

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

121st Legislative Day

1/17/2008

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PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 95th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be give by Pastor John Wentz, South Side Christian Church, here in Springfield, Illinois. Pastor.

PASTOR JOHN WENTZ:

(Prayer by Pastor John Wentz)

PRESIDING OFFICER: (SENATOR DeLEO)

Please remain standing for the Pledge of Allegiance. Senator Maloney, to lead in the Pledge, sir.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam -- Mr. Secretary, Reading and Approval of the Journal, please.

ACTING SECRETARY KAISER:

Senate Journals of January 10th and January 16th, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter, how are you today?

SENATOR HUNTER:

Fine, Mr. President. How are you? I move that the -- the Journal just read by the Secretary be approved, unless some Senators has additions or corrections to follow {sic}.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Ladies and Gentlemen, we have numerous media outlets seeking leave of the Body to videotape or photograph the

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proceedings. We have WLS-TV in Chicago, Illinois, ABC Channel 7 permission to tape, WICS-TV here in Springfield, Illinois, Illinois Informational {sic} Service request to videotape the proceedings, WBBM-TV Chicago requests permission to videotape the proceedings, and still photos by Charles Osgood, staff photographer for the Chicago Tribune. Seeing no objection, leave is granted. Mr. Secretary, Messages, please.

ACTING SECRETARY KAISER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives have -- has accepted the Governor's specific recommendations for change, which are attached, to a bill of the following title, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 656.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives.

Adopted by the House, January 17th, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Mr. Secretary, has there been any motions filed to override -- or accept the specific recommendations for change with respect to House Bill 656, sir?

ACTING SECRETARY KAISER:

Yes, Mr. President. I have a motion filed by Senator Hendon.

I move to accept specific recommendations of the Governor as to House Bill 656 in the manner and form as follows:

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Amendment to House Bill 656

In Acceptance of the Governor's Recommendations
Filed today, January 17th, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Mr. Secretary. Okay, Ladies and Gentlemen, for purposes of an announcement. For purposes of announcement. We'll ask all members of the Rules Committee to come to the President's Anteroom. The Rules Committee will meet immediately in the Anteroom. All members of the Rules Committee, please report to the committee room. We will stand at ease for just a moment while Rules Committee meets.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Mr. Secretary, Committee Reports, please.

ACTING SECRETARY KAISER:

Senator Halvorson, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Be Approved for Consideration - a Motion to Accept Specific Recommendations for Change to House Bill 656.

Signed by Senator Halvorson.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Mr. Secretary. The Daily Herald requests permission to take stills of the proceedings. Seeing no objection, leave is granted. We have another media request. Channel 5 requesting videotape the proceedings. Seeing no objection, leave is granted. Senator Righter, for what purpose you seek recognition, sir?

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SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. That request is always in order. The Senate Republicans have asked for a caucus in Leader Watson's Office. We will return back -- the Senate will stand at ease to call of the Chair. We will return back here at the hour of 2:50. Senate stands in recess to call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. Members please be at their desks. All Members within the sound of my voice, please report to the Senate Floor. We will be doing final action. Senate will come to order. Okay, Ladies and Gentlemen, I have been told that Supplemental Calendar No. 1 has been printed and distributed. It's on the Members' desks. Supplemental Calendar No. 1. We'll be going to that Calendar. On Supplemental Calendar is the Orders of Motion to Accept Specific Recommendations of the Governor. Motion in Writing Accept the Specific Recommendations for Change is House Bill 656. Senator Hendon. Senator Hendon. We have a request from the AP to take still photos of the proceedings. Seeing no objection, leave is granted. Senator Righter, for what purpose you seek recognition, sir?

SENATOR RIGHTER:

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

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PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR RIGHTER:

Thank you, Mr. President. I would simply like the record to reflect that Senator Rutherford is back home in the district today and will not be joining us.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The record will so reflect, sir. Senator Sandoval, for what purpose you seek recognition, sir?

SENATOR SANDOVAL:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SANDOVAL:

Sitting in the galley {sic} is -- the President's gallery tonight is my Alderman of the 23rd Ward of the City of Chicago, the committeeman, and been part of my successes and my efforts throughout the years. I'd like to give a warm welcome to the committeeman of the 23rd Ward, Alderman Mike Zalewski.

PRESIDING OFFICER: (SENATOR DeLEO)

Alderman, would you please stand up and be recognized? Welcome to the Illinois Senate, sir. Okay, Ladies and Gentlemen, as previously stated, we are on Supplemental Calendar No. 1. House Bill 656. Motions in Writing. Senator Cullerton, on House Bill 656, sir. Do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, read the gentleman's motion, please.

ACTING SECRETARY KAISER:

I move to accept the specific recommendations of the

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Governor as to House Bill 656 in manner and form as follows:

Amendment to House Bill 656

In Acceptance of Governor's Recommendations

Filed by Senator Hendon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you. Senator Cullerton, to explain your motion, sir.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The motion is to accept the Governor's amendatory veto. The Governor leaves the amendatory veto -- with the amendatory veto, the Governor leaves the bill intact as passed by both houses and adds a new provision requiring free rides for seniors on certain public transportation systems statewide. It would require the CTA, Pace, Metra and the downstate mass transit districts to provide free rides on fixed routes - this would be within sixty days of the effective date of the Act - fixed routes only to all resident senior citizens age sixty-five or over. And the -- each of the service boards would prescribe their own conditions for participation. So the bulk of the bill remains intact. The Governor's amendatory veto is certainly within our rules as -- as is required. The veto cannot add brand-new concepts. We have rules that do not allow for that. The House already overrode this -- or, I'm sorry, accepted this amendatory veto with a House vote of 62 to 51. It's the same bill we just debated last -- a few days ago. So, at this point in time, I'd be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, Senator Cullerton's moved to

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accept the specific recommendations of the Governor to House Bill 656. Is there any discussion? Is there any discussion? Senator Pankau, are you seeking recognition on this motion, ma'am? To the motion.

SENATOR PANKAU:

Thank you, Mr. President. A question of the President. It is my understanding that a trailer bill has passed the House that would put limitations on the income of the senior citizens that would be able to ride free under this particular bill. Is it the intention of the President to call that bill today in the -- in the Senate?

PRESIDING OFFICER: (SENATOR DeLEO)

We haven't read the Message from the House yet. We understand it just recently -- just moments ago passed the House. We have not received it yet. So we will get to that. Right now, we're no Supplemental Calendar No. 1. Further discussion? Further discussion? Senator Schoenberg, you seeking recognition on this motion, sir?

SENATOR SCHOENBERG:

Yes, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion.

SENATOR SCHOENBERG:

Yes. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SCHOENBERG:

Thank you, Mr. President. Senator Cullerton, there has been some concern expressed that the Governor's amendatory veto

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may indeed cross that legal threshold, that constitutional threshold, and break new ground, and as a consequence of that, may have the effect, if it were to be successfully challenged in the courts, of blowing up this whole well-crafted, thoughtful and responsible package that you and Representative Hamos have put together. Could you please provide us with your understanding as a -- as the primary sponsor of the bill, as well as a -- as a Chair of the -- Co-chair of the Judiciary Committee, as to how we are insulated from that potential exposure?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Senator. We're one of seven states that has an amendatory veto. This was put into the Constitution in 1970. It allows for the Governor to make changes to bills we pass. There's been Supreme Court decisions ruling on whether or not the Governor's amendatory veto has ever exceeded that authority. And, indeed, there's a case, Klinger versus Howlett, where Governor Ogilvie had done an amendatory veto and the courts ruled that he exceeded his authority. So there is a concern in any amendatory veto as to whether or not the Governor's exceeded his authority. And we, in fact, have rules in both the House and the Senate, saying that if the amendatory veto does exceed, then it -- it's out of order. Now, in this particular case in light of the -- the size of the bill, what the bill is -- is covering, it's -- it's been the opinion of the Parliamentarian in the House, as well as the Senate, and indeed the Governor has stated that his researchers feel that this is within the scope.

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So not -- not to stop anybody from filing a lawsuit - of course, they can always do that - but in my opinion and the opinion of those that I've stated, this amendatory veto does not exceed the Governor's authority.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Senator Cullerton. Ladies and Gentlemen of the Senate, to the -- to the motion: I have to say that I'm -- I'm going to rise in support of this motion, though I'm very troubled by the fact that an accompanying bill may not see the light of day. That accompanying bill, which was alluded to by - - earlier by another Member from the other side of the aisle, that accompanying bill would do two things. One, it would provide a standard of consistency in how the State provides relief for senior citizens who fall under a certain income threshold and provide government assistance for those who need it the most. And the other thing that that trailer bill does, is that it provides a higher standard of accountability for how the dollars in House Bill 656, should it become law, would be spent. Specifically, this concept of Senator Garrett's, who had filed a separate bill independently, would provide that every county and transit district that took in revenues as a result of House Bill 656 would within -- by March 1st of the following calendar year, be required to report to the Legislature's Commission on Government Forecasting and Accountability, as well as to their respective county boards, on how much money came in and precisely how that money was spent. That -- that additional set of belts and suspenders is totally appropriate, given the

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scope of the issue that we are dealing with today. And, Mr. President, Ladies and Gentlemen of the Senate, I'd just like to make one final point. As I indicated last week when I addressed this issue, my district is served by both the -- by both suburban and city transit agencies. My Senate district is served by the CTA, the RTA, Metra and Pace. And we cannot play a dangerous game of Russian roulette with the lives and livelihoods of millions of people who rely on mass transit to get to work, to go to school and, in the case of disabled individuals and senior citizens, to have a measure of independence and dignity in their lives. For all too long what the legendary columnist Mike Royko used to refer to as the unofficial motto of the City of Chicago, "Ubi est mea?", which in Latin means "Where's mine?", that has driven much of the thinking for other unrelated issues. We can't afford to let mass transit fail and that's why I'm urging an Aye vote for the motion. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Sandoval, for what purpose you rise?

SENATOR SANDOVAL:

Mr. President, on the bill. Thank you, Mr. President. You know, as I was driving back home last week, I thought about what had -- just had happened. And I saw the high-fives and the slapping and the celebration and all the hugs and kisses on this side of the aisle. It was like a celebratory moment for many of us in the Illinois Senate. I thought, well, what is there to celebrate? What really is there to celebrate? You know what? We -- we should be -- it should be a day of mourning in Illinois. Today, democracy is dead in Illinois. It's over.

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Done with. We've allowed this Governor, Governor Rod Blagojevich, to make -- make pieces of the Illinois Constitution. There is no Illinois Constitution. There is no Legislative process. There is no give-and-take. There is no compromise. There is no consensus. We are here just to rubber-stamp -- rubber-stamp the edicts of the second floor of the State Capitol. You know, we -- we -- we criticize guys like Fidel Castro and Hugo Chávez, who run their countries like dictators, that dictate. Well, this isn't any different. Today, we might as well just -- we might as well just lock the doors up, forget about the Legislative process and let Governor Blagojevich write all our bills the way he wants them to see fit. Why should we spend the taxpayers' money passing legislation, debating, discussion, committee work, so that Governor Rod Blagojevich can have his way and rewrite legislation that has passed both of these Chambers? I thought that The Greatest Show on Earth was Ringling Brothers Barnum and Bailey Circus, the three-ring circus. Well, you know what? This is tops. We've got the Illinois House of Representatives in one ring; we got the Illinois Senate's the other ring; then we've got the second floor, the Governor's Office. You know what? It's a three-ring circus. And you know what? It used to be that the great Houdini used to be one of the greatest acts known to mankind. Houdini would wrap himself in chains, drop in the water in the water torture, find his way out after much suspense. Well, you know what? I'm going to -- there's a better act than that. There's the great Rodini. Rodini is a better escape artist than anyone that I've ever seen in my life. This guy has been able not only to propose -- not only to

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increase every fee that man has seen in Illinois - truck fee, license fee, gas tax diversion. You name it - gross receipts tax. There isn't a tax that this man doesn't like. Today, we are going to celebrate an increase to the sales tax. And we're also going to celebrate an increase to the real estate transfer tax. You know what -- who's going to pay for that? Seniors. Seniors are going to pay for that. There is no free ride for seniors. I know that. You know that. Mom and dad - Abel and Angeles, seventy-four, seventy-two - they've told me time and time, "Marty, there is no free ride." You know what? When they get a chance to sell their home and go to Mexico and retire the last few years of their life, it's going to cost them beaucoup money, beaucoup money. You know what? Because of Rod Blagojevich. And when we go to the store later on today, when we -- when we buy our goods and services, you know who's going to pay for that? Seniors are going to pay for that. Well, you know what? Why don't we allow Governor Blagojevich to give free rides to -- to students, to people with disabilities? Why don't -- you know, sooner or later, we'll be giving free rides to Barack Obama, Oprah - who knows what else. Let -- let's just give free rides to everybody. You know, folks, it's a sad day in Illinois. And you know what? I want to -- I want to congratulate the media, because the media, they've been so enamored with the sweetener of giving free rides to seniors and they've forgotten about the tax hike, the taxes. We are going to pay more taxes at the store, when we sell our home, than we ever have in the State of Illinois. Taxes, tax. I mean, this is one of the worst and saddest days in Illinois. And you know what? I know that the -- there isn't many profiles in courage

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in this Chamber, but you know what? I am not going to be one of the ones that after we vote and get out of here and head back home to start campaigning and do whatever we got to do - I'll be going to Nevada - but I am not going to be high-fiving anybody. I'm not going to be hugging anybody. I'm not going to be shaking anyone's hand about, well, what a great job we did. You know, the worst thing that we've done today is worsen the lives of the people of Illinois by increasing their taxes. And I want to give thanks and congratulate the great Rodini, 'cause he's done a wonderful job at smoke screens and acts in -- in confusing the real people, especially those that live on the southwest side in Cicero. What about making appear those cuts that he made in the budget? What about CeaseFire? What about those projects in Cicero and Berwyn and on the southwest side of Chicago? What about all those quality-of-life issues? My dear fellow Illinoisans, it's a sad day in Illinois. Democracy is dead and we owe it to the great Rodini on the second floor.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Crotty, you seeking recognition, ma'am?

SENATOR CROTTY:

I move to the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Oh, you're a little late, Senator. We're -- we have one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen seeking recognition. So there'll be -- board will now be closed. Thank you, Senator Crotty. Senator Delgado.

SENATOR DELGADO:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR DELGADO:

Thank you. My colleague to my right here is a hard act to follow.

PRESIDING OFFICER: (SENATOR DeLEO)

...sponsor. Senator Hendon, Senator Cullerton, for a question? Senator Hendon and Senator Cullerton, for a question? Okay. Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. Senator Cullerton, I want to -- bring this all back to why we're here, as to the equipment and -- and many of our good friends and brothers and sisters from Amalgamated Transit Union, ATU 241 and 308. With any modifications to the amendatory veto, all of the items negotiated with ATU, those remain intact? Has anything changed in that aspect?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes, Senator. The -- the CTA pension and retiree reforms remain intact. They're still in the bill and they're still a very important part of the piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. To the bill: I -- I just want to briefly just point out that -- bringing it all back home as

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to why we're here. We're talking about equipment that I, once upon a time, enjoyed getting on board and being able to drive down many of the streets in Chicago myself. But now we also continue to see many of those buses, including the articulated Big Bends on the street. What we got to make sure is that we're going to be willing to take anyone down the road, be it mama, papa, your grandson, your grandchild. Heck, if we can get our pets on board, we'd take 'em, too. The idea is that they should be going down that road with safe equipment, with families who can enjoy and make sure that they're going to be safe, to make sure that that worker can get home in one piece and that that worker is making sure that his and her benefits are going to be attained too. I want to commend the sponsor. I want to commend what we've been able to achieve here today. And anything that we have to do going down the road, as to where do we stop, as to making sure that folks can ride safely on our public transportation, I think that's a discussion and debate that this General Assembly could have for another day. And I -- I stand in strong support of moving the amendatory veto on -- on House Bill 656. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

I am. Thank you, Mr. President. My colleague had a good idea. Maybe -- maybe we should move to disqualify all of the seniors from the Chicagoland area from voting on this as having an inherent conflict of interest. If that's proper under the rules. It's a joke.

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PRESIDING OFFICER: (SENATOR DeLEO)

You could -- you could file a motion and we'll get to that.

SENATOR MURPHY:

Thank you very much. Maybe not a good joke. Ladies and Gentlemen, what we've got here, unfortunately, is yet another example of government by gimmick from this Governor. This -- this issue of free rides for seniors was never discussed. This bill -- Representative Hamos and the -- the -- the sponsors here in the Senate have worked on this bill for at least a year. Never once has the idea of free rides for seniors mentioned in those discussions. What this is all about is an opportunity and an effort by the Governor to change the subject from being the fact that he broke, not once, but twice made, a campaign promise not to raise sales taxes. And he, with his efforts in this -- on this bill, broke that promise and -- and -- and signed on to sales taxes. Seniors don't want - the ones I've heard from anyways - don't want a free ride. What they want is a transit system and a government in general that respects their tax dollars and spends 'em wisely. Unfortunately, the underlying bill here doesn't go far enough in meeting that promise for them. I look forward to the trailer bill that can clean up this demagogic mess that the Governor made. But in the meantime, let's send a message to the Governor that the demagoguery and the game playing needs to stop, and vote No. And for those who are concerned about mass transit and the capital that is needed to upgrade it, vote No for the capital bill that certainly will die with the passage of this bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

...you, Senator. Ladies and Gentlemen, we have numerous

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medias seeking leave to videotape the proceedings. FOX-TV, in Chicago; WFLD; CLTV, in Chicago; WCIA, here in Springfield; and Univision Channel 66, in Chicago, are seeking leave to videotape the proceedings. Hear of no objection, leave is granted.

Senator Syverson, you -- seeking..

SENATOR SYVERSON:

Yes, Mr. President. To the bill: You know, it's always nice and -- and it's fun to be a Santa Claus, giving away gifts and promises, but the reality is we don't have a North Pole and we don't have elves that are printing unlimited amounts of money to be able to -- to give out. Under this legislation, this is going to cost the taxpayers in Illinois forty-seven million dollars the first year, ninety-five million dollars the second year. This, at a time, when we cannot pay our current bills. This, at a time, when all of us are receiving calls from local health care providers, from nursing homes, from assisted living centers that are not getting paid because the State is fiscally running at least a billion dollars in the hole in this year's budget. To fund this program this year for forty-seven million dollars, it means that forty-seven million dollars in other bills are not going to be paid in this State. And that's unfortunate. Earlier speaker talked about, we cannot afford to let this system fail, and we agree. That's why years ago we said, "Do serious reforms." We talked about raising fares to a reasonable amount and also we talked about local government contributing a reasonable amount in line with what other large metropolitan cities do. And for months and for years, none of these things were implemented until now with the discussions of minor reforms are taking place. I'm also concerned about the

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fact that the original discussion was that free rides for seniors, until we read the fine print and find out that that's only for seniors in large communities, that those that represent smaller communities are being excluded from this legislation, that somehow a senior living in a community of forty thousand people is somehow a second-class senior compared to a city -- a senior in a large city. When the Governor said all seniors were going to ride for free, either he was mistaken or he is misleading the public when we find out that, obviously, it's not the case when it's excluding all communities that are under fifty thousand. The last concern I have on this -- on this legislation is, as been talked about before, this does not address the capital needs of the State of Illinois. For months we've worked on this. The discussion was tying the capital needs of the State together with the needs of Chicago, and this is not in this legislation. If we would pass a serious capital plan in this State, we could jump-start our State's economy, we could put significant amount of people to work. That would generate the revenues our budgets need to be able even to pay for some of these programs. So I would certainly encourage that we don't support this and we tie this into a capital plan for the entire State. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The lady from Lake County, Senator Susan Garrett, are you seeking recognition, ma'am?

SENATOR GARRETT:

Thank -- thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, Madam.

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SENATOR GARRETT:

Like twenty-nine -- twenty-nine other Senators last week, I did vote to support this very important transportation initiative. And I voted believing that it would pass, the Governor would sign it, only to find out, like the rest of us, that that wasn't the case. But I'm really troubled and I'm standing up here -- I really don't ever speak too often, but I am troubled by the process and how it has evolved. Last night, my Representative from Des Plaines and I had a town hall meeting. We had over three hundred people at that meeting, most of which were seniors. One of the reasons why so many of these constituents came to our meeting was because they were concerned about the Governor's amendatory veto. When I asked them how many -- by a show of hands, how many people in the room would support giving seniors a free ride, one senior raised their hand. When I asked them if we had a follow-up bill where there would be restrictions on the income of seniors who were allowed to have a free ride, also noting that currently seniors, any senior of any income level, can receive a pass for a half-price ticket, ninety percent of those constituents raised their hand. These were not seniors who are extremely wealthy. These are middle class, salt of the earth, could even say blue collar, people who work every day and felt that it was just not fair. The other problem we have with this particular bill is that while we are giving free rides to seniors, we have ignored the disabled community. And it's hard for me to go and support an amendatory veto that allows for seniors, who could make a million dollars a year, to receive a free ride on a train and then turn our backs on the disabled community. That is

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unacceptable. But we have a solution. We have a trailer bill that passed the House with 85 votes. In that trailer bill - I will take some of the responsibility for writing the reforms that will apply to the counties to make sure that the counties are spending the additional quarter-percent tax increase in a way that makes sense, in a way that applies to the transportation needs of each county - but it also deals with the disabled and it puts a cap on the free rides for seniors. So, I'm still waiting to find out if we are going to call that trailer bill. But I think we ought to have that discussion. We ought to know what the status is of that trailer bill before we sign off on the Governor's amendatory veto. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Jacobs, are you seeking recognition, sir?

SENATOR JACOBS:

Thank you, Mr. President. I would just like to say that I agree with my colleague, that the Governor has overstepped his authority. That's nothing new in Illinois. We're getting sort of used to that. But in this case, actually, I think the Governor's right. Seniors have earned their way. They deserve a free ride if we can give it to 'em. I'm going to support this bill. I think that I'd like to add single mothers. I'd like to add disabilities. I'd like to add those things. In the Legislature, we can come back to that every year and hopefully we can do that. I know we tried to link it to a capital bill and we were unsuccessful in doing that, but I have the -- the pledge of my Leader, President Emil Jones, that we will move on a capital bill. And I would point out that, in the Senate,

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we've already moved on a capital bill. And so I take that. I'm -- also want to give -- shout and say that I'm really pleased that there's going to be a hundred million new dollars for downstate projects. It is so important to my region that'll see 1.8 million dollars, 'cause I have people that want bus service and can't get it. It's very important that they get it. The part I like about it especially is that it's a sales tax, but it's a sales tax that my people are not going to pay. So, to my friends in the Chicago area, I want to say thank you. But in closing, I would just like to say that -- you'll get my vote. And -- and on -- the final thing, I want to say is, now I want to stand back and watch what the Governor does. The Governor has spent eight years now campaigning that he wouldn't sign a sales tax. He wouldn't sign an income tax. The Governor is going to sign one, hopefully today or tomorrow. Now, what he'll try to tell us is that he's not signing a sales tax, what he's doing is signing an amendatory veto. That's a bunch of malarkey, folks. Keep your eye on the ball in Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

I am, Mr. President. Thank you. First, inquiry of the Chair, if I might.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry, sir.

SENATOR RIGHTER:

Mr. President, when we started House Bill 656, I thought, although I may have misheard, you refer to this motion as

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Senator Cullerton's motion and then he presented it. I look up on the board and I see it's Senator Hendon. I wonder if the Chair can confirm for me who is the sponsor of the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, as you can see from the board, Senator Hendon and Senator Cullerton are both -- Senator Hendon filed the motion. The cosponsor, Senator Cullerton, explained the motion, sir. Senator Cullerton, Senator Righter, is also the cosponsor of the motion. Senator Righter.

SENATOR RIGHTER:

Then, Mr. President, it's my understanding then, did Senator Hendon, the -- the sponsor of the motion, then ask for leave to allow Senator Cullerton to present?

PRESIDING OFFICER: (SENATOR DeLEO)

As -- as cosponsors of the legislation, Senator Hendon and Senator Cullerton, as cosponsor's of the motion, they don't -- there -- he doesn't need permission. They're both cosponsors, chief cosponsors, Senator. Senator Righter.

SENATOR RIGHTER:

Mr. President, with all due respect, there's no reference in our rules to co-joint sponsors of a motion. You have one sponsor of a motion. And I would refer the Chair to Senate Rule 9-3, which makes it clear that that is the case. So, again, I would -- I guess I would ask the Chair, again, who is the sponsor?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, are you seeking recognition, sir? Senator Hendon.

SENATOR HENDON:

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Yes, Mr. President. I have not been shy about admitting the fact that Senator Cullerton did the yeoman's work on this legislation. I made that very clear from the very beginning. So, leave to allow Senator Cullerton to explain the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. May I speak to the bill now, please? To the motion, excuse me.

PRESIDING OFFICER: (SENATOR DeLEO)

To the -- to the -- to the...

SENATOR RIGHTER:

And I -- and I apologize, I...

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion.

SENATOR RIGHTER:

Thank you. To the motion. I appreciate the Chair's indulgence. I think that if we're going to jam through a half-a-billion-dollar tax increase on citizens in the State, we ought to at least follow the rules while we're doing it. Ladies and Gentlemen, the bill has been talked about quite a bit with regards to what is or is not a statewide free ride for seniors. And despite all the rhetoric we've heard from the second floor, it's been clear from the comments here. But it's even more clear from looking at the actual language that the Governor put in the bill, it is not a statewide free ride for seniors. The Section that the Governor references in his amendatory veto talks about transit districts that are in urban areas of fifty thousand or more. I am not the only one in this Chamber and

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those on this side of the aisle are not the only Senators who represent districts that don't have any communities of fifty thousand or more. It is not a statewide ride for free for seniors. And in fact, out of thirty-eight - thirty-eight - of the public transportation districts downstate, only fourteen will be covered by the Governor's language. So the other twenty-two that have people who are sixty-five years of age or older, I guess they're just a little less important. They're just a little less important. And for those who believe that their district's getting something and Chicago's paying, that's not right. Look at the law and you will find out that this bill will generate almost one hundred million dollars in new money out of the General Revenue Fund to pay for the transit systems - a hundred million dollars - when everyone in this Chamber, if you're answering your phones in your district offices, knows that your Medicaid providers and, in particular, your long-term care providers are suffocating. They are dying a slow death because of the Medicaid payment cycle. But we're going to bleed another hundred million dollars right out of General Revenue Fund into mass transit. One of the previous speakers talked about how this is a three-ring circus, and complained about the three-ring circus. And I agree. It is unbelievable that we would raise taxes a half a billion dollars and plow that into a system which one of Chicago's very own newspapers referred to not that long ago as "Chicago's disgrace". But the reason that the three-ring circus here in the Capitol Building keeps on going is the same reason any other circus keeps on going, 'cause people keep buying tickets to it. And maybe, maybe this'll stop when all of you decide to stop buying tickets to it. Thank you,

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Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Link, are you seeking recognition, sir?

SENATOR LINK:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...the bill, sir.

SENATOR LINK:

First of all, I want to compliment the sponsors for not only a year, probably two years or better of working on this bill. I don't agree with everything that was in the original bill and I surely don't agree with what the Governor did. I think there could have been a lot of better things done with the bill, but there was a lot of positive things that were done with this bill. And I represent one of the counties that will be paying a higher percentage in taxes and sales tax. But we're going to get a better percentage in RTA than we did before. We're going to be getting capital for our roads that are much needed than we did before. So I'm happy with that. I'm disappointed with what the Governor did because I think we need to do for those who need it and not for those who don't need it. I am the sponsor of the trailer bill. I don't know if it's come over from the House yet. And I encourage that if we don't vote on it today, which I would like to, that we vote on it as soon as possible when we get back, because it's needed to do a trailer bill, because we must solve some of these other problems. But I want to talk about something that hasn't been talked about at all, probably not in the media, probably not in

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any of this discussion, and that's a ten-percent raise by Metra. The ink was not even dry on this bill when we passed it the other day. I didn't even make it home from Springfield to Waukegan, and I fly back and forth. And I got home and I found out there was a ten-percent increase for Metra. And it had nothing to do with the seniors. Metra came to all of these meetings that we had, that Representative Hamos had, that the sponsors in the Senate had, and I was in a lot of those meetings. They also privately came into my office and made statements that they were moving so far ahead into the good and that we, in the General Assembly, were holding them back by not passing this bill. But never once, not once, did they say if we pass this bill, we're still going to raise it ten percent. All they said was if we don't pass the bill, we're going to raise it ten percent this year, ten percent the next year and ten percent the following year. But they knew if they had said before the vote that they were going to raise it ten percent, the vote may have come out in a different way. And they didn't want to risk that. Well, let me tell you something - and it's a lesson I learned from all the years that I've been down here - what this General Assembly giveth, this General Assembly can taketh back. And I would -- really encourage the Metra Board, because in this new bill, when it goes into effect, the RTA will have more authority over that, that they will have to go to the RTA before they would be able to do that. So they thought they could sneak it under the radar and do this beforehand. Well, I would encourage them, now that the radar is wide open, that they should reconsider that ten-percent raise, because it may cost them a lot more in the future than it's costing them today, and

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then we could get on with what truly this bill was intended for and we could help those and get the finest transportation system in northeast Illinois that we could have, and that we could answer the question of getting a great Metra system, a great Pace system, a great CTA system, and we could all be happy with the systems that we have in northeast Illinois. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Link. Seeking recognition, Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Members. I'll be brief. I reluctantly rise in support of the acceptance of the Governor's amendatory veto here. And when the Governor did his thing without our consultation, adding senior citizens, I thought of a personal situation in my life, where I'm familiar with senior citizens who ride the CTA and the mass transit system of Chicago. When I was a little boy, I grew up in Senator Cullerton's district. My grandparents were immigrants from Germany, and as a toddler and up until the time in the first grade, every doctor's appointment, every dentist appointment, every time we went shopping with my grandparents, it was done on the CTA. My grandparents passed away a couple years ago and they never made more than twenty thousand dollars in their life. So, I had grandparents that certainly deserved, I think, to take their grandchild to the physician or to the grocery store or to wherever we went, to Wrigley Field with my -- with my grandfather. I believe that some senior citizens certainly do deserve to ride on mass transit. But there needs to be a means test. And I'm reluctantly rising in -- in support of this,

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knowing that there are means tests. Representative Hamos has a good one that's out there. And if we do a means test for senior citizens, I do think if the Governor wants to persist with the disabled and the handicapped and others, that it gives us more flexibility to take care of other needy folks as well. But the senior citizens portion is -- is personal. I saw the Governor at Reverend Meeks' church; he asked that rhetorical question, "Don't you want to give your grandmother a free ride?" And, you know, obviously the answer is yes, but in my case, thinking back to my personal good memories, I had grandparents that did everything on the CTA, including taking me to appointments and other things and I certainly wish to -- they deserved it. Let's just put it that way. But we need a means test. But the bottom line here is - we just got a letter from Metropolis 2020 yesterday, all of us, one of the good groups of Chicago - you know, this bill is worth about two billion dollars a year, the underlying bill, to the regional economy of northeastern Illinois. I see the President of the Chicago Federal -- Federation of Labor, in support of it, up in the balcony. Last week, I talked about my County Board Chairman, who's up in the balcony again today, who has a hundred and fifty law enforcement officer jobs that are at stake in the underlying bill. So, we need a means test for senior citizens. I reluctantly rise in front of -- for this. It's not a perfect bill. It's not the revenue source that I wanted. But this bill is a regional consensus, and God knows, having what we've been through here the last year or two, we certainly could use more regional consensus bills. That would certainly be good for the Land of Lincoln. Thank you.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Dillard. Senator Cullerton, comments on the motion, sir.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I would have preferred that the Governor would have done this a different way, and I've told the Governor's staff this. I -- I hope -- I wish that he had had a little more confidence in us and in the system. We've been working on this bill for, in my case, about a year, and the House even longer. And his suggestion about seniors, I think, is a good one, but as we can tell from his effort to try to amendatorily veto it in only a few days, it has some problems, as -- as has been noted. The House has -- only had one day to have a hearing to consider an alternative, which they have passed with, I think, 86 votes, recognizing the need for us to have a means test, perhaps even an expansion of this reduced fare or free rides to disabled people, which is not included in the amendatory veto. So, I am disappointed and I wish the Governor had done that by just telling us what he wanted. He is the Governor. He could always threaten to veto the ultimate bill if we didn't do what he wanted. So, he had the leverage. He probably should have done that. So that part was a mistake, but here we are. And we are within a few days of what's been described as a doomsday, which would be massive cuts of bus routes in Chicago, tremendous increases in fares for people who are poor. And so we have to pass the bill. And in listening to the debate, I have to clarify a few things, maybe misunderstandings, about the underlying bill. First of all, just so you know, right now and

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since 1981, the State's been providing a twenty-five-percent match to the money that's been collected by the sales tax in the RTA region. And downstate has been receiving a -- this last year, a hundred million dollars for its downstate mass transit - hundred million dollars out of the General Revenue Fund, downstate mass transit. The twenty-five-percent match for the RTA is a hundred and ninety million. So, quite frankly, the downstate mass transit getting the disproportionate amount, as is necessary because of the way the system runs. Under this bill, just so you know, primarily because of the good work of the downstate Democrats in the House, they were able to negotiate a thirty-seven million new dollars -- thirty-seven million new dollars for downstate mass transit and zero out of the State budget for the RTA. There's a delay in this twenty-five-percent match for a year and a half for the RTA. So, there is a little bit of a hit on the General Revenue funds, about thirty-seven million dollars, and all of it's going to downstate. That's important. The second thing that was raised the other day and I only had a little bit of time to respond, but I think it's worth noting, the incredible landmark provisions in this bill dealing with the pension system. Currently, if we don't pass this bill, the CTA and their unions collective bargain. There's no State statute governing them - no State statute at all. They have negotiated benefits. Those benefits have been very generous and the CTA has not been able to fund them. And that's why we have the crisis. Under this bill, first of all, we're bringing it into the statute. Number two, just like the private sector, we are separating the retiree health care from the pension fund. Nobody else has done that.

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That's being done in this -- in this bill, just like the private sector. And, any future pension benefits have to be paid for. That's why this is such remarkable legislation. That's why -- that's why everybody should vote for this bill, because it was crafted with reforms like that, with money going to downstate without a tax increase, with suburban benefits galore, where there's a shift in -- in governance to the suburbs, where the new money is going fifty-two percent outside Chicago. So that's why everybody should be voting for the bill. That's why it's a good bill. And let me just say in closing, I feel like the starting pitcher in this effort to pass this and we're right here at the ninth inning, and just like any starting pitcher, I'd like to finish the game, a complete game. And I'd like to close, like some of my colleagues know how to close, where they yell and scream. My favorite is my Minority Leader, who can, every once in a while, take those papers and throw 'em up in the air. And I was really looking forward to -- to that today, but the manager, Senator Jones, Emil Jones, is taking me out of the game at the last minute and he's putting a closer in, some high-priced, loud closer to finish the game. So, I can't say that I'm -- I'm done. I have to defer to my closer, but I do ask you to vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Cullerton. Before we get to that extraordinary closer, President Jones, for -- is the last person seeking recognition on the motion, and then Senator Hendon, to close. President Jones.

SENATOR E. JONES:

Yeah. Thank -- thank you, Mr. President. I want to thank

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Senator Cullerton for being a setup man, you know. You're the setup man, and I'm quite sure we have a good closer to take care of it. I rise and speak on this issue because I'm one of those persons who have a conflict of interest on this bill - conflict in the context that, you know, when you get to be a senior, a lot of benefits come your way. Those of us who are fortunate to have lived through, you know, the trials and tribulations. There are certain benefits to being a senior. You live in the City of Chicago, Senator Sandoval, my good esteemed colleague, you live in the City -- City of Chicago, you own a vehicle, you -- you get a senior discount for your vehicle sticker. I don't care if you make twenty thousand dollars a year or you make two hundred thousand dollars a year, you still get that senior discount. When I go to McDonald's and get my coffee a lot of times, I get a senior discount. They don't ask me how much money I make. There is no means test as relate to that. When I pay my property tax, there's a senior exemption in there for all seniors. Some seniors own homes worth a million, half million. Some own homes worth fifty thousand, hundred thousand dollars. There is no means test in there. I hear all this talk about the seniors, what they don't want, what they do not need. The only problem with this amendatory veto is that we didn't think of it. Had it been included in the bill, some of the same folks who voted and talked on this Floor about it - had it been in the bill when we passed it - they would have jumped up and praised it, because they would have been for it. Let's stop all the hypocrisy as relate to taking care of the seniors and everything. I'm for a means test. I'm for the disabled. But let's really look at that, make sure we're doing the right

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thing, that we're not cutting out a lot of people we really want to help when you rush to judgment on issues. We'll be back in Session in mid February. We'll be in Session later on today, maybe tomorrow. Don't rush to judgment. Folks, I got back to Chicago after we did the vote on the bill. One of the local newspapers and one of the television stations were interviewing people in the City and suburbs about the legislation that we passed. And I was shocked at the comments of some of them. On one hand, they were blasting the Legislature for not doing anything to aid mass transit. These same folks - why, we shouldn't be paying this tax; we shouldn't be paying that. Same folks. The Sun-Times, I believe, ran the story of the comments of a lot of people. I said, "I'll be damn." So you think you're doing the right thing. There are -- there has not been such thing as perfect bills. The 1972 {sic} Constitutional Convention put a provision in there as -- as relate to amendatory vetoes, to give the Governor that power - all Governor's that power. So the Governor came up with a brilliant idea, late. So it got included. Maybe all those who sat down and put the package together, they didn't think about folks like me - seniors. Now, I'm not saying they're bad people. They just didn't think about it. If it had been in the bill in the House when it came over, or been in the bill that we sent over to the House, the same folks who voted for it - the original bill - would have voted for it. They would not complain. So who's playing the politics? The Governor, in his amendatory veto, talked about this statewide exemption for seniors so they can ride free. And there may need to be some cleanup, but let's not rush to judgment and say, "We do this trailer bill right

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now, it's all taken care of." I want to do a trailer bill, but I want to make sure that it's right. I want to make sure it's right for seniors. I'm not one who can just jump off and cut off all those seniors. A senior, making thirty-five thousand, forty thousand dollars a year, that's all their income, and plus they got to ride transportation, they should not be excluded from riding free. So let -- let's quit playing politics in this Chamber. If you are for the seniors -- and you would have said -- you would have been praising the bill had it been included in the original bill that passed. That was the only issue. So, I urge an Aye vote for all the seniors. If you're my friend, look out for me, you know. I'm one of those seniors.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Mr. President. Senator Hendon, to close, sir.

SENATOR HENDON:

Thank -- thank you, Mr. President. You know, actually, I didn't know that President Jones qualified -- would qualify under this bill. I thought he was fifty-five, fifty-six maybe, but certainly not a senior. So I understand you might have a slight conflict, but I hope you vote your conscience for all the seniors of the State despite the fact that you will also qualify. Let me thank Senator Cullerton, first of all. And since it's not baseball right now and there's football still being played, even though our beloved Bears are not going to the Super Bowl, I'll put it in a football context. You, my friend, Senator Cullerton, are the Devin Hester of the State Senate. You ran the punt back ninety-five yards. Did a great job. You're -- they should give you a raise. I'm the -- Emil's the Fridge. Cullerton said that, not me. Cullerton said, "Emil's

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the Fridge." I'll be Rex and throw the ball into -- across the goal line so we can win. I also want to -- 'cause you did a great job, a wonderful job all this time. And so did the House sponsor, who I want to thank, Representative Julie Hamos, who is here with us right now. Did a wonderful job. We had discussions about it with -- with Matt Murphy on -- on Channel 11. We all knew that we could work together. Even though my friend, Matt, might not vote with us tonight, he certainly understands the issue. Lastly, I want to thank people on both sides of the aisle, especially Senator Cronin, Millner and Dillard - brave Republicans, who got -- forgot all about partisanship and is doing what's right for the people of this State. To my friend, Senator Righter, you mentioned the hundred million dollars that are coming out of GRF, but fifty million of that is going into your communities. And even though I was not necessarily the author of seniors riding free - the Governor came up with it, that -- that's true - but for seniors to ride free all over the State of Illinois, what's so bad about that? Even in your districts, those who voted No last time, now the Governor put something where seniors can ride free statewide. I'd also like to say to those -- some of you have committed to supporting this only if there is a trailer bill. You heard President Jones, the Leader of the Senate here, a man of his word, say the trailer bill will be forthcoming. It will be forthcoming and I am committing to you that I will push forcefully, along with Senator Link, to make sure 1409 is passed, because we also want to help the disabled and we also understand, in my opinion, that those of you who feel that the seniors in your area are so wealthy that they don't want it, we

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will work with you and see that they don't get it. But I'm for all seniors getting it. And if a wealthy senior feels like they don't want it because they don't have -- because they have so much money so they -- they want to pay, we're not prohibiting any of them from paying. They can get on there, if they want to feel like -- if it makes 'em feel older than they are, they can pay. We're not restricting them from paying. We're giving 'em a benefit if they want to take it. I finally am starting to keep my AARP mail that comes ever since I turned forty-nine. I'm looking at it seriously now. Discount, hey, why not? Insurance, ride free, I'm -- I'm not tearing up anything else, Senator Harmon, that AARP sends me anymore. Maybe I've gotten wise in my older age, just like President Jones. I also want to thank Senator Sandoval, Schoenberg, especially Senator Haine, my friend from downstate. My friend from downstate. I -- I just love Senator Haine today. And I won't give you any further trouble for the rest of the Session - my commitment. Senator Crotty, I appreciate you. We've mentioned the trailer bill. It is going to come forward. We will work with all of you on your ideas on that bill. I'd appreciate an Aye vote. You all know what's at stake. Lastly, I want to thank Senator Clayborne for keeping us alive last week so that we can end up here today and finally do something for the citizens of this State and bail out CTA for the riders. I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Ladies and Gentlemen, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 656 in the manner and form just stated by Senator Hendon. All those in

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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? Mr. Secretary, take the record. On that question, there are 32 Ayes, 19 Nays, 0 voting Present. The specific recommendation of the Governor as to Senate Bill -- House Bill 656, having received the constitutional majority vote of the Senators elected, is declared accepted. Ladies and Gentlemen, there being no further business to come before the Senate, the regular Session of the Senate stands adjourned until Wednesday, January 23, the year 2008, in perfunctory Session and each Wednesday thereafter in perfunctory Session, until such time as the Senate assembles into regular or Veto or other Session pursuant to the schedule established and published by the Senate President. The regular Session of the Senate stands adjourned.