

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

69th Legislative Day

1/14/2004

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Adjournment

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PRESIDENT JONES:

Happy New Year to everyone. So -- so good to see so many fresh faces. The regular Session of the 93rd General Assembly will please come to order. Would the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by the Reverend Jeff Chitwood, South Side Christian Church, Springfield. Pastor Chitwood.

THE REVEREND JEFF CHITWOOD:

(Prayer by the Reverend Jeff Chitwood)

PRESIDENT JONES:

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDENT JONES:

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journals of Thursday, November 20; Friday, November 21; and Tuesday, January 6, 2004.

PRESIDENT JONES:

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. Mr. President, I move that the Journals just read by the Secretary be approved, unless a Senator has additions or corrections to offer.

PRESIDENT JONES:

Senator Haine moves to approve the Journal just read. There being no objections, so ordered. Madam Secretary, Messages.

SECRETARY HAWKER:

December 8, 2003.

Dear -- President Jones - Please be advised that effective today I am resigning from my position on the Senate Select Committee on Public Pension Investments.

Sincerely, Barack Obama.

Message from the President.

Dear Madam Secretary - Please be advised that effective today I appoint Senator James Clayborne to the vacancy

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created by the resignation of Senator Barack Obama on the Senate Select Committee on Public Pension Investments.

Sincerely, Emil Jones, Jr., Senate President.

January 13th. Message from the President.

Dear Madam Secretary - Pursuant to Rule 3-5(c), I hereby reappoint Senator Vince Demuzio to replace Senator James DeLeo as a Member of the Rules Committee. This appointment is effective immediately.

Very truly yours, Emil Jones, Jr., President.

PRESIDENT JONES:

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 350, offered by Senator Risinger and all Members.

Senate Resolution 351 and Senate Resolution 352, also offered by Senator Risinger and all Members.

Senate Resolution 353, offered by Senator Silverstein and all Members.

Senate Resolution 354, offered by Senator Shadid and all Members.

Senate Resolution 355, offered by Senator Haine and all Members.

Senate Resolution 356, also offered by Senator Haine and all Members.

Senate Resolution 357, offered by Senator Geo-Karis and all Members.

Senate Resolution 358, offered by Senator Link and all Members.

Senate Resolution 359, offered by Senators -- Hunter and all Members.

Senate Resolution 360, offered by Senator John Sullivan and all Members.

Senate Resolution 361, offered by Senator Shadid and all Members.

Senate Resolution 362, offered by Senator Garrett and all Members.

Senate Resolution 363 and Senate Resolution 364, both offered by Senator Haine and all Members.

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Senate Resolution 365 and Senate Resolution 366, both offered by Senator Silverstein and all Members. They're all death resolutions.

PRESIDENT JONES:

Resolutions Consent Calendar. Senator Soden, for what purpose do you rise?

SENATOR SODEN:

Mr. President, a point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR SODEN:

Today I'd like to introduce to my colleagues in the Senate -- get some order, please?

PRESIDENT JONES:

Will the -- will the Members kindly hold down...

SENATOR SODEN:

I'd like to introduce my Page for the Day. An outstanding young lady from Wood Dale, Illinois, seventh grade, she's studying the Constitution. Great. Lauren Stanek, will you please stand? Behind me are her proud parents today, Mr. and Mrs. Stanek. He's Battalion Chief of the Fire Department of Wood Dale and acting Chief. Let's give them a welcome to Springfield.

PRESIDENT JONES:

Senator, is that your future replacement? The State Journal-Register seeks leave to photograph or -- videotape any the proceedings. Is there any objection? Leave is granted. Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2140, offered by Senator Garrett.

(Secretary reads title of bill)

Senate Bill 2141, offered by Senator Demuzio.

(Secretary reads title of bill)

Senate Bill 2142, offered by Senator Garrett.

(Secretary reads title of bill)

Senate Bill 2143, offered by Senator Garrett.

(Secretary reads title of bill)

Senate Bill 2144, offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 2145, offered by Senator Jacobs.

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(Secretary reads title of bill)

Senate Bill 2146, offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 2147, offered by Senator Silverstein.

(Secretary reads title of bill)

Senate Bill -- 2148, offered by Senator Silverstein.

(Secretary reads title of bill)

Senate Bill 2149, offered by Senator Silverstein.

(Secretary reads title of bill)

And Senate Bill 2150, offered by Senator Silverstein.

(Secretary reads title of bill)

3rd Reading -- pardon me, 1st Reading of the bills.

PRESIDENT JONES:

Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

For a point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR LUECHTEFELD:

I would -- would -- would ask the Senate to...

PRESIDENT JONES:

Will the Members please hold it down?

SENATOR LUECHTEFELD:

I would ask the Senate to welcome a group of ladies from my district called the Red Hat Society. They're from Columbia, Illinois. They're sitting here behind the Republican Senate, and if they will raise their -- if they'll stand up and be welcomed by the Senate, please.

PRESIDENT JONES:

Welcome to Springfield. Messages from the House, Madam Secretary.

SECRETARY HAWKER:

A Message from the House by Mr. Bolin, Assistant Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 43.

Adopted by the House, November 21, 2003.

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PRESIDENT JONES:

Senator DeLeo, what purpose you rise? The Rules Committee will be meeting in the Antechamber immediately. We'll stand at ease for a few moments. Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, I'd like the record to reflect that Senator Sandoval is absent today. There's a death in the family. I think he's out of State, and I would like the record to reflect that.

PRESIDENT JONES:

The record will so reflect. Squire Photography seeks leave to photograph or videotape the proceedings. Are there any objection? Leave is granted. Madam -- Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - House Joint Resolution 43 and Senate Bill 2123; refer to Local Government Committee - House Bill 3828; Be Approved for Consideration - House Bills 599, 600, 621, 619 {sic} (719), 722, 900, 1045, 2735 and Senate Bill 1676.

Senator Demuzio, 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 621, Floor Amendment 1 to House Bill 900, Floor Amendment 2 to House Bill 1045, and Motion to Concur with (House Amendment 1 to) Senate Bill 1676; refer to -- pardon me, refer to Insurance and Pensions Committee - Floor Amendment No. 1 to House Bill 599; and Be Approved for Consideration - Floor Amendment No. 1 to House Bill 600 and Motion to Recede from Senate Amendment No. 2 to House Bill 719.

PRESIDENT JONES:

Madam Secretary, Introductions of Bills.

SECRETARY HAWKER:

Senate Bill 2151, offered by Senator Bomke.

(Secretary reads title of bill)

Senate Bill 2152, offered by Senator Larry Walsh.

(Secretary reads title of bill)

Senate Bill 2153, offered by Senator John Jones.

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(Secretary reads title of bill)

Senate Bill 2154, offered by Senator John Jones.

(Secretary reads title of bill)

Senate Bill 2155, offered by Senator John Jones.

(Secretary reads title of bill)

Senate Bill 2156, offered by Senator John Jones.

(Secretary reads title of bill)

Senate Bill 2157, offered by Senator Haine.

(Secretary reads title of bill)

Senate Bill 2158, offered by Senator Garrett.

(Secretary reads title of bill)

Senate Bill 2159, offered by Senator Althoff.

(Secretary reads title of bill)

Senate Bill 2160, offered by Senator Althoff.

(Secretary reads title of bill)

Senate Bill 2161, offered by Senator Althoff.

(Secretary reads title of bill)

Senate Bill 2162, offered by Senator Forby.

(Secretary reads title of bill)

Senate Bill 2163, offered by Senator Forby.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SILVERSTEIN:

For -- for the purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR SILVERSTEIN:

The Senate -- the Senate Executive Committee -- will meet at 2 p.m. in Room 212, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Could you repeat that, sir? Could you repeat that?

SENATOR SILVERSTEIN:

The Senate Executive -- Committee will meet at 2 p.m. in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Any further committee announcements?
Senator Martinez, for what purpose do you rise, ma'am?

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SENATOR MARTINEZ:

For a point of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point.

SENATOR MARTINEZ:

The -- the Insurance and Pensions Committee will meet at 1:45 in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Ladies and Gentlemen, for purpose of announcement. We had the committee announcements, but we will stand at ease for just a moment. We will do Floor action in just a moment. There will be Floor action in just a moment. So, please, just sit tight. Thank you very much.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, on Supplemental Calendar No. 1 is the Order of House Bills 3rd Reading. This will be final action. House Bill 600. Senator Jones seeks leave of the Body to return House Bill 600 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 600. Madam Secretary, are there any Floor -- amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Emil Jones.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones.

SENATOR E. JONES:

Thank you, Madam {sic} President. Floor Amendment No. 1 is the early retirement language for the City of Chicago employees. The amendment is the bill. I will discuss it further on 3rd Reading. I move for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

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PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. On that Order, House Bill 600. Senator Jones, do you wish to proceed, sir? Indicates he will. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 600.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones.

SENATOR E. JONES:

Thank you, Madam -- Mr. President. The City of Chicago estimates that this early retirement incentive will result in budgetary savings for the City of Chicago of approximately fifteen million dollars in the year 2004. The City says this early retirement initiative is needed to avoid layoffs in excess of six hundred employees. Large-scale layoff of City employees was avoided since the Chicago early retirement bill failed in the Veto Session. To avoid layoff, the unions each conceded one day's pay. This move by the union saved an estimated three million dollars. However, the City notes that if this bill does not pass, layoff notices will go to over six hundred employees and will go out immediately. The "brass" provision contained in the bill for Chicago Fire Fighters is significant for inclusion of management-level salaries be calculated in retirement benefits. Currently, the fund provides retirement, disability and widow annuities based on salary attached to the permanent position of a firefighter, not exempt positions above career service rank - include battalion commanders, commissioners and deputy commissioner. With the exception of the date changes to reflect the passage of time and the addition of language regarding the critical employees of the Chicago Park District, this bill is identical to Senate Bill 1704 that we heard during the fall Veto Session. The City pension funds are well-funded pension funds. No State dollars is involved in the City pension fund. They manage their funds. They pay -- the employees pay their share. The City pay their share. This is something that does not impact fiscally on the State of Illinois. And I urge the Members on both sides of the aisle to give the City what is

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needed so it can take care of its business and take care of its employees, at the same time avoid critical layoff of many needed employees in the City of Chicago.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you -- thank you, Senator Jones. Is there any discussion? Any discussion? Leader Watson.

SENATOR WATSON:

Yes. Thanks, Mr. President. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR WATSON:

Senator, you mentioned, I think, Senate Bill 1705. There's just some confusion, I guess, on our side as to what's actually going on. We -- we understand that the House just passed a bill similar to what we're doing here on Senate Bill 1705. Now we're doing it on House Bill 600. What is the game plan, I guess, would be my question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones.

SENATOR E. JONES:

It is my intent, as I indicated last fall, that we would pass the early retirement bill over here. I don't know what the House does. You know, that's a strange breed, but we in the Senate -- we -- and so, it is my intent, as I indicated to the City, that I would pass this bill out of the Senate. I intended to start it. It'd be the first order of business that we would deal with when we came back in January. So this is the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Watson.

SENATOR WATSON:

Well, I guess I just would hope that we would agree that the House is going to call this bill and it'll ultimately go to the Governor and ultimately become law, and we're not playing games here somehow with House passing one bill, we pass another and then it doesn't really get to the point of passage and doing what -- the intent of what you want to do, Senator. And I -- I -- I would be concerned about that. If I was in support of this legislation and wanted to see it finally go to the Governor, I -

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- I -- you know, I would have hoped that we would be working on one bill and one bill only. But this is fine. This is what you want to do, that's okay. I -- I'll have to say that we did oppose the legislation and -- during the Veto Session. I've had conversations with many of the union business agents and presidents -- unions and the -- that are represented here. I've had numerous calls from even members of the union. I've met with the Governor's -- or, excuse me, the Mayor's Office. I understand the fiscal impact that this has and the ability to prevent the layoffs, which ultimately, obviously, impact the families. And I really appreciate, obviously, the union and the -- and -- the unions involved and the Mayor's Office sitting down to delay the -- implementation of the layoffs, which, unfortunately, they got pink slips right during Christmastime and being told they're going to be laid off. So I think this is the thing to do. And I'm glad to support it and I would urge Members on this side of the aisle to do the same. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any further discussion? Any further discussion? Seeing none, Senator Jones, to close, sir. Indicates he's closed. Then the question is, shall House Bill 600 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? Mr. Secretary, take the record. On that question, there are 49 Ayes, 7 voting Nay, 0 voting Present. House Bill 600, having received the required constitutional majority, is declared passed. Senator Winkel, for what purpose do you arise, sir?

SENATOR WINKEL:

Mr. President, I'd like the record to reflect that I tried to vote Yes. My switch did not work. Intended to vote Yes on that bill.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate your intention, sir. The Senate would like to recognize a former -- Member of the Illinois Senate, Senator Ethel Alexander, joining us today. Senator Ethel Alexander. And up in the gallery -- and up in the gallery, another former Member, Senator Bob Raica, is here this -- this afternoon. Senator Bob Raica. Okay. Ladies and Gentlemen, the

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Senate will stand in recess to the call of the Chair after committee meetings, and the Senate will reconvene to receive Committee Reports and for further Floor action. The Senate stands in recess approximately to the hour of 2:30, 2:45. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. We have the Chicago Tribune -- Chicago Tribune seeks leave to photograph or videotape the proceedings. Is there any objection? Seeing no objection, leave is granted. Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Jacobs, Chairperson of the Committee on Insurance and Pensions, reports Senate Amendment No. 1 to House Bill 599 Be Adopted.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment 2 to House Bill 621, Senate Amendment 1 to House Bill 900 and Senate Amendment 2 to House Bill 1045, and the Motion to Concur with House Amendment No. 1 to Senate Bill 1676, all Be Adopted.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Ladies and Gentlemen, we'd ask all Members of the Rules Committee report to the Senate Anteroom. Senate Rules will meet immediately. All Members of the Senate Rules Committee, Senate Rules Committee will meet immediately in the Anteroom. Madam Secretary, Introduction of Bills, please.

SECRETARY HAWKER:

Senate Bill 2164, offered by Senator Althoff.

(Secretary reads title of bill)

Senate Bill 2165, offered by Senator Petka.

(Secretary reads title of bill)

Senate Bills -- 2166, offered by Senator DeLeo.

(Secretary reads title of bill)

Senate Bill 2167, offered by Senator Welch.

(Secretary reads title of bill)

House {sic} Bill 2168, offered by Senator Peterson.

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(Secretary reads title of bill)

Senate Bill 2169, offered by Senator Althoff.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Excuse me one moment, Madam Secretary. Committee Reports, please.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Appropriations II Committee - Floor Amendment No. 1 to House Bill 2735; and Be Approved for Consideration - Motion to Recede from Senate Amendment 2 to House Bill 719.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. An announcement from the -- from the Chairman of Appropriation II. Appropriation II will meet at the hour of 4:30 in Room 212. The hour of 4:30, Appropriation II, in Room 212. Madam Secretary, would you continue on the Introduction of Bills, please?

SECRETARY HAWKER:

Senate Bill 2170, offered by Senator Bomke.

(Secretary reads title of bill)

Senate Bill 2171, offered by Senator Ronen.

(Secretary reads title of bill)

..Bill 2172, offered by Senator Haine.

(Secretary reads title of bill)

Senate Bill 2173, offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 2174, offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 2175, offered by Senator Link.

(Secretary reads title of bill)

Senate Bill 2176, offered by Senator Link.

(Secretary reads title of bill)

Senate Bill 2177, offered by Senator Link.

(Secretary reads title of bill)

Senate Bill 2178, offered by Senator Righter.

(Secretary reads title of bill)

Senate Bill 2179, offered by Senator Halvorson.

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(Secretary reads title of bill)

Senate Bill 2180, offered by Senator Halvorson.

(Secretary reads title of bill)

Senate Bill 2181, offered by Senator Halvorson.

(Secretary reads title of bill)

Senate Bill 2182, offered by Senator John Jones.

(Secretary reads title of bill)

Senate Bill 2183, offered by Senator John Jones.

(Secretary reads title of bill)

Senate Bill 2184, offered by Senator John Jones.

(Secretary reads title of bill)

Senate Bill 2185, offered by Senator John Jones.

(Secretary reads title of bill)

Senate Bill 2186, offered by Senator John Jones.

(Secretary reads title of bill)

Senate Bill 2187, offered by Senator Petka.

(Secretary reads title of bill)

Senate Bill 2188, offered by Senator Petka.

(Secretary reads title of bill)

Senate Bill 2189, offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 2190, offered by Senator Jacobs.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

...Resolution 367, offered by Senators Demuzio, Emil Jones and all Members.

Senate Resolution 368, offered by Senators Demuzio, Emil Jones and all Members.

Senate Resolution 369, offered by Senators Demuzio, Emil Jones and all Members.

Senate Resolution 370 and 371, 372, all offered by the same sponsorship.

And Senate Resolution 373, offered by Senator DeLeo and all Members.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR DeLEO)

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Resolutions Consent Calendar. Okay. Once again, for notification of -- for all Members, notification for all Members, we're going to -- the Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene. We're going to receive Committee Reports and we will do some further Floor action. So let me just repeat that one more time. For all within the sound of my voice, for Senate Members, we're going to stand in recess. Appropriation II will meet in Room 212 at 4:30 - at the hour of 4:30. As soon as Approp II is finished, we will come back to the Floor for Committee Reports and we will do some Floor action. So with that, the Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

Senator Welch, Chairperson of the Committee on Appropriations II, reports Senate Amendment No. 1 to House Bill 2735 Be Adopted.

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment No. 2 to House Bill 2735.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

...Bill 2191, offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 2192, offered by Senator Cronin.

(Secretary reads title of bill)

Senate Bill 2193, offered by Senator Meeks.

(Secretary reads title of bill)

Senate Bill 2194, offered by Senator Lightford.

(Secretary reads title of bill)

Senate Bill 2195, offered by Senator Cronin.

(Secretary reads title of bill)

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Senate Bill 2196, offered by Senator Garrett.

(Secretary reads title of bill)

And Senate Bill 2197, offered by Senator DeLeo.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 374, offered Senators Demuzio, Emil Jones and all Members.

And Senate Resolution 375, by the same sponsorship.

They're both death resolutions.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. Ladies and Gentlemen, Members -- all Members within the sound of my voice, we will be going to Floor action. We will be going to 3rd Readings, final action. Please, come to the Floor immediately. 3rd Readings. Final action. Please all Members report to the Floor. ...advised that Supplemental Calendar No. 2 has been distributed to all Members. Supplemental Calendar No. 2, which will be the order of business we'll be going to briefly. Majority Leader, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Mr. President, most of our Members over here are cold. Is there some -- something wrong with the heating or, I mean, did we not pay our bill or what happened?

PRESIDING OFFICER: (SENATOR DeLEO)

It's always chilly in the Capitol, sir, but we will notify the Sergeant-of-Arms and let them know that it's -- is very chilly in this Chamber, sir. Thank you for your...

SENATOR DEMUZIO:

Can you tell me who "we" are? You and who else?

PRESIDING OFFICER: (SENATOR DeLEO)

We, the people. Ladies and Gentlemen, on Supplemental Calendar No. 2 is the Order of House Bills 3rd Reading. This will be final action. House Bills 3rd Reading. House Bill 599. Senator Jacobs. Senator Jacobs seeks leave of the Body to return House Bill 599 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 599. Madam

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Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment 1 to House Bill 599 amends the Downstate Firefighters Article of the Illinois Pension Code. Establishes a new surviving spouse annuity equal to a hundred percent of the deceased firefighter's retirement benefit, putting it on an equal footing with what the police department's now have. Provides for a compounded three-percent annual increase in children's benefits over a five-year period and incrementally increases minimum retirement disability and surviving spouse benefits to one thousand one hundred and fifty-nine dollars and twenty-seven percent -- I mean, cents per month in 2008. Exempts -- exempts the changes from the State Mandates Act. I know of no opposition, other than the Illinois Municipal League, which is concerned with the cost, with the NPSDE {sic} (NPDES) permits and et cetera being upon them. I ask for your support and be willing to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Okay. On 3rd Reading, House Bill 599. Senator Jacobs, do you wish to proceed, sir? He indicates he will. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 599.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

I think we just explained the amendment and -- which become the bill, and I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, Senator Jacobs asks for a favorable roll call. The question is, shall House Bill 599 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 54 Ayes, 1 voting Nay, 0 voting Present. House Bill 599, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, we have House Bill 621. Senator Demuzio. Senator Demuzio seeks leave to return House Bill 621 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is now House Bill 621. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, on Amendment...

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment No. 2 to House Bill 621 does, in fact, become the bill. It is a -- an initiative of the Department of Commerce and Economic Opportunity, their Office of Coal Development. It broadens the definition for new electric generation facilities. It provides that there are a -- a -- different threshold for smaller projects in which to avail themselves of the bonding authority of the Coal Development Office. I know of no opposition and be happy to answer any questions and that -- in fact, it does become the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted.

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Are there -- Madam Secretary, are there any Floor -- further Floor amendments approved for -- for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. On the Order of 3rd Reading, we have House Bill 621. Senator Demuzio, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, would you please read the bill?

SECRETARY HAWKER:

House Bill 621.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have just indicated to the Members what the Senate amendment does. We've adopted it. It becomes the bill. Again, it's an initiative of the DCCA's -- or, the DCEO, whatever they call it these days, Office of Coal Development. It does afford the opportunity for some lesser-generating facilities, lowers the threshold. And I know of no opposition. Would ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you very much, Senator. The question is, shall House Bill 621 -- I'm sorry. Senator Lauzen, for what purpose do you arise, sir?

SENATOR LAUZEN:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Senator, I'm sorry. I have not had a chance to study this -- thoroughly, but our analysis says that this is landmark legislation that provides for -- financial incentives for entities to generate additional facilities. What type of financial incentives does it include?

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much. This proposition that is before us was filed during the Veto Session, so it has been around. If we're looking at the various incentives for these projects, as well as the other projects that are -- that are considered, there are low-interest loans, there are more obligation bonds. There is other types of expertise that are available by the -- the Coal Development Office for these various projects, and they cover smaller projects, not -- not the larger ones. And they have a number of those that were given to the committee Members today, including a project for the Jacksonville School for the Visually Impaired, for Springfield's Water and Light future generation, SIU Carbondale. These projects have not been singled out, but they are projects that do require and would require some additional incentives from this particular bill. And so, it's not any departure from the previous practices of State government in what we are doing with this -- with this legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Senator, I -- I -- unfortunately, I did hear loan guarantees and I -- I heard low-interest loans. But, I'm sorry, I could not hear the rest of the explanation of just -- and I know that you listed some of 'em off, but I'm sorry that I could not hear you. The other incentives. I know that this is -- you're saying that this is a standard thing, but for smaller operations. Perhaps folks on that side of the aisle could hear. I could not. I'm sorry.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Well, again, there is no departure from previous practices here. All we're doing is lowering the threshold in this particular category to afford lesser projects that have -- there was -- less than four hundred milliwatts {sic} or larger of generation of -- of electric power. And it's my understanding that everyone has agreed that this is a incentive that is long

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overdue, that we ought to lower the threshold to afford lesser power generation facilities the opportunity to -- to avail themselves of this bond -- this bond program.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Just -- just one other question. According to our analysis, and -- and my understanding of this analysis may be inaccurate, but the Environmental Council is opposed and the Sierra Club opposed. Do you have any information on that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

To my knowledge - I've just asked the staff - there has been no one who has filed in opposition. The two that you just named are not registered in opposition, and I have no knowledge of -- of their positions.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, to close. Indicates he wishes for a favorable roll call. Okay. The question is, shall House Bill 621 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 54 Ayes, 2 Nays, 0 voting Present. House Bill 621, having received the required constitutional majority, is declared passed. Continuing on the Order of House Bills on Supplemental Calendar. House Bill 900. Senator Sullivan. Senator Sullivan seeks leave of the Body to return House Bill 900 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 900. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan, on the amendment, sir.

SENATOR J. SULLIVAN:

Thank you. The amendment is -- basically establishes the Western Illinois Economic Development Authority. It's located

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in thirteen counties in western Illinois. It has a two-hundred-fifty-million-dollar bonding authority. And be more than happy to answer questions at 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. On the Order of 3rd Reading, we have House Bill 900. Senator Sullivan, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, would you read the bill?

SECRETARY HAWKER:

House Bill 900.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President. House Bill 900 is -- creates the Western Illinois Economic Development Authority. It's to be used for -- for economic development in thirteen counties in western Illinois. There's five of these authorities located now in the State. There -- this bill is similar to Senate Bill 1754, which passed out in the spring Session. We've made some changes to the size of the board and also incorporated some changes to the Tri-City Regional Port District. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

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SENATOR ROSKAM:

Senator Sullivan, this is a different version than -- or, the Governor vetoed this bill previously, didn't he? Wasn't there some previous action on this subject matter?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR J. SULLIVAN:

He did make an amendatory veto to Senate Bill 1754, which is very similar to this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

How does this change, Senator, to what the -- what the Governor did? Or the real question is, do you have an understanding with the Governor that he's going to sign this bill? Or is it your expectation that he'll likely veto that bill -- veto this bill? In other words, have we -- have we accommodated the Governor's change at all?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Yes, Senator, I -- I believe that we have. There was representatives from DCEO at the committee hearing. They were there in support of the bill. And I believe that we have the -- the support of the Governor on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Is there any further discussion? Seeing no further discussion, Senator Sullivan, to close. Indicates he'd like a favorable roll call. So, the question is, shall House Bill 900 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 50 Ayes, 5 voting Nay, 0 voting Present. House Bill 900, having received the required constitutional majority, is declared passed. Once again, continuing on Supplemental Calendar No. 2, we have House Bill 1045. Senator Luechtefeld. Senator Luechtefeld seeks leave of the Body to return House Bill 1045 to the Order of 2nd Reading. Leave is

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granted. On the Order of 2nd Reading is House Bill 1045. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. Chairman -- or, Mr. President, Members of the Senate. This is a land transfer down at DuQuoin State Fairgrounds. It simply transfers -- a trade, actually, of nine acres of -- of private property which the State would take on at the fairgrounds to enlarge their campground, and they will then give up five acres to have a motel built there by the -- by the fairgrounds. I think everyone supports this, but that's the amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Okay. House Bill 1045. Senator Luechtefeld, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, will you read the bill?

SECRETARY HAWKER:

House Bill 1045.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. I -- I think I explained it during the -- with -- the amendment is the bill. I would be glad to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DeLEO)

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Is there any discussion? Is there any discussion? Seeing no discussion, Senator Luechtefeld, to close, sir. Indicates he -- for a favorable roll call. The question is, shall House Bill 1045 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 55 Ayes, 1 voting Nay, 0 voting Present. House Bill 1045, having received the required constitutional majority, is declared passed. Continuing on Supplemental Calendar No. 2, we have House Bill 2735. Mr. -- Senator -- President Jones seeks leave for House Bill 2735 -- seeks leave of the Body to return House Bill 2735 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2735. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones indicates that Senator Trotter will explain the amendment. Senator Trotter.

SENATOR TROTTER:

Mr. President, if we could, there's two amendments that we have. If we can adopt both amendments then I can explain them in its entirety.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeks leave to adopt Floor Amendment No. 1 and Floor Amendment No. 2. Oh! You want to discuss the -- you -- we're going to do Amendment No. 1. You're going to explain both amendments. We'll have separate roll calls on Amendment No. 1 and No. 2, and you'll do one explanation on both amendments. Is that correct, sir?

SENATOR TROTTER:

What -- what, I'm being advised, that we should do them separately. So -- so let's do them separately.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. We'll divide the question. We'll go back to the original Floor Amendment No. 1, sir. Senator Trotter, on Amendment No. 1.

SENATOR TROTTER:

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Thank you very much. Amendment 1 -- No. 1 to Senate {sic} Bill 2735 is the supplemental for the '04 budget. Within the -- that amendment, we address many of the reappropriations. Some new initiatives have been -- here. We have in this amendment five hundred thousand dollars for the funding for the Illinois Guaranteed Job Opportunity Act. We put in this amendment a -- excuse me. Wrong list. Excuse me. Yes. All this we can -- here we also have for life safety for the Capitol, thirteen million dollars -- 13.6 million dollars. We reappropriate 2.4 million dollars and -- for ITT {sic} (ITD) for HAVA which benefits another forty-three. So totally it's a two hundred and eighty-one-million-dollar supplemental.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR TROTTER:

Thank you very much. Senate Amendment No. 2 to House Bill 2735 appropriates one million dollars to the Department of Commerce and Economic Opportunity for grants, contracts and administrative expenses for the ITP program.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. On the Order of 3rd Reading, we have House Bill 2735. Senator Trotter, do you wish to proceed, sir? Indicates he -- yes. Madam Secretary, read the bill.

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SECRETARY HAWKER:

House Bill 2735.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, on House Bill 2735.

SENATOR TROTTER:

Thank you. As mentioned when I was defining the amendments, in committee a couple questions were asked about various programs. If I could, one about the Illinois Scholars and the Golden Apple Award, which we're appropriating six hundred thousand dollars. This supplemental request increases the total appropriation for ISAC to seven hundred and seven million dollars, which is an increase of less than one percent. For those who don't know, the Illinois Scholars Program provides professional and financial assistance to education students who -- who agree to teach in our State, within eight years of graduation, in high-need Illinois schools. This will -- additional funding is necessary to pay for the second semester for scholarships for students. Another question, I believe -- not believe, was asked in committee and it was about the jobs for Illinois Guaranteed Job Opportunity. This appropriation will pay for the legislation that we passed back in -- which was House Bill 696, that said that the -- the Department of Commerce and Community Affairs may accept application and issue grants for the operation of job projects to be formed {sic} by TANF family recipients for a period of six months or less or as a means of preparing participants for unsubsidized employment. And -- and if there were any other questions, I'm...

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I just have a few comments to make to illuminate some of the things that are in this bill. There's no question there are some good things in here and things that we need to do, either errors or, in one instance, a way to get some more federal matching money. So there are a lot of good things in here. The problem is, there's also a lot of

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things in here that are very questionable as to whether or not we ought to be doing these right now, particularly given the fact that we're facing another potential two-billion-dollar shortfall. So to continue to spend on things that are not critically important is only going to dig us deeper and deeper and deeper in the hole. And I'm just going to point out a -- a couple of the, what I consider, more egregious examples. I know others may have other items they want to highlight. For example, in this supplemental, there's two hundred thousand dollars that goes to Chicago State University for the purpose of celebrating the Brown versus Board of Education decision. It's good that we celebrate that. It's good that people in our State know about that. But two hundred thousand dollars out of GRF for a very vague and unspecified kind of celebration. You have to question whether that money wouldn't be better spent adding back classes that we had to cut from the universities just this last Session or adding back scholarships that kids could use that really could use that money. It's not the kind of thing we ought to be passing in a supplemental. Another thing that caught my attention immediately was an additional one million dollars to the Arts Council. The Arts Council already gets somewhere between seventeen and eighteen million dollars every year. Why are we adding another million right now? I mean, sure, someone can make an argument that it's good to have arts education, but there's good arguments to be made to all kinds of things. But that's exactly how we got ourselves into the deficit situation that we're in right now. Additionally, there is an appropriation in this budget for a road project in a Member's district, one that's probably going to be a targeted race. Now, you have to ask yourself, why is it going to that particular district? Why is it the only project here? I wish you all could have been in committee, because we heard some interesting answers. First of all, there was a lot of discussion about, "Oh, it's a safety hazard." Then it was economic development. All kind of humorous and tongue-in-cheek, but it's obvious what it's for. There's good economic development projects in every one of our districts that could be enhanced by additional road program funds. There's -- there's also good safety issues in all of our districts that could also be alleviated by more funding, but this one gets

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funded. So in totality, even though there's a lot of good stuff in here, this supplemental is the absolute epitome of business as usual. And what's really unfortunate is, we all know it. And even you on the other side of the aisle know it. And we know you know that because last spring when we called -- called you on a number of these items, they were immediately removed. And we passed a supplemental that was slimmed down and was only the necessary stuff. So now, we as the Legislature, have the opportunity to carry through on the theme of the day, which is not doing business as usual, and the only way to do that is to vote No on this and there will be a supplemental that will come back with the bare essentials. So I certainly urge everyone on this side to vote No and end business as usual.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Senator Trotter, I've been looking through the list of goodies that are contained in this supplemental appropriation and I want to go through a few of them with you. I don't understand exactly what some of these we're going to be spending taxpayer dollars on, especially, at a time, as Senator Radogno said, when we don't have enough taxpayer dollars to cover what we've already got on the table. What -- we're going to spend two and a half million dollars for maintenance and equipment for renovation and restoration of the Capitol Building. What exactly are we going to be doing in this beautiful building that we can't live without for the remainder of this fiscal year?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Well, several things. One, we have to deal with our air conditioner. As you saw, when you came here, it was freezing as hell. I guess you don't freeze in hell, but the thing is, it was

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cold. So we do have problems with our air conditioning system. We have to put more dollars into our fire safety for fire safety codes. That came about in part, even though we've done some work over the past few years and we're doing work now, ongoing work, but because of the fire that they had up in -- at the Cook County -- in the City of Chicago at the County Building, we have been evaluated that we have some faulty wiring here in the building, and they feel that it's necessary at this time that we pay for some of that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator, I have another question, but, first, I'm happy to wear a coat if we can send a million or that or so down to school districts in downstate Illinois. I'll stay warm that way. Supreme Court supplemental appropriation. We're going to spend over a quarter of a -- let me see, two hundred and seventy-six thousand dollars for two new judges in the Third Appellate District. Is there such a crunch in the Third Appellate District that we can't live without those judges for at least the rest of the fiscal year?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

I don't believe there's a crunch, but I -- I believe that there -- they do have a backlog in cases. This is something that -- again, that was authorized and that they went through the election. It was authorized and they had to replace one of the judges who retired -- or, he ran for higher office. So this was a -- a necessity they need to do to handle the people's business in that part of the State.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator Trotter, under the State Board of Education, we're going to spend three hundred thousand dollars to the South Cook Intermediate Service Center for operations. Now, it's my understanding that that's a regional office of education. I thought we didn't need regional offices of education, but now

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we're going to create one in Cook County. Is that what that's for?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Yes, that's what it's for.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Is it your expectation that the Governor will sign the supplemental appropriation, Senator, when he's against the regional offices in the first place?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

The Director of OMB said in committee, yes, the Governor will sign this bill as we have presented it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

And the last specific question I have, Senator Trotter, has to do with -- and we're all starving when it comes to road dollars, that -- the transportation district that I represent, District 5, is down thirty-five percent in road dollars from Fiscal Year 2003. And yet, I see in here a line item for three hundred and twenty thousand dollars for some kind of road project. Can you tell me where that's at?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Yes. You're talking about the improvement of the intersection at Route 57 and Radio Road. I personally haven't been there, but I understand it is down in -- in central Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Was there a survey of -- road projects done in order to determine which ones had to be included in this supplemental and

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therefore a determination that only this one would be included in it?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

You know, IDOT had -- does their own assessment on -- on -- on the needs and the urgencies in which roads they should work on. This particular intersection, from my understanding, has been a -- a -- a source of many accidents. There -- as we talked about in committee, that there will be some economic development that will be going on in the very near future, and if this road and the problems with the road which intersects with -- not only with the -- the intersection itself, but also train crossing, that if it is not corrected at this time, that it would be an exacerbated problem in years to come. So they are addressing it now.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, we have numerous people on your side of the aisle seeking recognition to speak, sir. Senator Righter.

SENATOR RIGHTER:

I was going to the bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you.

SENATOR RIGHTER:

Ladies and Gentlemen of the Senate, we are mired in at least a two-billion-dollar deficit for the coming fiscal year, and we are running short in this fiscal year. And we have before us a supplemental of almost three hundred million dollars, which touches on a number of items which I think we can all admit are not emergency items. They're things that we can probably do without in this fiscal year. We've all heard about changing the way we do business in Springfield. We've all heard about fiscal austerity and fiscal discipline. Ladies and Gentlemen, I assume there's a reason we're calling this bill after the sun has gone down. This is embarrassing. This is embarrassing. And there are a number of items in here which, if you vote for this, you're going to be asked to explain come next election year, because these are not necessary items this year. Please vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR WELCH:

I would call the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Welch moves the previous question. Prior to that motion, Senator, there's one, two, three people seeking recognition. Senator Schoenberg, for what purpose do you rise, sir?

SENATOR SCHOENBERG:

I'd like -- I'd like to rise in favor of this measure. Our friends on the other side of the aisle have sought to frame this in a way that renders this -- that renders this almost irrelevant and laughable if you buy into their arguments. But I think it bears mention, we've heard a great deal of talk about what are some of the less -- are supposedly some of the less essential measures that are in this bill, but they've conveniently glossed over some of the more critical things that are in this bill. For example, the largest portion of this bill contains an opportunity for us to access an additional hundred and twenty-seven million dollars to pay for health care bills through federal Medicaid transfers, a hundred and twenty-seven million dollars in federal money that we don't have to pay bills that are accumulating as a result of the jobless recovery that we're realizing here in Illinois by having more people needing to access their health care through Medicaid. What the prior speakers have also failed to mention is that this bill contains the Court of Claims awards for those wrongfully convicted individuals who've already had their lives arguably stolen from them as a result of failures in the State's criminal justice system. In order to restore some small measure of justice to people like Leroy Orange and Madison Hobley, who found themselves on death row and now have gone through the Court of Claims process, because it happened after May of last year, they've been -- you could say, "Well, let them wait a little longer. It's not essential." Do you want to tell somebody who's been on death row and who was wrongfully convicted and sat on death row that -- that their Court of Claims award, in order to try to prevent them from being poor and destitute, that that's not essential and that they can wait further? I think that's

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between people and their consciences if they want to try to make that argument. This reason alone is reason to vote for this bill. If you block out everything else, this is why you should be voting for this bill. How do we tell people who've wrongfully sat on death row that they should wait longer for whatever money they're legally entitled to, to try to support themselves? We've already stolen their lives away from them. Can we now, in good faith, tell them they should wait a little longer until the process works itself out? I don't think we can look at ourselves and I don't think we can look at them and make that argument. This bill also features the ability to change the business as usual by funding four positions for Inspectors General in several key agencies, which will enable us to enact the type of tougher ethics reform that we've all committed ourselves towards. It'll give us the opportunity to have more qualified people in teaching positions, through the Golden Apple Scholars Program, in underserved areas where no one wants to go learn to be a teacher, or let alone teach. This also enables us to -- do we also want to tell people who have loved ones suffering from Lou Gehrig's disease that they can wait because the federal government has abdicated their responsibilities on funding medical research, the way they should, so it's not important to give Northwestern University a million dollars more to fund research for Lou Gehrig's disease? If you have a loved one suffering from Lou Gehrig's disease, you want to tell them that it's nonessential that we help find a cure for this debilitating disease? All these are compelling reasons to vote for this bill. I realize it's imperfect, but I think the good by far outweighs the bad. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SYVERSON:

Oh, just a couple questions will be fine. Thanks.

PRESIDING OFFICER: (SENATOR DeLEO)

To the sponsor. Sponsor...

SENATOR SYVERSON:

Senator...

PRESIDING OFFICER: (SENATOR DeLEO)

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Sponsor indicates he'll yield.

SENATOR SYVERSON:

Senator Schoenberg, I agree with you. How do we tell people? How do we tell people that this is business as usual, that we're taking good important pieces of legislation and we're loading it up with pork? How do we -- go back home and tell our people with a two -- a two-billion-dollar deficit, that now we're going to turn around and tie pork projects to much needed projects to our -- to our State? In this legislation, yes, there are some very important pieces of information, but when we look at all the pork that's in here, that is certainly a concern to us. Couple questions that we asked in committee and I'd like to follow up with those. Senator Trotter, the issues regarding the Public Health Department, I know that there's three projects that are going in there. Two hundred thousand of it going to asthma research. Have you had a chance to talk, since committee, to find out who is getting that two hundred thousand and what is that going to be used for?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

No. I -- we didn't have time to get the -- the specific information of who will be given these dollars, but it'll go, as it says, for research, looking at why is it we're having a -- an increase of -- of illnesses and why children are missing school. Asthma is a problem. It's a national problem, but it's -- it's a -- one of the worst problems. Chicago, nationally, has been said, it is one of the worst places for asthma and asthma attacks of children than anywhere else in the country. So, as a consequence of that, we are looking at that so we can address the health care needs of -- of our students.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

It's my understanding, from talking to our staff, that there are a number of asthma studies already taking place, both in the public and in the private sector, including Chicago. What's different -- or, what's the emergency about having to pass this at a time when we have a two-billion-dollar budget

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{sic}? What's the emergency that this has to be passed today? And is this going to be different from the studies that are already currently under -- being undertaken in Chicago?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Since I haven't seen the outline, I can only make the assumption that this will be a different analysis of -- of what the problem is in the City of Chicago. So I'm being told that the money -- as I mentioned in committee, the money will be going to the Chicago Department of Public Health and the dollars will be disseminated to different hospitals who will be conducting this study.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Thank you. Another question. A number of these -- I guess our concern was, when we asked questions in committee, who initiated these requests or what they're being used for, we couldn't find one answer, to any one of these, who's requested 'em and what it's going to be used for. And that's a concern when we're spending this much money at a time when we have a deficit. The opening of a new office for the Property Tax Appeals Board, again, is that something that is a priority that we have to pass today when we have a two-billion-dollar deficit?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

It's the reopening of the building. Correct? So it's an existing building. So it did have a function. We found out that -- its services were needed for that area, and we are reopening that building.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Are we closing another building and moving people from that building back into this Cook County location?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

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SENATOR TROTTER:

Yes. What -- what has happened is that, as you know, most of these appeals now are being handled down here in Springfield, and as a consequence, there has been a big backlog of these cases being adjudicated. Opening this office will correct that problem -- reopening this office will correct that problem.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Isn't there not another office already in the Chicago area, the Cook County area? Not just Springfield?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

I'm sorry. I didn't hear the question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Isn't there another office? Springfield's not the only location for those hearings. Isn't there another office that's currently being used in the...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

No. This office -- the space that we're looking at now in -- in Cook County will be in the Thompson Center. So we're maximizing the space there.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

I'll go on to another issue, but I think the answer is, yes, they closed the Des Plaines office and now they're going to reopen this office in Chicago. So there was an office there that was -- that was closed. Following up a little bit on the previous question regarding the priority of this -- of this road project - the three hundred and twenty thousand, the Department of Transportation has a list of order of priority roads that they have engineered and looked at and they have that in order based on -- based on need, and then they also have a separate

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list for emergency road work that has to be done. Is this project on that list that's showing that this is the -- the top priority in the State of Illinois of emergency projects that need to be done?

PRESIDING OFFICER: (SENATOR DeLEO)

Before we turn this over to Senator Trotter. Senator Syverson, if -- and just a few minutes ago, that question was asked in debate. Wish to have the Membership please pay attention. That question was just asked and answered once. I'd ask Senator Trotter to answer that question, and please bring your remarks to a close, sir. We have other speakers. Thank you very much. Senator Trotter.

SENATOR TROTTER:

Thank -- thank you very much, Mr. President. Senator Syverson, no, I have not seen their priority list. I can make the assumption at this date, because I am aware that they do have such lists, that they have reassessed the urgency of working on this road at this time. Again, as I've mentioned, because of the train crossings that are there, and I've been told there's three train crossings that happen at this intersection, because of its narrowness, that it's just been a source of just many accidents and they're trying to correct that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

I'll -- I'll wrap it up with this, but would you be willing to say though that if this project is not on this list, that clearly this was done in a political effort, as business as usual, to put pork into a budget at a time when we have a two-billion-dollar budget {sic}? If this is not currently on the IDOT emergency list, would you be willing to say that this was not a request made by IDOT for an emergency reason, that this was put in by your caucus, the same with some of these other projects?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Trotter.

SENATOR TROTTER:

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Senator Syverson, if I was an engineer, I certainly can say that, but I'm not. So I do not know what criteria that IDOT used when they assessed doing this project at this time.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

A few comments and one or two questions. And I'll try to talk real fast, 'cause I know you're in a hurry tonight and I think I'm the last speaker on the bill..

PRESIDING OFFICER: (SENATOR DeLEO)

So, to the bill first, sir, or to questions?

SENATOR RAUSCHENBERGER:

Well, yeah, I think to the bill a little bit, then a couple questions, then I'll close very quickly. But I'll try to be brief. You know, very respectfully, you're doing a great job in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

The -- the Floor is yours, sir.

SENATOR RAUSCHENBERGER:

I first -- I first want to tell Senator Trotter I know how he feels. You know, you're doing great over there, Don. Hang in there. I want to call Members' attention to Article 1, Section 2, Department of Veterans' Affairs, and just kind of add a cautionary note. We -- we had a lot of discussions over the last couple years about whether privatization saves money or costs money. And -- and I just call everybody's attention to the fact, because the projection and the request from the Department of Veterans' Affairs for supplemental money is projecting that their '05 budget will cost almost twenty thousand dollars more per bed to operate the system with State employees. If we're going to continue to engage in meaningful efforts to limit privatization - and I'm concerned about too much privatization - we've got to ask the Department of Veterans' Affairs to manage that -- that veterans' home more appropriately and on a smaller budget. Currently, that home operates at sixty-three thousand dollars per bed per year. The projection with State employees is now eighty-three thousand. I want to call people's attention to Article 1, Section 4, Capital Development Board, new. The total

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of the new expenditures on the Capitol for asbestos abatement and some kind of fire planning and other important things represents thirteen and a half million new dollars of debt that's presumably going to be offered on twenty-year bonds. It was with a lot of frustration and courage that this Body refused to complete the renovation of this Chamber during this economic problem. I know Jesse White -- Secretary of State Jesse White is very persuasive, but continued spending on this building is difficult to explain to our constituents. So I just want to point that Section out. I think it's one of those Sections that we ought to pass on, if we had the opportunity. I want to call people's attention to Section 3, Department of Public Health. It's Article 3, Section 3. It's the one million dollars of new general revenue for ALS research, and I know Jeff Schoenberg should have been on his feet rising in support. I think this is the money that funds the bill he passed. But he also should tell you this is not going to the Department of Public Health. It's going to one not-for-profit agency in his district. And, you know, I just think the Members of the Body need to know that. While he's excited about ALS research, you know, it does, to some extent, have a little bit of a conflict of interest since that -- that facility, that not-for-profit -- and it's very unusual to appropriate a million dollars directly to a not-for-profit, but good for you, Jeff. It was good work. And I just want to touch on the -- two last things. First of all, Members of this Body need to know that this bill includes seven hundred -- I'm sorry, seventy-five million additional appropriation corrections from the Bureau of the Budget's draft of the bill. By my rough calculation, you may remember - and this is probably a good time to do this right before the State of the State - but just about -- about a year -- no, a year and a couple months ago, the Director of the Bureau of the Budget, John Filan, was very excited and stood up and told the whole world that the State budget was smaller than it was the previous year. It got that way because they cut a billion dollars out of the reappropriation lines of State government. We have now restored almost all of those lines - piecemeal, one at a time, little by little - and we're adding one hundred and forty-one million new dollars. So, the real State of the State budget, in Rod

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Blagojevich's first year in the middle of a very difficult economic situation, is one billion one hundred and forty-one million new dollars of spending at a time when our revenue sources are still tough. So, if we've got a revenue shortfall, if we've got a problem in -- in Fiscal Year '05, we're -- everybody who votes for bills like this are part of the problem. So I just think -- you know, I'd ask the sponsor, respectfully, to think about taking this out of the record. I'd be very happy to participate in -- in working together in a bipartisan fashion to boil this down to the things we have to have. But I just think we are -- we are -- you know, we're throwing fuel on the fire in a situation where we can't keep our obligations to the people of the State of Illinois. The sponsor's doing an admirable job carrying a bill. Good luck.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much for your remarks, Senator. Senator Trotter, to close, sir.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Thank all of you for your thoughtful suggestions and -- and recommendations and -- and -- and comments, in general. But the deal is, is that we did not get in the position that we are now, in the situation we are, 'cause we've been irresponsible. Around this country we had an economic downturn. So as a consequence, many programs that all of us held near and dear did not get funded. But the thing is, is we are the State of Illinois. We are still a great State. What these appropriations do is try to at least sustain some kind of quality of life that we had during the good years. These are not extravagant dollars, saying let's throw a million dollars on dog research. No, this is a million dollars going for ALS, and it deals with genetics and ALS. It does development of new ALS research tools, the understanding of disease mechanisms in ALS. It deals with the discovery and development of new drugs and other treatments for ALS. A million dollars is not a lot of money. Many of these programs that -- also that we are funding here have been unfunded or underfunded through years. Just because we've had a downturn, again, we should not just decimate our way of life and our quality of life in the State of Illinois. Again, what someone

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else's -- one person's priority is not someone else's. Unfortunately, we can not address everyone's issues. So, as a consequence, we did have some thoughtful people who sat at the table and said this is one of the things that we need to do. We did take recommendations from the other side. As a matter of fact, we put another million dollars in there for the ITP program for one of the Leaders over in the House from the Republican side of the aisle. So there has been some collaboration. This has been a -- a bill that has gone through the democratic process, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The question is, shall House Bill 2735 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 33 Ayes, 21 voting Nay, 1 voting Present. House Bill 2735, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on Supplemental Calendar No. 2, we're going to Secretary's Desk, Concurrence. Senate Bill 1676. Senator Lightford. Senator Lightford, do you wish to proceed? She indicates she does. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1676.
Motion filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment 1 to Senate Bill 1676 amends the Counties Code regarding the recorder of deed fees. This amendment adds that for noncertified copies of records, an amount not to exceed one half of the amount provided for certified copies, according to a standard scale of fees, established by the county ordinance and made public. This legislation only affects Cook County and was brought to my attention by the Cook County Recorder of Deeds. I'd be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any discussion? Seeing no discussion, the question is, shall Senator -- concur in House Amendment No. 1 to Senate Bill 1676. 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 49 Ayes, 6 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1676, and the bill is declared passed. Ladies and Gentlemen, continuing on Supplemental Calendar, bottom of the page. Secretary's Desk. We're moving to Nonconcurrency of House Bills. Nonconcurrency of House Bills. House Bill 719. Senator George Shadid. Senator Shadid, do you wish to proceed? Indicates he would like to. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to recede from Senate Amendment No. 2 to House Bill 719.

Motion filed by Senator Shadid.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid, on the motion.

SENATOR SHADID:

Thank you, Mr. President. Senate Amendment No. 2 establishes a -- establishes a special permit system for trucks transporting raw milk. I supported this amendment on behalf of Senator Sieben, but the House did not concur with our amendment. And I know that Senator Sieben has reintroduced this amendment as Senate Bill 2118, and I will support his provision again. If we recede from this amendment, all that remains in the bill are the provisions of Senate Amendment No. 1 that makes three noncontroversial changes for the Secretary of State. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Shadid, to close. Senator Shadid waives the closing. So the question is, shall Senate recede from Senate Amendment No. 2 to House Bill 719. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have

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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 53 Ayes, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does recede from Senate Amendment 2 to House Bill 719, and the bill is declared passed. Ladies and Gentlemen, that will conclude the business of the Senate. So, there being no further business to come before the Senate, the Senate stands adjourned until the hour of 10 a.m. on Thursday, January 15, the year 2004. The Senate stands adjourned.