

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

HB0656	Recalled	21
HB0656	Third Reading	30
SB0120	Veto Message	3
SB0783	Veto Action	8
SB0783	Veto Message	3
SB1400	Veto Message	3
Senate to Order-Senator DeLeo		1
Journals-Approved		1
Communications from Senator Ronen		2
Communications from the Secretary of State		2
Message from the House		3
Senate Stands at Ease/Reconvenes		6
Committee Reports		6
Senate Stands in Recess/Reconvenes		11
Committee Reports		11
Executive Session		11
Committee Reports		12
Committee Reports		13
Committee Reports		14
Committee Reports		16
Executive Session Arises		17
Committee Reports		18
Senate Stands in Recess/Reconvenes		19
Senate Stands at Ease/Reconvenes		20
Committee Reports		20
Senate Stands in Recess/Reconvenes		23
Adjournment		65

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, the regular Session of the 95th General Assembly will please come to order. Will the Members please be in our desks? Will the guests in the galleries please rise? The invocation was already given. The Pledge Allegiance was already done this morning, Madam Secretary. So, Madam Secretary, since all those formalities were done on earlier part of the morning, could we have communications from the Secretary of State, please? Madam Secretary, Reading and Approval of the Journal for the regular Session.

SECRETARY SHIPLEY:

Senate Journals of November 2nd, 7th, 14th, 21st, 28th, December 5th, 12th, 19th and 26th, 2007; and January 2nd, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter, on regular Session. A very happy new year to you, ma'am.

SENATOR HUNTER:

Thank you so very much, Mr. President. Happy new year to you and your family, as well. I move that the Journal just read by the Secretary be approved, unless some Senators has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Hunter moves the Reading and Approval of the Journal just read by the Secretary. Being no objection, so ordered. WLS-TV Channel 7 in Chicago -- seeking leave to videotaping the proceedings. Seeing no objection, leave is granted. Senator Althoff. I'm sorry. Now we're in regular Session and we're open for business. For what purpose do you rise, ma'am?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

SENATOR ALTHOFF:

Thank you, Mr. President. Point of personal privilege. And, happy new year to you, too, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. And, a very happy new year to you. Please state your point, ma'am.

SENATOR ALTHOFF:

Thank you. I would just like to take a moment and introduce -- introduce my guest, who is here with us today. His name is Michael Streit. The gentleman directly to my right. He is a sophomore at Notre Dame University studying political science. And he's here today to observe government up-close and -- and personal. So, if we can give him a warm welcome, and as he walks around if anybody has any information they'd like to provide to him, that would be welcome. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

...welcome to the Illinois General Assembly. Welcome to the State Senate. Welcome. Madam Secretary, Communications, please.

SECRETARY SHIPLEY:

Yes. I have a letter dated October 22nd, 2007.

Dear Sirs - Pursuant to 10 ILCS 5-25-2(2) {sic} (10 ILCS 5/25-2(2)), I hereby tender my unconditional -- resignation as State Senator from the 7th Legislative District of Illinois, effective at the future date of January 7th, 2008.

Sincerely, Carol Ronen.

I have a letter dated January 2nd {sic} (7th), 2008.

Dear Ms. Shipley - this office is forwarding herewith copies of Notice of Vacancy from the Democratic Legislative

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Committee of the 7th Legislative District, declaring the existence of a vacancy in the Office of Senator in the 95th General Assembly in the 7th Legislative District, as a result of the resignation of Senator Carol Ronen, effective January 7th, 2008. Also enclosed is the copy of the Legislative Committee's Certificate of Appointment for Carol Ronen, 6033 North Sheridan, Chicago, Illinois, 60660, who was appointed to fill the vacancy in the Office of Senator, in the 95th General Assembly for the 7th Legislative District, along with her Oath of Office.
Yours truly, Jesse White, Secretary of State.

I also have a letter, dated January 9th, 2008.

Dear President -- President of the Senate - Sir, in compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills from the 95th General Assembly that are being returned by the Governor with specific recommendations for change:

Senate Bill 120, Senate Bill 783 and Senate Bill 1400.

Respectfully, Jesse White, Secretary of State.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages, please.

SECRETARY SHIPLEY:

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

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

Senate Bill 775, together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

House Amendment No. 1 to Senate Bill 775.

Passed the House, as amended, November 2nd, 2007. Mark Mahoney,
Clerk of the House.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Watson, very happy new year to you, sir. For what
purpose do you rise?

SENATOR WATSON:

Thank you, Mr. President, and same to you. And I look
forward to working with you and serving you -- with you
throughout the -- this '08 year ahead of us. I just wanted to
make an announcement in regard to one of our staffers who's over
here in the aisle over here. Peg Mosgers. Peg, would you just
wave -- wave your hand? Yeah. Peg is -- she's -- this is her
birthday today. We've had several birthdays - John Sullivan,
now Peg Mosgers. Peg's been a great staffer a long time.
There'll be a party. Jim Watson's having a party over at
Brown's tonight and it -- it is going to include Peg Mosgers and
John Sullivan. So, everybody's invited to Brown's after
Session, about 6 o'clock or so for a little celebration. Hope
to see you there.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Leader Watson. Peg, a very, very happy birthday
from both sides of the aisle. Senator Noland, for what purpose
do you rise, sir? And I apologize for not recognizing you
earlier, sir.

SENATOR NOLAND:

That's quite all right, Mr. President. Point of personal
privilege, please.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

State your point, sir.

SENATOR NOLAND:

Mr. President, we are indeed privileged to have a senior civics class from Gifford Street High School from Elgin, Illinois, in my district - the heart of my district - led by their teacher, Rod Watson. I would like to inform the Body that we ran a civics experiment down here, over at the Stratton Building, this afternoon. Whereby, I went from one table to the next, unbeknownst to each table, and asked one person at that table if they would share perhaps a French fry or a cookie or a bite of hamburger. And, I must -- I'm happy to report that three out of the four people that I asked said that they would, with no reservations whatsoever. Which points out and proves our theory here - I think out of this Body - that people are basically good, kind and compassionate as opposed to selfish and self-interested. So, I'm happy to report that, that we have good, kind and compassionate students who are going to be coming up very soon and perhaps challenging me for my position, out of the 22nd District, out of Mr. Watson's civics class. Please give them a round of applause.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized? Welcome to the Illinois State Senate. Welcome. Senator Noland, there could be a different theory out of your three out of four. Three could have been Democrats. Senator Martinez, for what purpose you seeking -- recognition, ma'am? Senator Martinez.

SENATOR MARTINEZ:

For a point of -- for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Please state your point, ma'am.

SENATOR MARTINEZ:

To all the Members here, my colleagues here in the Senate, I first want to take the opportunity to thank everyone for all your prayers, for all your flowers, for all your phone calls during my little stay in the wonderful place called hospital. I just want to say thank you. I am feeling a hundred percent better. But most important, thank you for all the flowers and everything that was sent. To -- to the other side of the aisle, the beautiful card I got, thank you so much. It made me feel a whole lot better to know that I am loved in this Chamber. So, thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome back, Senator. We're -- welcome back. Senator Noland. Ladies and Gentlemen, if I could have your attention please, for purposes of an announcement. For purposes of announcement, we'd ask -- the Rules Committee will meet immediately in the Anteroom of the Senate. All Members of the Rules Committee will please report directly to the Anteroom. All Members of the Rules Committee, please report to the Anteroom and we'll stand at ease while the Rules Committee meets.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Local Government Committee - a Motion to Concur with House Amendment No. 2 to Senate Bill 513 and a Motion to Concur with House Amendment No. 1 to Senate Bill 775; Be Approved for Consideration - House Bills 656, House Bill 824, House Bill 1334, Senate Bill 786, Senate Bill 1106; a Motion to -- Accept Specific Recommendations for Change to Senate Bill 783. Debbie Halvorson -- Senator Debbie Halvorson, Chairman. January 9th, 2008.

I have another report from Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Floor Amendment No. 2 to House Bill 656 and Floor Amendment No. 2 to House Bill 1334. Senator Debbie Halvorson, Chairman. January 9th, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, could I have your attention, please? For purposes of announcement, we have committee announcements. Ladies and Gentlemen, at the hour of 3 o'clock - - at the hour of 3 o'clock in Room 212, Executive Appointments will meet today. At the hour of 3 o'clock, Executive Appointments will meet in Room 212. At the hour of 3:30 -- at the hour of 3:30 in Room 212, Executive Committee will meet in Room 212 at 3:30. Okay, Ladies and Gentlemen, Supplemental Calendar No. 1 has been printed and distributed. It should be very, very shortly on your desks. Senator Burzynski, if you turn around, it's right there behind you, sir. So, Ladies and Gentlemen, we're going to Supplemental Calendar No. 1. And at

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

the top of the Calendar is the Order of Motions in Writing to Accept Specific Recommendations of the Governor on Senate Bill 783. That's Senate Bill 783. Is Senator Lightford -- and do you wish to proceed, ma'am? She indicates she wishes to proceed on her motion. Madam Secretary, please read the lady's motion. Could I ask Members, please be in their seats? Madam Secretary, on the lady's motion, please.

SECRETARY SHIPLEY:

Thank you, Mr. President. I move to accept the specific recommendations of the Governor as to Senate Bill 783 in manner and form as follows:

Amendment to Senate Bill 783,

In Acceptance of Governor's Recommendations.

Filed by Senator Kimberly Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford, to explain your motion, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 783, this motion basically acknowledges the Governor's two technical changes. One is regarding the State Police. We needed to transfer road funds over so that they would equal the amount of funds that we actually passed in the budget this past summer. And the other would be just to change the school year for the personnel reimbursement to acknowledge last fiscal year -- last school year with our current budget plans. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, Senator Lightford moves to accept the specific recommendations of the Governor as to Senate

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Bill 783. Is there any discussion? Is there any discussion?
Seeing none, Senator Lightford, to close, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm just extremely pleased that we're finally at this point for education spending and to fix up some of our needed areas for our State Police so that we can have exactly what they need for their budget. And, I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, the question is, shall the Senate accept specific recommendation of the Governor as to Senate Bill 783, in the manner and form just stated by Senator Lightford. All those in favor will vote Aye. All those opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 54 Ayes, 0 voting Nay, 0 voting Present. The specific recommendation of the -- of the Governor as to Senate Bill 783, having received the required constitutional majority vote of Senators elected, is declared accepted. Senator Link, for what purpose do you rise, sir?

SENATOR LINK:

Just to say hi to you, Mr. President. No.

PRESIDING OFFICER: (SENATOR DeLEO)

Hi, nice to see you, sir, and a very happy new year. And, I hope your holiday was fine and your family is well. Now, for what purpose do you rise, sir?

SENATOR LINK:

I -- and to answer your question, yes, everybody's fine and

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

I had a nice holiday. I would like to have a Democratic Caucus immediately upon recess in the President's Office.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Link has made a request that the Senate Democrats will have a caucus immediately in President Jones' Office - immediately. Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

And, I hope your holiday was a healthy and safe one, too, sir.

SENATOR RIGHTER:

It was. And, I hope yours as well was, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Please -- please state your announcement, sir.

SENATOR RIGHTER:

Thank you. The Senate Republicans would also request a caucus immediately upon recess to take place in Senator Watson's Office.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, we have a request for a Senate Republican Caucus immediately in -- in Leader Watson's Office. So, all Members will please report to their respective Leaders' offices immediately. Okay. Ladies and Gentlemen, the Senate will stand in recess. Excuse me. Senator Link, you seeking recognition again, sir?

SENATOR LINK:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Yes. I just want to note that ours will only last one-half hour so that we will be on schedule for the committee appointments.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the committee announcements have been made. Executive Appointments will meet at the hour of 3 p.m. in Room 212. Immediately following that committee, at 3:30, is Executive Committee. The Senate will stand in recess to call of the Chair. After committees -- Ladies and Gentlemen, after committees, the Senate will reconvene for further Floor action. The Senate stands in recess to call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Silverstein, Chairperson on the Committee -- on Executive, reports Senate Amendment No. 2 to House Bill 656 recommend Do Adopt.

PRESIDING OFFICER: (SENATOR DeLEO)

May I have your attention, please? May I have your attention, please? Would all Members within the sound of my voice please report to the Senate Floor immediately? We're about to go to Senate action. All Members within the sound of my voice, please come to the Floor immediately. Thank you. Okay. Ladies and Gentlemen, to fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

proceed to the Order of Advise and Consent. Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth in the Messages of the Governor dated November 2nd, 2007, and January 2nd, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Senator Hendon moves that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth in the Messages of the -- Governor's Message dated November 2nd, 2007, and January 2nd, 2008. Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of November 2nd, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of November 2nd, 2007, I will read the salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Judge of the Court of Claims for a term commencing October 19th, 2007, and ending January 21st, 2013: Norma Jann.

Mr. President, having read the salaried appointment from the Governor's Message of November 2nd, 2007, I now seek leave

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, does the Senate advise and consent to the appointment just read by -- the Governor's Message of November 2nd. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 54 Ayes, 0 voting Nay, 0 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and -- consent to the appointment just read. Madam Secretary, continuing on Committee Reports, please.

SECRETARY SHIPLEY:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of January 2nd, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of January 2nd, 2008, I will read the salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Director of the Department of Children and Family Services for a term commencing December 5th, 2007, and ending January 19th, 2009: Erwin McEwen.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

To be a member of the Illinois Commerce Commission for a term commencing January 1, 2008, and ending January 16th, 2012: Sherman Elliott.

To be members of the Illinois Commerce Commission for terms commencing January 22nd, 2008, and ending January 21st, 2013: Lula Mae Ford and Erin O'Connell-Diaz.

To be the Assistant Director of the Department of Natural Services {sic} (Resources) for a term commencing December 5th, 2007, and ending January 19th, 2009: Clifford Ford {sic} (Flood).

Mr. President, having read the salaried appointments from the Governor's Message of January 3rd {sic}, 2008, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, does the Senate advise and consent to the appointments just read in the Governor's Message of January 2nd. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 44 Yeas, 10 voting Nay, 0 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, -- continuing on Committee Reports, please.

SECRETARY SHIPLEY:

Senator Hendon, Chairman of the Committee on Executive

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Appointments, to which was referred the Governor's Message of November 2nd, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of November 2nd, 2007, I will read the non-salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Kaskaskia Regional Port District Authority for a term commencing October 19th, 2007, and ending June 20th, 2010: Bernard Heck.

Mr. President, having read the non-salaried appointment from the Governor's Message of November 2nd, 2007, I now seek leave to consider your appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator Hendon. Ladies and Gentlemen, is there any discussion? Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of November 2nd. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

the appointment just read. Madam Secretary, Committee Report.

SECRETARY SHIPLEY:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of January 2nd, 2008, reported the same back with a -- recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of January 2nd, 2008, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Illinois Finance Authority for a term commencing January 1, 2008, and ending July 19th, 2010: William Brandt.

To be a member of the Health Facilities Planning Board for a term commencing November 5th, 2007, and ending July 1, 2008: James Burden.

To be a member of the Illinois Board of Higher Education for a term commencing December 5th, 2007, and ending January 31st, 2013: Jay Bergman.

To be a member of the Northern Illinois University Board of Trustees for a term commencing December 14th {sic} (21), 2007, and ending January 21st, 2013: John Butler.

To be a member of the Illinois Student Assistance Commission for a term commencing December 14th, 2007, and ending June 20th, 2009: Kevin {sic} (Kelvin) Wing.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Mr. President, having read the non-salaried appointments from the Governor's Message of January 2nd, 2008, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Ladies and Gentlemen, is there any discussion? Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointments just read from the Governor's Message of January 2nd. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted a wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Ladies and Gentlemen, Senator Hendon moves that the Senate arise from Executive Session. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the motion carries. The Senate has arisen from Executive Session. Ladies and Gentlemen, for purposes of announcement. For purpose of announcement, may I have your attention, please? May I have your attention, please? We'll have a Rules Committee meeting immediately in the President's Anteroom. All Members of the Rules Committee, please report to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

the President's Anteroom immediately. Rules Committee will meet immediately. Thank you. Senate will come to order. Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Local Government Committee - a Motion to Concur with House Amendment No. 2 to Senate Bill 513; and Be Approved for Consideration - Senate Bill 513 and Floor Amendment No. 4 to House Bill 656.

Senator Debbie Halvorson, Chairman. January 9th, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Now we'll proceed to the Order of -- Senator Righter, are you seeking recognition? Senator Righter.

SENATOR RIGHTER:

Thank -- thank you, Mr. President. The Senate Republicans will request a caucus immediately in Senator Watson's Office.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. That request is in order. The Republicans have asked for a caucus immediately in Leader Watson's Office. Senator Righter, approximately how long will you need, sir?

SENATOR RIGHTER:

Thirty minutes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The Senate will -- stand at ease and reconvene at the hour of 7:30. The Senate stands at call of the Chair while the Senate Republicans caucus. We'll recess to the call of the Chair.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order, please. The Members please be at their desks. Senator Crotty, for what purpose do you seek recognition, ma'am? Senator Crotty.

SENATOR CROTTY:

For a -- an announcement. An.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your -- please state your announcement, ma'am.

SENATOR CROTTY:

Local Government will be meeting tomorrow morning at 9:30 in Room 409.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MALONEY:

For announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR MALONEY:

The Senate Higher Education Committee will meet at 10 o'clock tomorrow morning, Room 409. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, for purpose of announcement. Purpose of announcement. ...I have your attention, please? All members of the Rules Committee will please report to the President's Anteroom immediately. All Members of the Rules Committee, please report to the Anteroom. The Senate will

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

stand at ease while the committee meets.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

The Senate will come to order. Senate will come to order, please. Okay. Ladies and Gentlemen, we are going to Supplemental Calendar No. 2. Oh! I'm sorry. I'm sorry. Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: to be Approved for -- Consideration - Floor Amendment No. 5 to House Bill 656.

Senate Debbie Halvorson, Chairman. January 9th, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, we are going to Supplemental Calendar No. 2. At the top of the Calendar is the Order of House Bills 3rd Reading. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Thank you, Mr. President. Senate Republicans would request a caucus immediately in Senator Watson's Office.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, I think if you wait so we can adopt these amendments, for one second, I think part of your caucus questions will be answered. I don't think we'll be addressing all the amendments that have just come out of Rules, sir. So, would you bear with us one moment, sir? Senator Righter.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

SENATOR RIGHTER:

I'm not sure I understood that explanation, Mr. President.
I mean, I'm -- I'm..

PRESIDING OFFICER: (SENATOR DeLEO)

Floor Amendment No. 2 that went to committee, the sponsor's going to make a motion right now. So if you'd.. Senator Hendon, on -- on House Bill 656 seeks leave of the Body to return House Bill 656 to -- back to the Order of 2nd Reading for the purpose of amendment. Is that correct, sir? Hearing no objection, leave is granted. Floor Amendment No. 2. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I'd like to table Floor Amendment No. 2 to House Bill 656.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The gentleman has asked for Floor Amendment No. 2 to be tabled. Hearing no objection, leave is granted. The motion -- the Floor amendment is now tabled. Still on the Order of 2nd Reading. Is there anymore amendments approved for consideration, Madam Secretary?

SECRETARY SHIPLEY:

Yes, Mr. President. I have Floor Amendment No. 4, offered by Senator Hendon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, on Floor Amendment No. 4, sir.

SENATOR HENDON:

Thank you, Mr. President. As you know, Senator Cullerton has done a lot of the heavy lifting, so I want to defer to my colleague, Senator Cullerton, to explain House Amendment No. 4 -
- I mean, Senate Amendment No. 4.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, are you -- for what purpose do you rise, sir?

SENATOR RIGHTER:

Thank you. Mr. President, I rise to request a roll call on the adoption of Floor Amendment 4 if, in fact, that is what you are proceeding towards. I would also, Mr. President, again, renew my request for a caucus. I know it's not your intention to deny a request that is always in order. Can you give me some clarification on when you think that you will grant that request?

PRESIDING OFFICER: (SENATOR DeLEO)

The -- it's the intention of the Chair is to have the sponsors -- present their amendments. And before we go back to 3rd Reading, we will grant a very short, limited time, third caucus for the day for the Senate Republicans. And, which is -- that request is always in order, sir. We will grant that request and we'll just adopt these two amendments. Senator Righter.

SENATOR RIGHTER:

Mr. President, to -- to -- so I'm clear on what you're saying, is it Chair's intention to grant us our request for a caucus before the amendments are adopted or subsequent to that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, you asked for a roll call on Floor Amendment No. 4. We're going to adopt these amendments and then before we go to 3rd Reading, final passage, the Senate Republicans will caucus. Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Mr. President, I would renew again our request to go to caucus, which is always in order, before the amendments have been adopted, keeping in mind I made that request before we even went to the Supplemental Calendar.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, it is the intention of the Chair to grant you your multiple caucus request for today, sir. That request is always in order. It's still on the same issue, the issue that you asked for a caucus earlier on the amendments. We will be glad to grant that request, but we'd like to limit the time. So we will return -- the Senate will stand at call of the Chair till the hour of 8:20. The Senate stands in recess to the hour of 8:20.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. Would the Members please be at their seats. Okay. Ladies and Gentlemen, as you know, we were on Supplemental Calendar No. 2 before we went to Republican Caucus. House Bill 656 has been recalled to 2nd Reading for the purposes of amendment. It's Floor Amendment No. 4. Senator Hendon has asked Senator Cullerton to explain the amendment. Senator Cullerton, to explain Floor Amendment No. 4. But before we do that, Senator Cullerton, Senator Hendon, for what purpose do you seek recognition, sir?

SENATOR HENDON:

Thank you, Mr. President. As you know, this is the RTA bill and there are a lot of things in it and I know the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Republicans should be coming out of their caucus any second now. I'm sure they have a lot to add to this discussion. So, I wanted -- I'm -- I hope they're under the sound of my voice and they'll come on this way. This pretty much was it. So, Senator Cullerton, if he's ready, could go ahead and explain Amendment No. 4 and then Amendment No. 5 and we'll go from there, if that's okay with you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Inquiry of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your inquiry, sir.

SENATOR RIGHTER:

I wanted to confirm that my request that a roll call be taken on the adoption of Amendment 4 is still in order.

PRESIDING OFFICER: (SENATOR DeLEO)

Yes. Your request was that on this amendment a roll call vote will be taken, sir. Senator Cullerton, what purpose you seek recognition, sir?

SENATOR CULLERTON:

I have an inquiry of Senator Righter. Is it okay with him if we proceed with him being the only Republican Senator on the Floor, or should we wait? Or, does he know what happened to the caucus? Senator Righter, can you tell us where your colleagues are? I only need a...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, Senator Cullerton's question was directed

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

toward you, sir.

SENATOR RIGHTER:

If I say no, will we adjourn?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. Senator Righter, my good friend, this is a very serious matter. The people throughout Cook County and the region and throughout the State most certainly would want to see a better answer than the one you gave. I mean, this is important. This is important to the viability of the State, not just the City of Chicago. And, Senator Cullerton is trying to be nice about it. I'm certain you would not want the press to say that, you know, the Republicans wouldn't even participate in discussion on this very serious matter, would you?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Well, first, Mr. President, Senator Hendon, I wouldn't suppose to speak for all of the Republicans. I was elected by the citizens in the 55th Senate District and I will speak to them. I appreciate, Senator Hendon, as I think everyone in this Chamber does, that this is a vitally important issue. It is no more important, having said that, than the construction of new schools or the building and repair of roads or bridges in my district, Senator Hendon. That issue has been raised to you before and the notion -- and we all know the realities in this building. And, one of the realities in this building is, is

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

that in order to best assure the chances for a statewide, fair, transportation infrastructure bill, Senator Hendon, this issue that's up on the board right now and a capital plan have to be tied together. That's an ugly truth, but it is the truth, nonetheless, Senator Hendon. So, I appreciate very much...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Righter. Senator Righter, thank you. Okay. Ladies and Gentlemen, once again we are on Supplemental Calendar No. 2. We're on a recall, Floor Amendment No. 4. Senator Cullerton, to explain the amendment, sir.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is -- increases the operating funds to address the current financial crisis and provide stable funding for the future for the RTA region. It would increase the sales tax by a quarter of one percent to be imposed by the RTA in the six northeastern Illinois counties, which should raise an estimated two hundred and eighty million. It would also allow for the imposition of a three tenths of one percent real estate transfer tax to be imposed by the city council of Chicago. It -- would hope -- it's estimated that would raise a hundred million dollars. There would be a continuation of the State funding for paratransit services for disabled riders. That's already in our budget for fifty-four million. And, there would be the traditional twenty-five percent State-funded match on revenues would be phased in. So it would be zero in fiscal year '08, twelve and a half percent in '09 and twenty-five percent in '10. The important thing, I think, to know is that the operating funding for Metra, Pace and -- and the CTA would be closed -

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

the funding shortfalls would be closed. Metra and Pace will receive fifty-two percent of the new sales tax growth. CTA will get less than half percent. There will be a CTA -- will -- will be authorized to receive all of this real estate transfer tax for the pension and retiree health care costs. There will be a twenty-million-dollar fund for Suburban Commuter {sic} (Community) Mobility Fund and a ten-million-dollar RTA transit Innovation, Coordination, and Enhancement Fund. The bill contains a number of reforms as recommended by the Auditor General dealing with the RTA that would allow for a more coordinated, efficient and accounting -- accountable regional -- transit system. There's a change in the governance reflecting the growing numbers of folks out in the collar counties since the RTA Board was first set up. The RTA Board will be changed from thirteen to sixteen members. There will be five from Chicago, five from Cook County suburbs and five from the collar counties and they would elect a chair. The Metra Board is also changed from seven to eleven members. The CTA pension and retiree health care cost reforms are dramatic. They will result in eleven and a half -- or almost eleven -- almost twelve million dollars per month in savings with a combination of reforms that have been agreed to by the RTA, the CTA, the unions, the -- the -- Mayor Daley and all the business and civic groups that were involved. There will be increased contribution rates for both employees and the CTA -- of the CTA. There will be reduction in benefits and there will be a three percent payroll tax for all active employees and annuitants, as well. There will be a downstate transit operating assistance. There will be no tax increase outside the RTA region, but the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

downstaters will receive more money for their transit fund. Right now they receive a hundred million dollars, which is based on a formula at fifty-five percent of operating funds. That formula will be changed to sixty-five percent, which will result in an extra twenty-seven million dollars for the downstate funds. And there will be an additional eleven million dollars for capital grants for the downstaters this year. That's the -- details and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, on the amendment.

SENATOR HENDON:

Move to adopt Amendment No. 4.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, Senator Hendon moves the adoption of Floor Amendment No. 4 to House Bill 656. There's been a request for a roll call. So, Ladies and Gentlemen, the question is, shall Senate Amendment No. 4 to House Bill 656 be adopted. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 30 Ayes, 19 Nays, 3 voting Present. And the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for our consideration?

SECRETARY SHIPLEY:

Yes. Floor Amendment No. 5, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, on Floor Amendment No. 5. Senator Cullerton, to explain your amendment, sir.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

SENATOR CULLERTON:

Yes. This adds a provision to permit the collar counties to specifically permit their portion of the quarter percent sales tax to be used for public safety purposes as well as transportation purposes. I don't know if I mentioned it, but the bill authorizes collar counties to increase their sales tax for -- by a quarter percent by vote of the county board. If they do so, according to this amendment, they would be able to use it for public safety purposes. And, that would apply to all collar counties.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. This amendment was put in in the spirit of bipartisan cooperation and we'd appreciate a affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you. Senator Cullerton moves the adoption of Floor Amendment No. 5 to House Bill 656. There's been a request -- renewed request on this amendment also for a roll call. Is that correct, sir? Senator Righter.

SENATOR RIGHTER:

Yes, Mr. -- Mr. President. We would request a roll call vote on the adoption of Amendment 5. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Amendment No. 5 to House Bill 656 be adopted? All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 31 Ayes, 21 Nays, 3 voting Present. And the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. 3rd Reading. Now on the Order of 3rd Reading comes House Bill 656. Senator Hendon, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 656.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, to the bill, sir.

SENATOR HENDON:

Thank you, Mr. President. To the bill: Senator Cullerton has explained the amendments, which have become the bill. There are a number of reforms in here that people have said are necessary to move forward. This, if it is approved tonight, would bail out the RTA/CTA and address the public's transportation concerns within the State of -- the State of Illinois and the -- the County of Cook. It also has provisions in here for transportation dollars to go to other places throughout the State. We have reforms on the board that other people have requested would be necessary in order to move this

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

forward. Hopefully, this long-term solution will solve the problems of the -- transportation problems that we have in this region. It is supported by just about everyone concerned with this very vital issue. And, I'll be happy to answer any questions at this time. Also, let me -- I want to thank Senator Iris Martinez, Willie Delgado and, most certainly, Senator John Cullerton for the great work that they've done on this bill. We also have on the Floor, the House sponsor Representative Julie Hamos, who's done a yeoman's work on this. So I'd appreciate an Aye vote. I'll be happy to address any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Is there any discussion? Is there any discussion? Senator Radogno, for what purpose do you seek recognition, ma'am?

SENATOR RADOGNO:

Speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR RADOGNO:

Thank you. I represent the area that is impacted by this and I am going to be voting No. There's a number of reasons for that. I don't think this is the best we can do for our constituents who are in suburban Cook and the collar counties and even the City of Chicago. Mass transit clearly is important to the State. It's important to northeastern Illinois and as a consequence, important to the entire State. But this bill -- and I do agree that there's been a lot of good work that has been done on it. There's been some good concessions made by the labor unions and that's a positive. But, I think there's more

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

that we can do in that regard. It does not ask the riders to participate in this solution. So, in my area, where we have access to some of the services, many of my constituents cannot use mass transit. It simply isn't available. This bill doesn't make it available to them. And, it asks them to pay more for the people that are using it without asking those individuals to pay for it. And I do understand that there is a public benefit to mass transit. However, the people that benefit from that, first and foremost, are the people that are using it. I understand also that it's important for people that perhaps can't afford private transportation to have access to mass transit. That's important, as well. And if we have individuals that need that mass transit and who can't afford it, we should identify those people and help them make it affordable. But, for folks coming in from many of the suburbs and making a trip for fifty or sixty miles that would cost them probably fifty dollars a trip to make that, not to ask them to participate in this solution is wrong. To ask the folks who are professionals riding into the Loop from Lincoln Park not to participate in this solution is just wrong. It's not fair to -- to our constituents that don't have access to these services. Additionally, I think that this bill doesn't force these service boards to become more efficient. Unlike private industry, when there's competitive forces, they have to get -- to reduce routes that aren't well-used, to reduce -- overlaps. We've seen this in the airline industry. But there's no competitive incentive, in this system, to make these service boards become more efficient. It's difficult for me to believe there is not a single, solitary route in the CTA territory, the Pace territory

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

- a single train route that -- that couldn't be cut or consolidated. That's just not true. And, as I talk to constituents, they have ample anecdotal evidence of -- of those kinds of consolidations that should occur. So, I think this bill is not ready for prime time. There's been a lot of good work done on it. It is definitely not the best thing that we can do for our constituents. And, we're raising their taxes twice. Once for the counties - and giving -- giving that money to the counties, as well - with not a lot of strings attached to how they spend it. And then their sales tax, which again, is one of the most aggressive taxes that there is. So, I wish we had a better bill to vote on. I'll be voting No on this and would encourage others to do so.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SYVERSON:

Thank you, Mr. President. Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SYVERSON:

During the introductions of the legislation, there was talk about the State making a -- making a match to this program. How much does the -- is the State having to put into this bailout program?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Cullerton.

SENATOR CULLERTON:

Currently, and for the last twenty-eight or so years,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

there's been a twenty-five percent match for the RTA region for the sales tax that's been collected. Under this bill, although there's an increase in that sales tax, the first year there's no match by the State. The only money that comes from the State is for the downstate mass transit system, approximately thirty-seven million dollars. The following fiscal year, that match will be twelve and a half percent. Then the year after that the match would be the full twenty-five percent.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

And -- and, what is that twelve and a half percent equate to, from a dollar standpoint?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

You mean the next year? I think it'd be forty-seven million dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

So ninety-five million dollars, when fully implemented, would be paid for by the State taxpayers for this program. And, in turn, they'll get a small portion of twenty-seven million back for some downstate transit funding under this proposal.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

No. The downstate portion starts this year. They get

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

thirty-seven million dollars and a change in the formula permanently. So, that the hundred million that they get every year increases to approximately a hundred and twenty-six million. That's the downstate portion. Okay? The RTA portion, just so you know, right now, we have a sales tax in the RTA region that brings in about seven hundred and fifty million dollars and there's a twenty-five percent match of about a hundred and ninety million. Under this bill, with the sales tax increase and the tax in Chicago, we're going to raise three hundred and eighty-million dollars and eventually -- in three years there will be the twenty-five percent match, which is the ninety-five million dollars that you referred to.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Then I guess just a follow-up on -- on the question, the other -- that -- that Senator Radogno had then. There's no fare increases in this proposal at all? Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

No, that's not true. We have a statute that still stays on the books called a farebox recovery. And that still stays on the books. There is a five-year phase of that statute where there's an exemption, if you will, of forty million dollars each year. And, if, for some reason, these taxes don't bring in enough money and the fuel costs escalate, that -- that statute would require a -- a fare that would, after the exemption, that would require a -- a fare increase. So that's very, very

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

possible. And -- and the estimate is, that for the first year or so, that would not be necessary. But that statute still remains in there. And after five years, that -- that exemption is phased out altogether.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Can you...

PRESIDING OFFICER: (SENATOR DeLEO)

We have nine people seeking recognition, sir. Could...

SENATOR SYVERSON:

Thank you. Could you tell me where in the statute that is says that there's a -- that -- that this mandate occurs?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator...

SENATOR SYVERSON:

There's no mandate anywhere in this legislation that says that - for fare increases.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

The farebox recovery statute is current law. In this bill, there has been a modification to that. And, it was quoted in the Executive Committee - the page, and it was referenced, I think, by the Republican staff. And they asked what does this mean? And Jim Reilly, from the RTA Board, explained what it meant, which I hope I've accurately described it. There's -- it still stays in there. There's a modification to that statute over a five-year period. There's like a -- forty million dollars a

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

year is exempted from the formula when you're trying to figure whether or not the fares need to be fifty percent of the operating cost.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

I'll wrap it up with this then. I guess my concern is why hasn't there been a -- a fare increase then over the last few years? When this -- this problem has been growing, the fares stayed the same. Why didn't that farebox increase kick in at any point in the - in the past when this crisis was -- was -- was being created, if it was mandated that these increases were going to have to occur?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Senator, if you're just referring to the CTA, there's been fare increases. There was a fare increase three years ago. Over the last six years, there've been a thirty-three percent fare increase. It's because the statute requires it. Okay? And it's kind of complicated because, you know, there's -- there's ridership. You can have increase in ridership. You get more money in, so then you don't have to raise the fares, 'cause you've got more money. It's a -- it's a formula. I think it was imposed by -- by the General Assembly way back twenty-some years ago. And it remains here. The -- the -- the theory behind the phase-in is 'cause we didn't want to have dramatic draconian rate increases because that affects ridership as well. And so that's why it's in here.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, for what purpose do you seek recognition?

SENATOR TROTTER:

Just to comment on the bill. Thank -- thank you very much, Mr. President. So there is no confusion how I'm going to vote on this bill, I am going to vote for it. First and foremost, because it's the only thing that's on the table today. But I'm going to do so with an extreme prejudice. And those prejudices are, one, I'm offended and my constituents are offended by the hustle that has been placed upon this Body, this esteemed Body to bail out the CTA and the RTA in the first place. 'Cause this is not a situation that we created. I'm offended because, once again, we're hearing from individuals who are saying, in this scenario, that the City of Chicago, the region, the economic engine of this State has to come up with more money, to do what? Bail out the system. And that is what it is. It's a bailout that we're doing today. Six counties in this State pay 73.7 percent of all personal income taxes and sales taxes. Those six counties are what? The northern region - Cook County, Lake County, Will County, DuPage County and the other surrounding counties that pay all the dollars -- 73.7 percent of the dollars to make things happen in this State. I'm hearing -- hear from individuals who are saying, "What am I getting out of it?" You get, one, the creditworthiness that this State has from our taxpayer dollars. And you're asking my taxpayers, Joe Bungalow, to pay another tax so we can keep this State running. I think that's unconscionable. We're asking -- or, you're asking us who - one, because you do not have the bondworthiness or no other dollars to get bonds. And, we bail you out all the time with

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

the Illinois Finance Authority, SWIDA, Upper Valley Authority, giving you our moral authority of the -- the strength of this State so you can get roads and you can get new schools and you can get whatever you need - public works projects to keep going. And you're saying, "What am I getting out of it?" You're getting two million people a day going to work, paying taxes, paying sales taxes to keep our State going. And with our creditworthiness and with us trusting you, you've defaulted on over a hundred and seventy-one million dollars of those projects that you've put forth that you said, "Bail us out." So, now, you want my taxpayers to bail you out again with a new tax. My county board commissioner -- or President has already asked for another tax. We're bailing out. We're taking care of ourselves. My mayor has asked for another tax to keep us going. And now you're making me lie to my constituents, 'cause I tell my constituents, "When you send me to Springfield, I'm going to go down there to help enrich your quality of life of bringing your taxpayer dollars back." And I'm not bringing their taxpayer dollars back. I'm charging them another tax to keep the State going. So this is -- this is a bad deal. But in the absence of a good deal, which I think there -- should be some kind of diversion, we should have another plan on the table to make things happen for this State, to make this State and keep this State viable. I'm going to vote for this, but I think it has to be in the record, forget the garbage, forget the pimping that we get from the City who is saying that it's our fault. It's not that. Forget the hustle that has now been happening or -- or that we're hearing from other folks, saying I haven't got everything that I want. It's called -- we need to come together

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

with some real solutions. But, in the absence of the real solution, I'm going to vote for this. Hopefully, something else will come over. I'll be on that. But we have to keep this State working, in spite of the narrow-mindedness that has permeated this Body. So, with that being said, I will vote for this, Senator Hendon, my good friend, because somebody has to do something and this is the only something on the table.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Murphy, you seeking recognition, sir?

SENATOR MURPHY:

I am, Mr. President. Thank you very much. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

Senator Cullerton, the -- there are pension reforms that were in Representative Hamos' bill. Are those in this bill as well?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Those pension reforms change it so that with the CTA pension in particular, employees who currently work three years, at the age of fifty-five, can retire with health care for life.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Under this bill, that would go to working ten years and retiring with health benefits for life at sixty-four. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

You -- you might know. I'd have to refer to the bill to be able to say. I -- I think you're right. I -- I don't have the -- that provision of the bill right in front of me, but I think it's right.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

...you, Mr. President. My understanding is that our -- our fine State employees have to work twenty years for that benefit. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Well, do you want to compare it to what the State employees have or do you want to compare it what the CTA employees had before they gave up all these benefits? I would argue and emphasize how much these unions have voluntarily given up. Okay? That's codified in this bill. That's -- that's all I would suggest to you would be fair.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Their efforts in that regard are commendable. But -- but, I guess the point I'm trying to make is, I'm wondering why we

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

are giving a benefit package, even with the concessions, to one group of public employees, the CTA employees, that is far more generous than the one that we're going to give to State employees, when the CTA is the one in -- in fiscal crisis. Isn't there an opportunity to even this out and save taxpayers more money and have some equity across the State among what these public employees get in the benefit package?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Well, I guess you're saying you're happy that there's some pension reforms in here, but you wish that they'd be even more generous. And, something tells me, that wouldn't get your vote. But, I -- I'm just saying this is the first time we've codified some major public employee pension reforms. And this was done by negotiation. So, that they're not down here asking us to vote No on the bill. They're -- they're for it. So, I think that's a pretty dramatic improvement. And, it -- it -- it saves almost twelve million dollars a month for the system. I'm sorry it's not fourteen or fifteen. But, it's -- it's a very important part of the bill and a reason to vote for it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

It is an extremely important part of the bill. But, again, I think -- I think this dialogue illustrates that it doesn't go far enough and that we could have significantly more savings. Another issue I'd like to follow-up on with a question of the sponsor.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, acknowledges the question, sir. Senator Murphy.

SENATOR MURPHY:

You guys tag-teaming me?

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor of the bill, sir. You said the sponsor of the bill.

SENATOR MURPHY:

Okay.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor of the amendment or sponsor of the bill or a question? Who -- who would you like to...

SENATOR MURPHY:

Whoever wants to answer this one if fine with me.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Okay. Senator Murphy, you have the Floor, sir.

SENATOR MURPHY:

How much, combined, do the City of Chicago and the County of Cook contribute to the CTA every year? Our understanding is it's five million dollars as set in statute in 1983. Is that still accurate?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Three -- three million from the City, two million from the County. I would agree with you that they should have more skin in the game. That's why we're asking them to do some things at the city council level to also help bail out CTA.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Our staff informed us today, New York City puts two hundred and forty million dollars into a comparable system; San Francisco, a smaller city than ours, puts about a hundred and twenty-one million dollars into the comparable system. And, I guess what I'm -- what I'm trying to figure out is, isn't there a way, short of raising sales taxes in -- in an area that's already got the highest sales tax in the country, to fill this hole?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

I'll simply say - and I'm not trying to be funny - but New York does what New York does, and San Francisco can do what they want to do, but this is the State of Illinois. I agree with you, the City of Chicago should put a little bit more in. We -- if we pass this today, I've been informed by the -- the parties that be, CTA/RTA, there won't be any fare increases in the near future. There won't be any service cuts in the near future. Even though I'm not crazy about a sales tax, we need to keep the system moving and if we can do it without a fare increase or service cuts, I think that's the thing to do.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

To close to the bill: Everybody here acknowledges the critical importance of mass transit in the Chicagoland area and

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

the critical importance to the economy of the Chicagoland area or the whole State. We need these agencies to be spending the money we're already giving them better than they are. We need to demand better from them, before we give them more. This bill doesn't go far enough, in that regard. I commend Representative Hamos. I commend Representative Mathias and the sponsors here in this Chamber for exacting the -- the concessions that they've gotten to make -- to get this bill to this point. But it's simply not good enough. We can do better. We can't afford to overtax this region, that is already overtaxed, any further. It can be done better. And, before I go to any fixed-income seniors in my district who have never ridden the CTA, are never going to ride the CTA and say, "You pay more to pay for people in Chicago's ride to work," I think we've got to do better than this. And I'd urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Righter, you seeking recognition, sir?

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Another caucus?

SENATOR RIGHTER:

Well, I assume we'll still be here for a while. Maybe I'll ask for one later. For now, could I just speak to the bill, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

...bill, sir.

SENATOR RIGHTER:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Thank you very much, Mr. President, Ladies and Gentlemen of the Chamber. You know, this is a big State. It's a diverse State and, by any objective measure, it is a difficult State in which to govern. Maybe not as difficult as it has appeared in the last twelve months or so, but certainly difficult. And one of the -- one of the issues that always vexes us are these transportation issues, because transportation in the City of Chicago and the collar counties is dramatically different than transportation, obviously, in the downstate areas. And, believe it or not, even though I'm just a downstater, even my constituents appreciate the fact that the Chicagoland area is a vitally important area in this State. And, that people have to get to work, they have to get to the doctor's office, they have to go to all the places they have to go in that area and they have to do it in a different way than we do it in my district. So, there's not this ironclad, "You know what? We're not for anything. The heck with them." What they object to, though -- what they object to is watching a system, which structural deficit has largely been created because of mismanagement issues, then be bailed out. And we know -- we know that that's the case, because that's what the Auditor General has told us. That's what the National Transportation Safety Board has told us. And, better yet, for all of you, that's what the Senate President told us in Executive Committee, when he was talking to both Mr. Reilly and Mr. Huberman. And he's right, as is the NTSB, as was the Auditor General. And that's what they object to. And, if anyone doubts that the City and the county are walking away scot-free on this, just remember what Senator Murphy raised. Five million dollars is the total -- total skin

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

in the game, out of the general revenue funds, for the county and the City, which is a stunningly -- stunningly low figure. Now, that's true, the City -- under this bill, the City Council can go and tax their people some more. But, that's not what we're talking about. It's easy to just go pull more money out of people's pockets and say, put the money into the system. And that's what this bill does. The real estate transfer tax in this bill will be the first in this State that can be imposed without a voter referendum - the first. And so you have to ask yourself, is it smart to give that authority to -- to any municipality in the State, much less, perhaps, what some people characterize as the tax-happy City of Chicago? But, the biggest issue here is an issue that Senator Hendon, you and I had a chance to visit about earlier. And that is the issue of a transportation resolution and solution for all one hundred and two counties and not just the northeastern part of the State, as prominent and as populous as it may be. I commend your efforts, Senator Hendon, on trying to achieve a capital bill. I particularly commend the efforts of the Senate President for his efforts, likewise. But the reality is, in this capital city, is that there are two Chambers. And as much as you have done to make it clear - just like as much as Senator Watson has done to make it clear - that we want a statewide transportation solution, the Speaker of the Illinois House of Representatives, not by word, but by deed, has made it equally clear that he is not interested in one. He's also made it clear that he desperately wants this problem that we are debating now fixed. And, if you want a solution for all hundred and two counties, if you want a real statewide construction bill that will build

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

schools and roads and bridges everywhere, then it's got to be tied to this. It's got to be tied to this, because if it's not, then the Speaker has no reason to sit down with us again to talk about these issues. And that, by itself, is a good enough reason to vote No on this bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Senator Carol Ronen, are you seeking recognition, ma'am?

SENATOR RONEN:

Yes, Mr. President. Thank you. I want to speak to the bill. I want to speak in -- in favor of this piece of legislation. I think we all acknowledge that there have been problems in the running of the CTA and oversight in the RTA. But those are things of the past. Those are issues that have been addressed and I think this bill represents some significant change. We also have to acknowledge that a -- a vibrant functioning mass transit system in that six-county region is important to everybody, not just people who ride public transportation, but to everybody who travels through that region. It's a critical, critical component that makes this -- the region thrive, and, therefore, the State thrive. What we're talking about today, I would say, is not a bailout, but it's allowing local governments to address local problems. And, I would suggest, that the reason we're having so much problems and contention trying to deal with this on a statewide basis, is that this is a problem that needs to be dealt with in the region where the problem exists. And, simply stated, that's what this bill does. It allows those -- that -- those counties, via the RTA Board, to approve a tax increase. It allows the City of

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

Chicago to approve a real estate transfer tax. And I would say those bodies are -- are responsive to their constituents and let them be responsive to their constituents. So far, the only solutions that others on the other side of this issue have talked about is raising fares or cutting buses or trains. Neither of those things make sense for people who rely on public transportation. And that's what we're talking about today, making this a better system for public transportation. Insofar as capital is concerned, the -- the way we have been talking about funding capital today via gaming is a very complicated and complex issue. But capital is an issue that everybody, every Member in this Chamber, cares about and we will be working towards. But it shouldn't be tied to this issue that just relates to the six-county region that will be solved, not by the State, not by us using our revenue, but allowing those regions to raise taxes. And if their constituents, constituents of the -- of the Chicago City Council and -- and people who refer to the RTA Board, can make their opinions known. I think all of us have been overwhelmed with calls and letters and pleadings everywhere we go for the last couple of months from people who care about mass transit. And to a person -- they all say raising -- allowing the -- the local areas to raise this sales tax, just a small portion, is a great idea and something they wholeheartedly support. So, I -- I would just urge everybody to allow this to happen. Vote Aye on -- on this bill and support the notion that local areas -- the -- the problem that is facing the -- the region in the northern part of the State can be solved by that region. I would hope everybody would vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

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

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The gentleman has moved the previous question. We have one, two, three, four, five, six people seeking recognition. Senator Schoenberg, for what purpose do you rise, sir?

SENATOR SCHOENBERG:

Thank you, Mr. President. I rise to speak in support of the bill. Mr. President and Ladies and Gentlemen of the Senate, throughout my entire career I've represented almost an exclusively suburban area. And my area's needs don't stop at Howard Street, when we reach the City of Chicago line. In fact, the Chicago Transit Authority extends through several communities by both bus and train - through Skokie, through Wilmette, through Evanston. We understand the interrelationship of communities. We understand the dependency that we all have on each other to make this wonderful State work. We understand the shared commitment that we all have to other portions of the State, not just in transportation, but in education, in health care and in other core functions of services that we provide to our communities. I have to say, I -- I -- one vivid memory keeps coming back to me, in all this discussion about the mass transit solution in the metropolitan Chicago area and throughout the rest of the State. Wasn't that long ago, a couple years ago, on a far more modest level, there was a virtual love-fest

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

here at the Capitol when we finally broke the logjam and doubled the subsidy that we give to expand Amtrak service throughout Illinois. Now I had an interest in that. The Amtrak Hiawatha, seven times a day leaves Chicago, stops in Glenview in my suburban district and extends to Milwaukee. My interest in it originally was just that the State of Illinois keep their share of the interstate compact that we have with the state of Wisconsin in order to subsidize it. The overwhelming majority of that subsidy went to provide expanded service - doubling routes, doubling routes from downstate Illinois to Chicago. And if you look at how successful that's been, where has that traffic come from? The traffic has disproportionately come from those downstate communities to provide them with access to the City of Chicago and the metropolitan Chicago area. There's traffic that -- the trains go both ways, but there's been far more traffic - and I think we all agree, Democrats and Republicans, upstate and downstaters, we all agree there's a good thing going. Ridership has exceeded expectation. With additional investment, both in routes, as well as in equipment and in tracks, we can do even better. But the train runs both ways, even if there's more traffic one way than the other. We need our trains in the metropolitan Chicago area. Our businesses need our trains. How many times have we heard here at the Capitol of the need to do more to help business in Illinois? Here is your opportunity to help business, not just the employees who maybe can't afford or shouldn't be adding to the congestion of the -- of driving every day, but to the employers who count on people being able to get there -- to their jobs reliably. This isn't a City issue. It's not a

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

suburban issue. It's not a downstate issue. We all have a stake in this. And I just want to close with one other observation. It is a gross error to try to leverage support for this particular issue to attain a better outcome on other issues. This can stand on its own merit. This does not have to be tied to a capital bill. It does not have to be tied to the number of boats or casino licenses which are issued. This is a regional solution to a regional problem that ultimately touches all of us. During the holiday season, I took my family into downtown Chicago. I can't tell you how many people I saw from throughout the State in downtown Chicago, people who had come from -- the Peoria area or Champaign-Urbana, or the Quad Cities or -- and the metro-east area and from surrounding states, all wanted to come to downtown Chicago to go to the shopping, to see the windows at Macy's on State Street, to go to Millennium Park and see the Bean and take their picture. Nobody said you have to stop here, here's where the line is. Chicago belongs to all of us. The metropolitan area belongs to all of us. We all have a stake in this investment, regardless of where we live, no strings attached. Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, -- Senator. Senator Brady, are you seeking recognition, sir?

SENATOR BRADY:

Thank you, Mr. President. First of all, let me extend a bipartisan welcome to the newest appointed Member of the Illinois Senate, Senator Ronen. Congratulations.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Carol Ronen, welcome. Our new freshman Member.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

SENATOR BRADY:

Welcome back. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

You know, let me -- let me first say that the Chicago Transit System is important to all of us, I don't care where you live in this State. There's no question that Chicago is the economic hub of this State. And moving people to and from work and to and from their doctors' appointments and to and from where then need to go is important to all of us. And, frankly, as I've sat back and watched this cluster of mismanagement and lack of leadership, I've really felt sorry for the City of Chicago, because the truth of the matter is, whatever our answer is to them, they deserve that answer. You know, there's over a billion dollars appropriated to the CTA and additional money for the rest of the transit system. But we have failed to give them the answer they deserve, because we have failed to provide the leadership that we need to here to say, this is what you're going to get, make the money you have work. And here we go again. And my point to the sponsor, in spite of what we might wish, a Legislative Body that didn't need gubernatorial approval, we have a Governor who has to pass the laws and sign them into action. That particular Governor held us hostage over the last year because he wouldn't support a tax increase, income and sales that was proposed by his Democratic colleagues. Here we go again. In case I missed something, the Governor has not said he'll sign an increase of a sales tax. He hasn't changed what he wants to do, but here we are again, one more night, one

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

more evening wasting time, passing a piece of legislation that will require an increase. In the last vote I saw, you had thirty votes on this bill, not enough to override the Governor's veto. So my question to the sponsor is, why are we doing this, if the Governor's going to veto this bill? Why are we, once again, wasting our time, wasting the time of the people of Illinois and letting down the people of Chicago, who more than anything deserve an answer to what we're going to do so that they can make their transportation system work as best possible?

PRESIDING OFFICER: (SENATOR DeLEO)

Is that a question?

SENATOR BRADY:

The question is, why are you wasting everyone's time in delaying a solution to the Chicago crisis, when you know and I know the Governor's going to veto this, if he's a man of his word? And we all have found that when it comes to increasing sales and income taxes, he's been solid on that. So why are you doing this when you've only got thirty votes and you can't override his veto?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

First of all, I'm -- I'm glad to hear that you believe the Governor is a man of his word. I don't think that's what you called him last year. But, I believe that, in my conversations with the Governor, he knows that this needs to be done. And I will stake my relationship, which is a good one, with the Governor that he will sign this bill. In addition, it's not about the Governor. It's about the riders. It's about the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

citizens. It's about the businesses that need and depend on public transportation. That's what it's about. I don't like the sales tax either. I don't like that there's not a capital program either. But it's about the riders. It's not about the Governor, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Senator Hendon, there's no question that what we do is about the people of Illinois. And I -- I must say, I think you just contradicted yourself. You just said the Governor's a man of his word. But yet, you've assured us that he is going to back down on his word and sign a bill that will increase the sales tax, which he promised the people of Illinois, who we're all trying to support, that he would not do if reelected. What -- what am I missing here?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

First -- first of all, Senator, it's not a waste of time. I don't think the people who are depending on this transportation would think it's a waste of time. Secondly, you said the Governor was a man of his word. That's what you said. I believe that the Governor is intelligent enough to know that situations change. It's just like a football game. Sometimes you got to punt. Sometimes you can throw the bomb and go for the score. Sometimes you have to kick the field goal. The Governor is intelligent enough to know that the game has changed, the situation has changed and, therefore, he would not

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

be breaking his word. He would be showing the people of Illinois that he is bright and intelligent Governor and smart enough to know when an adjustment is necessary.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Senator, just one final question, because maybe -- maybe you all, without our votes, will have solved this. But you are telling us, speaking on behalf of the Governor, that the Governor is going to break his campaign promise and support a sales tax increase - something he promised the people of Illinois he wouldn't do if reelected?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

First of all, I don't speak in behalf of the Governor. Every now and then, President Jones allows me to speak for him - every now and then. But, I most certainly do not speak for the Governor. But I do know the Governor and I do know that he's intelligent enough to know when a change is necessary.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval, you seeking recognition, sir?

SENATOR SANDOVAL:

Yes, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Very happy new year to you. Nice to see you, sir.

SENATOR SANDOVAL:

Thank you, Mr. President. Ladies and Gentlemen of the Illinois Senate, just a few hours ago, I was on my way back from

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

vacation from Mexico, traveling with my family. And I have had the opportunity of, prior to Christmas, traveling through the entire State of Illinois on December 22nd, as I did just a few hours ago. And as I drove through Cairo and Effingham and Sandoval and Salem and Mt. Vernon and -- and all the other states -- all the other municipalities and towns downstate, I thought a lot about, once again, the words and the advice given to me as a young Senator just five years ago in my orientation by Republican and Democratic Senators. And they informed me and advised me never to forget that when we vote on matters in the Illinois Senate, we are not only voting on matters that are reflective of our -- the needs of our constituencies and our districts, but we are voting as Senators for the entire State of Illinois from Cairo to Chicago. Isn't that so? Were those fallacies? Were they blatant lies? On my way in -- in to Springfield this evening also, I remember the stories that my colleague, Senator Willie Delgado, dictated to me over the summer, as we sat here in the hot summer months in Springfield. He was telling me the stories of when he was a bus driver, a CTA bus driver, driving the buses down Cermak Road in Cicero and in Chicago. And he was telling me the plight of the young children and the young mothers and the poor folks, the working class people of Chicago and suburban Cook County, who road day in and day out the Cermak Line on the CTA. You know, it's been a long year and it'll continue to be another long year in 2008. You know, this matter is not about downstate, upstate, west side, east side. And I have not been on the same page with President Jones or many of my colleagues of the Illinois Senate this past Legislature, but I did say from day in -- day in and day out

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

that I was sent here this past year and I will continue to represent the people of Illinois when it comes to education, transportation and creating jobs. And on everyone's mailer - and I've sent out a few mailers this past year - and I've looked at Republican mailers and Democratic mailers and everyone boasts about solving the education crisis in Illinois, and everyone claims to boast about solving the transportation crisis in Illinois, and everyone boasts about creating jobs in Illinois. Here is an opportunity, another rare opportunity in the Illinois Senate, to solve one other crisis, to live up -- to one of the commitments that most of us - I can only surmise that all of us made in our mailers to our districts - that we would solve the transportation crisis in Illinois. Whatever happened -- whatever happened to those words of advice that I was told, that we are Senators for all people from Cairo to Chicago, and that we were sent here by our constituencies to vote for all the people of Illinois, not just for the people of our district. I'm not going to stand here and try to convince anyone, 'cause you have all made up your minds. Those of you who are going to vote against it, well, vote against the people that you all purported that you would save the transportation crisis in your backyards. I stand in support of this bill. I ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator John Cullerton, seeking recognition, sir?

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is a -- a bipartisan, fair and balanced bill. It was put

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

together primarily over in the House with a bipartisan effort by a committee that was set up by the Speaker and we have joined in supporting it. It is a bill which is very, very fair for all parts of the State. The suburban areas of the Chicago area do very well under this bill. This bill contains a capital bill. This bill contains a sales tax increase for the collar counties if they so enact it that can be used for bonding purposes for capital. This bill increases the representation on the RTA Board for the suburban areas. It, as I said, does a comprehensive reform of the CTA pension and retiree health care system, something that would -- you'd expect to be demanded by suburban riders. And the downstaters, without a tax increase, gets a permanent change in the formula. They get an extra thirty-seven million dollars. Now, it has to be paid for by something. It's a sales tax. So, when you spend four dollars for coffee or hot dogs, yes, you're going to have to pay an extra penny so that we don't have a massive shutdown of service for providers in the Metra, Pace and RTA and CTA region. The city's contribution came up. Where do you want the City to get their money from to contribute to the CTA? Where does the City get its money from? Property taxes? Do you want to raise property taxes, so we can give more money to the CTA? This is the way it's been raised. This is the way the money's been coming for twenty-some years - by a -- by a -- a sales tax. And the reason why we need more money, according to the Auditor General, is not because of mismanagement. There hasn't been enough money in the system. This is something which plagues the whole State. The sales tax system that we have here has a -- a number of loopholes, it has a number of exemptions, and it has

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

not kept up with inflation. That's why we don't have enough money. And an overly generous pension system, which is corrected by this bill. It's not the best we can do, was pointed out. Well, it's a lot better than taking four hundred million dollars out of General Revenue with no backfill. That's been proposed. I think it's a lot better than that. Wouldn't you say? I haven't seen the alternative. I haven't seen what the alternative is. And who does it benefit? It was suggested it doesn't benefit my people. I -- now, I just want to make this point again. If you drive down the Kennedy Expressway and you look over at the train, the CTA train going downtown, there's a hundred people on one of those cars. If they weren't on that car -- on that CTA car, they'd be driving on the Kennedy. This is not about the people who just take the CTA or the RTA or Metra. If you keep on thinking like that, it's wrong. We've got the second-most congested area in the nation for traffic. This is going to get people to continue to take, and increase the number of people that continue to take public transportation so that the people who drive can get to work faster. And by the way, there's obviously a benefit for the environment, which hasn't even been mentioned yet. Now, as far as the Governor's concerned, I don't know. You know, my understanding of the Governor's pledge is that he was against an income tax or a sales tax increase on a statewide basis when he made -- in both of his campaigns. I would argue this is a regional sales tax and it doesn't come under his exemption. If he signs this bill, maybe people will accuse him of being a flip-flopper. Maybe they'll accuse him of being like a Huckabee or a Giuliani or a Romney. Maybe that's what they'll say about

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

him. But I don't think it's fair to say that he would be a flip-flopper. I think it's real simple. And -- and one of the reasons why we changed the sponsorship to Senator Hendon, quite frankly, is I feel that if we take the State Police away and have Rickey go in there and talk to the Governor, just one on one with the bill, I think there'll be a signing ceremony right there in his Office. So I think that it makes sense for us to vote for the bill for all the reasons that I stated. It's a -- it's an embarrassment that we have not done this. We are looked upon with ridicule throughout the State. There's editorial support throughout the RTA region for this bill, even though there's a sales tax increase. Newspapers in Naperville are in favor of supporting this piece of legislation, because it's balanced, because it's fair. I would urge you to vote for it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Cullerton. Our last person seeking recognition, speaking on this issue is Leader Watson and after Leader Watson, Senator Hendon, to close. Leader Watson.

SENATOR WATSON:

Thank you, Mr. President. And I appreciate the opportunity and I don't think that the lot of us on this side of the aisle would argue with -- with much of what's been said, certainly what you just said, John. The congestion on the highways and the environment, those are not issues that -- that are troubling to us. And I do, I -- I agree with Senator Righter, we worked well with -- with President Jones and I appreciated that and Senator Hendon and many of you over there - Senator Sullivan, others - trying to do something what would've been good for the entire State, and that's a capital bill. And that's -- and I

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

had an amendment offered. Unfortunately, I guess it got held up in Rules. Amendment No. 3 would have been that no bill -- this bill does not take place, doesn't happen until a capital bill is a part of it. And that's what we're -- what I'm about over here. I'm -- I understand that there's the needs in the -- in -- in Chicago and I want to be a part of the solution. I've made that very clear to the President and anybody, the press. I don't care. I've said it very clearly. I want to be part of the solution and I know you have a problem, but this is a big State. It's a big State and there's issues throughout this State that need to be addressed. And, unfortunately, I look at this as the train leaving the station on our capital opportunities. I don't think that we'll see much opportunity in the area of a capital infrastructure bill if this passes. And as I said in committee, I hate to use the word leverage, but this is all we have and this is a huge issue for the metropolitan area. And I can see where the Mayor of Chicago would demand to have this legislation -- something like this legislation, so that he could solve the problems of the CTA. I could see where he would demand that. If we vote No tonight -- if we vote No, send the message that, yes, Mayor, we want to work with you, we want to help solve the problems of the mass transits in -- in the metropolitan area, but, Mayor, you have to understand it's a big State. We've got issues that we need to have addressed. So let's all sit down together, as we attempted to do for a long period of time, a long period of time. We sat down, shuttled back and forth between meetings going on, because the same people that -- that literally lead this State and are in control of this process wouldn't sit down together. It was

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

totally a dysfunctional process. We're the laughing stock because we can't get anything done. But if we'd work together - John, you mentioned bipartisanship - we want to be a part of your -- solving your problems. But I think you have to understand that we have needs also. If we leave a capital bill -- and I -- I don't understand it, why we haven't heard from the CTA, from Metra, from Pace, demanding that a capital bill pass here. Because why? A big part of the capital bill is going to be help for the mass transit. There was four hundred -- when we passed the bill here and we all worked together, four hundred and twenty-five million dollars of that capital bill would have been made available to mass transit that would have matched 1.7 billion - 1.7 billion of federal money that would be made available to this State to solve the capital problems of mass transit. We're going to leave that money on the table if we don't address capital. The only way that I believe that this gets done - I truly believe this - is if we shut this down. Let's put it down, come back together. Let's talk about what we can do as a whole, not a region, but as a State. And I think that's vitally important. And I urge all of you, especially on this side of the aisle, to vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hendon, to close, sir.

SENATOR HENDON:

Thank you, Mr. President. I truly appreciate the comments of those who are for the bill and I certainly understand the -- the comments and the frustration of those who are against the bill. I, too, Frank, and I appreciate the hard work and the -- the honest way you worked with us recently in trying to put

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

together a complete package of capital and mass transportation and more money for education. I truly appreciate that. And I will continue to -- work for a capital program. We need it. Capital is not just for downstate or northern Illinois. We need it in -- in Chicago as well. So my commitment is to continue to work on coming with -- up with a solution for the capital program. I guess tonight is like doomsday here. If this bill goes down, what do we do? What do we do? What do the people do? Does panic set in? Do people begin to worry about how they're going to make it to work? And guess what? In my community, if they don't make it to work, they get fired. They lose their job. Now, next thing you know, they are on public aid or welfare. We don't want that. We want people to be able to get to work, to get to school, to -- and -- and we want the businesses to have the employee base that they need. The unions have made some great concessions here. I think we need to appreciate that and embrace that. We put this bill as close as possible with what the Speaker wants so that we can get something done and then it'll be up to the Governor. It's been a long night. I continue to pledge to work with you on capital, as President Jones has done. And I would certainly appreciate and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you, Senator Hendon. Ladies and Gentlemen, the question is, shall House Bill 656 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 29 Yeas, 24 Nays, 2 voting Present.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

118th Legislative Day

1/9/2008

House Bill 656, having not received the required constitutional majority, is declared failed. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Mr. President, I would like to put this bill on Postponed Consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon requests that House Bill 656 be placed on Postponed Consideration. The bill will be placed on the Order of Postponed Consideration. Ladies and Gentlemen, there being no further business to come before the Senate, the Senate stands adjourned until the hour of 11 a.m., Thursday, January 10th, the year 2008. The Senate stands adjourned.