the GRF. The other fifty percent will go to the Budget Stabilization Fund. In recent years, our ratings by the bond houses has been risen. We have a AA rating by Standard & Poor. Fitch, Inc. upgraded us from AA to AA+, citing, in large part, because we do have a reserve account, a rainy day account. This three -- three hundred and fifty million dollars that will go in there is a -- a good -- a good move on all our parts, and would like to see a lot of green lights on this side.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator del Valle.

SENATOR DEL VALLE:

Now, have we capped this at seven hundred and fifty million dollars?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes. The legislation caps the proceeds or the -- the -- the amount that the -- the Bureau could taken in at seven hundred and fifty million dollars.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

Now, we -- we know what just happened with the last gambling bill that we handled, and we know that there hasn't been any

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action on the House side regarding the tax on casinos. If we don't take action, aren't we -- on -- on that tax, aren't we going to have a huge hole in the budget, and shouldn't we allow for more flexibility in the securitization so that we can then allow the Governor the flexibility that will prevent him from cutting?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator del Valle, the intent, I believe, of this statutory permission to the Governor, as well as the authority to -- and the -- the finances necessary to borrow up to a billion dollars on a short-term basis within the fiscal year under our Casual Borrowing Act, are designed to be cash management tools or management tools. I -- I don't think it would be a good idea for the Executive Branch to -- to fund permanent program on either borrowed funds, whether they're short-term or whether they're ten-year tobacco securitization, which is why the agreement ended up depositing half of the funds in the -- in the Rainy Day Fund. It would take action by both Chambers of the General Assembly, I think by resolution, to release the funds from the Budget Stabilization Fund. And if we continue to have substantial revenue dislocation, I would presume we'd be back in Special Session looking at just that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

Well, we -- we don't have to be back in Special Session. The Governor could decide to cut the budget that we sent to him. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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I believe the Governor has the right to amendatorily veto or to line-item veto the budget, but I would point out that I think it's been more than eleven years since we've seen an amendatory -- or, an item-reduction veto. So, you know, I -- I don't mean -- I don't place a -- I don't expect necessarily to see line-item reductions, unless we have substantial further decline in our revenue basis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

Just a -- a quick comment. It's important that we all -- and I know we all realize this. It's late. Everyone's tired. But I think we have a problem here if the House does not take action on the gambling bill. We have a serious, serious problem. And I would hope that this Chamber would not adjourn without making sure that before we leave here, we have what we're supposed to have, in theory at least: a balanced budget. And certainly I am going to support this bill. We've been calling for this for a long time, but it's a shame that we don't have more flexibility built into it, because the Democrats' original proposal called for a lot more money, in terms of securitization, in order to be able to -- to cover our -- our -- our budget. And so, let's not -- let's not forget that if -- if we leave here tonight and the House does not take action, we have a serious, serious problem.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Pat Welch.

SENATOR WELCH:

Thank you, Mr. President. Let me just say that this year the budget's been very contentious. We have had a lot of statements from the Governor, and just yesterday, he was quoted in the paper as saying, "There's probably a lot I will have to cut. I said there were no deals with lawmakers on what I was going to cut. I

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need the freedom to do what needs to be done." But he also said that he needed the money to do what needed to be done, and I certainly think that those of us here in the Senate have done our job. We've fulfilled our obligation. We have provided him with enough money to not cut or close any State facilities. We gave him early retirement so he won't have to lay off people without them having a cushion of early retirement. I think we did a very good job this year, even though we did go overtime. It was just two days overtime. Didn't cost the taxpayers a dime because we didn't get any per diem. So I don't think they should complain. And certainly they got a better product with the budget that we ended up with than what we had handed to us on Friday night. I congratulate your side of the aisle, Senator Rauschenberger, as well as ours. You know, on this -- the biggest bone of contention, I think, was the securitization program, and I -- and I had forgotten, Senator Rauschenberger, that actually you had come out for that a year or two or three ago, when Treasurer Topinka wanted to securitize one hundred percent of the Tobacco Tax {sic} Settlement - one hundred percent - and the Chicago Tribune editorialized in favor of that. In between then and now, how we ended up getting off securitization, when it seemed, at that time, to be a good idea to some and not to others - maybe not to us; this time we thought it was a good idea and your side didn't. Now we've come to an agreement where we both think it's worth looking at and certainly gives the Governor the flexibility to keep open all the facilities in the State he talked about closing and keep people working. Instead of putting four hundred families out of work in Sheridan, hundreds out in Rockford, Peoria, Dixon, they can continue to work with the budget the Senate has passed. You know, the -- the way it ended up working out, we're going to have GO Bonds securitized by the Tobacco Settlement instead of just getting the Settlement money directly,

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apparently, but it all comes out the same. It's like, I think, Shakespeare said: What's in a name? Would not a rose by any other name smell as sweet? And I think that's what we've got here. We're giving the Governor a rose and I hope he does the right thing with it. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Emil Jones.

SENATOR E. JONES:

Yes, thank you, Romeo and Juliet. But it's basically true, you know. A rose by any other name smells just as sweet. And we did have a serious, serious problem in the State of Illinois, as does many other states across the country, and many states did look to the Tobacco Settlements as a means, as a means to deal with its budgetary problems. And we had a serious problem in here in Illinois. So I want to commend my colleague for -- for revisiting this issue, which he introduced, and we, on this side of the aisle, championed the cause, because we need revenue to fund the budget. And the budget that passed here with an overwhelming vote -- but didn't have the resources to fund that, and this is a means by which we can put the year-end balance in place and use those dollars on the year-end balance to help take care of many issues that we face around the State, where no prisons will be closed, mental health, work camps and all those various things. No families be hurt, as such. So this is a security measure, and it'd be very foolish of us not to take advantage of this security measure on behalf of all the people by -- of the State of Illinois. So, Shakespeare, Romeo, Juliet, let's have love. Let's vote Yes for this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR RAUSCHENBERGER:

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No state -- no state ever got in trouble from borrowing money. I don't think individuals get in trouble from borrowing money. You get in trouble with how you spend it. It's -- it's our budget that is our real challenge down here. I think Senator Jones is right. This is another tool of flexibility for the Governor's Office and I think an important one, but I would be remiss as the Appropriation Chairman if I didn't point out to everyone that this is -- does cost something. To borrow seven hundred and fifty million dollars using a ten-year amortization schedule costs about 1.15 billion dollars to pay back the cost of those bonds. And we need to keep in mind that when we borrow money to pay for today what we're unwilling to vote revenues for, that we are taxing our children. So, although this is a good tool, keep in mind it's not really designed to replace revenue or -- or tax increases or, you know, the -- the spending discipline. This is simply to manage the cash flow of the State. So, be careful. I think we all need to be careful in telling any of our constituents or other people that tobacco securitization or any bond securitization can really solve our underlying challenge on the revenues. So, I look forward to hopefully a long summer and seeing all of you in November. Please vote Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 2828 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 18 Nays, 2 voting Present. And House Bill 2828, having received the required three-fifths majority, is hereby declared passed. Ladies and Gentlemen, the Chair would admonish the Members not to stray far from the Chamber. We are in a holding pattern. We are awaiting action by the House. We are not quite sure what the House is about to do, and the Chair would ask the Members to stay

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close to the Chambers. We are not through. We have to wait and see what the House does first. Thank you. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. Like to make an announcement of an adjournment celebration hosted by Governor and Mrs. Ryan immediately after the final adjournment at the Executive Mansion. Legislators, staff and media. And you must be twenty-one years of age. You may have to have your ID to get in.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro, what purpose do you rise?

SENATOR MOLARO:

Well, we are -- we're just going to recess to the call of the Chair, is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

No -- no, Senator. We are standing at ease. We are staying in Session. We are not at recess. We could adjourn momentarily or we may have to wait awhile. See what the House does. Senator Molaro.

SENATOR MOLARO:

Well, at this point, so I could put this in the... You -- Mr. President, you really don't have to do that because this is a point of personal privilege and...

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, Senator Molaro.

SENATOR MOLARO:

...those that want to do their business certainly can. I just wanted to bring up a point, and again, you do not have to hit the gavel. I just wanted this part of the record. It's a personal privilege. We passed yesterday this comprehensive package for -- for the City, which -- which included 2.4, and it's kind of a minor miracle. For those of us who have nothing to do and want to listen to this, you can. It's kind of a minor miracle, actually,

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and I -- I just want to tell the story. That was about three or four years ago. Three or four years ago, City of Chicago agreed to this, as you well know, Senator, and what they agreed to is that they would stop funding of the -- of the well-funded Laborers' Fund in Chicago in agreement for 2.4. Well, the 2.4 percent never came, and as Senator Philip and Senator Jones knows, there was this labor leader in Chicago -- there was this labor leader. His name is Charlie Lo Verde, Jr. And Charlie Lo Verde kept coming down here and he could never understand why it is that we couldn't get this 2.4. As a matter of fact, he's gone to committee. He came to Pension Laws Commission and he came to committee, and every time everybody talked to each other, he just couldn't understand. Because, as we explained last night, it's not our money. Charlie Lo Verde would go to committee, and his best line was -- as we were talking and I would make a point in commission and so on, he'd go, "Excuse me, excuse me. Senators, what are we doing?" He says, "Let's quit fooling around. Let's do the right thing." Now, he happened to be a Korean War veteran, and it seems like that seems to be the saying, "Let's do the right thing," about these guys who served over in Korea. He could never understand why. It was his money, their money, the pension board's money. So anyway, for four years he's fighting this battle. Senator Jones. He would go to -- he would go to Mike Madigan's Office, and Mike would say, "Well, you know, Pate put this bill here..." and -- go, "Excuse me. This is our money. What are you doing? I want this bill passed. What are you guys talking about? This is our money." He never would take no for an answer. He was like a bulldog on this. Well, as unfortunate as it could be, when I called him about two or three weeks ago, he hadn't been feeling well. I said, "Unfortunately, Charlie, it looks like the pension bill is dead." Everybody knew the pension bills were dead. We were going to do it in the Veto Session. No

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way we're going to have a pension bill. We -- I worked this tiredly, everybody working. The pension bill's dead. I had called Charlie then. Well, on Tuesday morning, Pate and -- and Emil, unfortunately, Charlie Lo Verde passed away. And it was a tough loss for us, 'cause he was heck of a Damon Runyon character, always fought for his brothers in the union. And somehow, somewhere, when I got the call at 10 o'clock in the morning that Charlie Lo Verde died, about ten minutes later, I get a call on the phone and it was Carter Hendren saying, "Bob, you better put a package together. It looks like we're going to have a pension bill." I said, "What? That's impossible." Well, two days later it comes by and it was dead again. Well, we buried Charlie Lo Verde -- we buried Charlie the other day, and on the same day we buried Charlie, we actually passed the pension bill. So, Charlie, rest in peace. We have the pension bill. And, pal, if you're up in heaven, then you're probably organizing people right now, you know, bringing their -- their grievances to God. You passed your pension bill. Rest in peace. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter, what purpose do you rise?

SENATOR TROTTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR TROTTER:

In all the -- the action that was going on tonight, we were very remiss in doing something that's very important and that is, thanking all of our staffs, who really do the grunt work, who stay up at hours -- many more hours than we do, doing the work. So, to Elgie Sims, Tim Nuding and -- and all of our Appropriation staffs and all the substantive staffs, thank you from all of us.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 81, offered by Senator Weaver.

(Secretary read SJR No. 81)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver moves to suspend the rules for the purpose of Senate Joint Resolution 81. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Now Senator Weaver moves -- has moved for the adoption of Senate Joint Resolution 81. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion is adopted. Is there any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Weaver moves the Senate stands adjourned. Thank you, Ladies and Gentlemen. Have a great summer.