

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Pastor Thomas Christell, Grace Lutheran Church, Springfield, Illinois. Pastor Christell.

PASTOR THOMAS CHRISTELL:

(Prayer by Pastor Thomas Christell)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Tuesday, February 29th, and Wednesday, March 1st, 2000.

PRESIDENT PHILIP:

Senator Jones.

SENATOR W. JONES:

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

PRESIDENT PHILIP:

Senator Jones moves to approve the Journals just read. There being no objections, so ordered. Senator Jones.

SENATOR W. JONES:

Mr. President, I move that the reading and approval of the Journal of Monday, March 6th, in the year 2000, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

Senator Jones moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. Senator Mahar, for what purpose do you rise?

SENATOR MAHAR:

Thank you -- thank you, Mr. President. For the purpose of an announcement.

PRESIDENT PHILIP:

State your message.

SENATOR MAHAR:

The Senate Environment and Energy Committee will meet at 9:30 tomorrow morning, as opposed to 9 o'clock. Will the Members please change their schedules? Thank you.

PRESIDENT PHILIP:

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, thank you, Mr. President. Let the record reflect that Senator Mitchell is excused today. Thank you.

PRESIDENT PHILIP:

Senator -- the record will so indicate. Let me make a little suggestion. There are a lot of House Bills on 1st Reading that nobody has picked up. If you're so inclined, I wish you would pick up those House Bills. They can't go to Rules Committee until we have a sponsor. Thank you. Committee Reports.

SECRETARY HARRY:

Senator Robert Madigan, Chair of the Committee on Insurance and Pensions, reports House Bills 986, 1582, 1583 and 1597 Do Pass.

Senator Dillard, Chair of the Committee on Local Government, reports House Bills 3114 and 4138 Do Pass; and House Bill 3188 Do Pass, as Amended.

And Senator Syverson, Chair of the Committee on Public Health

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

and Welfare, reports House Bill 486 Do Pass, as Amended; and Senate Joint Resolution 53 Be Adopted.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Messages from the House.

SECRETARY HARRY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 2 to a bill of the following title, to wit:

Senate Bill 43.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference. Action taken by the House, March the 2nd, 2000.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

ACTING SECRETARY HAWKER:

Senate Resolution 305, offered by Senators Parker, Geo-Karis, Link, Peterson, Cullerton and all Members.

Senate Resolution 306, offered by Senator Link and all Members.

Senate Resolution 307, offered by Senator Link and all Members.

Also, Senate Resolution 308, offered by Senator Link and all Members.

Senate Resolution 309, offered by Senators -- Senator O'Malley and all Members.

Senate Resolution 310, offered by Senators Demuzio, Jones and all Members.

Senate Resolution 311, offered by Senator Demuzio and all Members.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

And Senate Resolution 312, offered by Senator Emil Jones and all Members.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar.

ACTING SECRETARY HAWKER:

And Senate Joint Resolution 61, offered by Senator Larry Walsh.

It is substantive.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Introductions of Bills.

ACTING SECRETARY HAWKER:

Senate Bill 1953, offered by Senator del Valle.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 665, offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 808, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill 840, offered by Senator Myers.

(Secretary reads title of bill)

House Bill 1284, offered by Senator Emil Jones.

(Secretary reads title of bill)

House Bill 1992, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill 2870, offered by Senator Dudycz.

(Secretary reads title of bill)

House Bill 2882, offered by Senator Sieben.

(Secretary reads title of bill)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

House Bill 2915, offered by Senator Parker.

(Secretary reads title of bill)

House Bill 2965, offered by Senator Syverson.

(Secretary reads title of bill)

House Bill 3223, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 3229, offered by Senator Molaro.

(Secretary reads title of bill)

House Bill 3383, offered by Senator Munoz.

(Secretary reads title of bill)

House Bill 3402, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 3464, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 3621, offered by Senator Maitland.

(Secretary reads title of bill)

House Bill 3629, offered by Senator Viverito.

(Secretary reads title of bill)

House Bill 3640, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 3699.

(Secretary reads title of bill)

House Bill 3850, offered by Senator Shadid.

(Secretary reads title of bill)

House Bill 3911, offered by Senator Obama.

(Secretary reads title of bill)

House Bill 3936, offered by Senator Shadid.

(Secretary reads title of bill)

House Bill 3979, offered by Senator Shadid.

(Secretary reads title of bill)

House Bill 3989, offered by Senator Munoz.

(Secretary reads title of bill)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

House Bill 4074, offered by Senator Peterson.
(Secretary reads title of bill)

House Bill 4097, offered by Senator Sullivan.
(Secretary reads title of bill)

House Bill 4116, offered by Senator Cronin.
(Secretary reads title of bill)

House Bill 4119, offered by Senator Maitland.
(Secretary reads title of bill)

House Bill 4136, offered by Senator DeLeo.
(Secretary reads title of bill)

House Bill 4231, offered by Senator Maitland.
(Secretary reads title of bill)

House Bill 4260, offered by Senator Dillard.
(Secretary reads title of bill)

House Bill 4261, offered by Senator Dillard.
(Secretary reads title of bill)

House Bill 4300, offered by Senator Luechtefeld.
(Secretary reads title of bill)

House Bill 4352, offered by Senator Myers.
(Secretary reads title of bill)

House Bill 4450, offered by Senator Weaver.
(Secretary reads title of bill)

House Bill 4466, offered by Senator Sullivan.
(Secretary reads title of bill)

House Bill 4481, offered by Senator Donahue.
(Secretary reads title of bill)

House Bill 4693, offered by Senator Cronin.
(Secretary reads title of bill)

House Bill 4698, offered by Senator Molaro.
(Secretary reads title of bill)

House Bill 3478, offered by Senator Dudycz.
(Secretary reads title of bill)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

House Bill 3671, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 3968, offered by Senator Clayborne.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR CLAYBORNE:

Madam President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR CLAYBORNE:

Yes. To my far left, I have Ms. Darlene Roy, who runs the DHS office in East St. Louis. And to my immediate left, I have my baby sister, my youngest sister - my only sister.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

What's her name?

SENATOR CLAYBORNE:

Her name is Sherry Smith.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome, Ladies. We're delighted to have you here. We will now proceed to today's Calendar, on page 2. Can we have your attention, please? Could we have your attention, please? Thank you. Page 2, on Senate Bills 3rd Reading. And it's purpose of recall. House Bill 1310 -- Senate Bill 1310. Senator Watson. Purpose of recall. Senate Bill 1310. Read the bill, Mr. -- Senator Watson seeks leave of the Body to return Senate Bill 1310 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1310. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

Amendment No. 2, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. This is the -- this is the legislation that deals with removing the State sales tax off of gasoline. And this is the amendment that will do that. This was presented last week in the Revenue Committee and it passed out with an 8 to 1 vote. We're only talking about the State portion of the sales tax. There's been some confusion, I think, as to what actually is being taken off. And that's only the five percent that is considered to be State. The local tax, the one-percent city tax and then the .25 percent local tax would -- would remain. There are some provisions in the amendment that I think are very important. One is that -- says that the number of gallons pumped in this State must increase by fifteen percent by January 1st of 2004 or the sales tax will be placed back on gasoline. The reason for that is some people felt that the benefit of the reduction -- or, elimination of sales tax would not be passed on to the consumer. The Petroleum Marketers and those that are out there that are selling gasoline -- it's one of the most competitive industries in the country, but those -- those in Illinois have said, "We will increase the consumption, the volume, number of gallons pumped, by fifteen percent or we will accept the tax back on." So that's -- they're -- they are in an attitude that they can do this, and of course, obviously then, the public will benefit. The price of gasoline that we've seen here lately is -- is skyrocketing. As we compare the price of gasoline in Illinois to our surrounding states, it's simply not competitive in many cases. And so a lot of Illinois residents and truckers that travel through our State just bypass our petroleum marketers and go right through and either buy in Indiana, Missouri, Iowa,

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

Wisconsin, Kentucky. They're all less expensive than what it is in Illinois. We're trying to make this a more competitive product for Illinois citizens. And we're actually trying to give some tax relief, obviously, to those people also. This is an amendment, and I just would move for its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR CLAYBORNE:

Senator Watson, is this the bill -- or, the amendment we dealt with in committee on Thursday?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes, it is.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

So this is actually not a change, but what was passed out of committee on Thursday?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. The amendment in the committee and it became the bill, and this is that amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes. A question of the sponsor of the amendment. Senator

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

Watson, does this just include gasoline, or is it all motor fuel, diesel fuel also? Doesn't it?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

It includes gasoline, diesel fuel, all the gasoline purchased in Illinois.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Larry Walsh.

SENATOR L. WALSH:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR L. WALSH:

Senator Watson, in looking at the -- at the bill, I noticed that one of the provisions in the bill is the capping of home rule communities and that anybody that has currently a -- a tax on gasolines or diesel or whatever for their home rule community are going to be able to keep that, but not be able to raise that during the course of this next four years. But my question is, also in the amendment, it says that nobody will be able to if a municipality that has home rule now but has not put in a gasoline tax, or a municipality that the voters may approve home rule status over the next four years, or possibly a county that may approve home rule status over the next four years will not be able to exert all of their possibilities of imposing a specific tax for their own area. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

To answer your question, that -- the answer is yes. That is correct. There is a preemption clause in there, and that has

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

created some concern by Municipal League, some of the larger metropolitan areas, and some of the home rule -- communities in this State. Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

SENATOR L. WALSH:

Well, Senator Watson, I -- and I understand where you're coming from, and -- in -- in regards to that, but if we are -- if we are taking a bill and -- and if a -- if a local government decides by their own voters to become home rule, knowing full well that that opportunity exists out there, aren't we -- aren't we taking away some of the -- the possibilities of -- of the rights that belong to -- to home rule, that basically the -- the haves already have it and the have-nots that want it will not be able to take advantage of that.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Well, that's a good question, and the answer to it is that this particular piece of legislation is for the taxpayer and the people that are paying for gasoline. What we don't want to see happen, or at least the intention that I have as sponsor, I don't want to see a home rule community or a unit of local government that has the ability to raise the tax that we eliminate. I mean, I just don't think that's right at all: We eliminate the sales tax and it's put right back on by some unit of local government. That's why the preemption clause is in there, and this is a protection for the taxpayers of Illinois who are purchasing gasoline.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- Senator Walsh.

SENATOR L. WALSH:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

Well, if we use that analogy, then why don't we -- why don't we really lower the taxes where it's probably the highest, where municipalities already have a -- a gas -- self-imposed gas tax in their -- in their communities? And we could really bring it down and basically say that no home rule community can impose a gas tax on -- on -- on fuels.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Well, the preemption clause is from this point on. It's not something that we're going to deal with the past. Maybe it wouldn't be fair for us to go away and take some of the -- some of the taxing ability that's already been imposed, but that's something that ought to be maybe considered, because I know in certain areas of this State, particularly Cook County and Chicago, they have the highest taxes in the country. And they are just literally forcing people out of Cook County and Chicago into neighboring states to purchase gasoline. If a -- if -- if I was someone and -- and lived in those areas, I'd want to see the City and the -- the county take a look at what they're doing to the petroleum marketing industry in Chicago and ultimately to the taxpayers of Illinois by raising taxes as they have in the past. But we can't do anything about that. I'm -- I'm talking about the future, and that's what the preemption clause is for.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

SENATOR L. WALSH:

Well, I appreciate that, Senator Watson, but, again, it falls back on the same scenario that -- that I represent an area that is -- is -- is very, very fastly changing and growing. And -- and unfortunately, this -- this bill, then, would eliminate the opportunity for -- for our fast-growing communities that may need

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

to address these issues of road projects that they have in their local areas. Again, like I say, they can only come on board if the local voters approve the right to go to home rule. We are -- we are taking that opportunity away from them. I'm going to support your bill, because I think it's a good bill and I'm a cosponsor on the bill. But it's just an issue that -- that I think that -- can I ask, is there an idea or a plan that after the four-year time is up, would we be addressing the opportunity that home rule status for municipalities or counties may be addressed at some -- some shape or form at that time?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. That's a possibility, and I would entertain that at that point in time. Sure.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

SENATOR L. WALSH:

Again -- again, as I say, I -- I -- I stand in support of -- of this. I think there's some -- some issues yet, maybe with the -- with the Corn Growers Association that seems to have some problems, that maybe some kind of language can be worked out. But, overall, I agree with you, Senator Watson, that it's a good bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President. Senator Watson, let me ask a question, if he would yield, please. What...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He -- he would yield.

SENATOR DEMUZIO:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

What -- I'm -- I'm supportive of your amendment, but I -- I do want to know, what -- what is the -- what is the position of the Corn Growers and the Farm Bureau in this matter with respect to the ethanol provisions?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. I've met with the Corn Growers and they do have some concerns about this and the disparity that might be created -- or, taking away the incentive, I guess would be the word, for the use of ethanol. The Farm Bureau I've not heard from. But the Corn Growers -- and they are negotiating right now with the Petroleum Marketers. They have some ideas they're trying to run by. I have not seen those at this point, but I'm certainly willing to look at -- at anything that would help the ethanol industry in this State.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, does it, in fact, take away eighty percent of the ethanol subsidy?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

It's confusing, I believe, as to how this formula works as to the incentive that's created for ethanol, but it is seventy percent of the hundred percent of the gasoline that's -- that's sold. So there is like a thirty percent and -- and it equates to about two cents a gallon, is what I understand. So there is some concern by the Corn Growers and the ethanol industry in this State as to -- as to what we're about to do. And I'm willing to work with them and meet with them and discuss some of the options they

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

might bring forth.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I think that's a problem, because in the phone calls that I was fielding yesterday, generally they were in support of the tax coming off, but when they were -- were not aware of the fact that -- that it would, in fact, probably take about eighty percent of the ethanol subsidy. So that caused those same people who were calling me to have some problems. What is the estimated revenue loss as a result of taking off the tax? What -- what is it based on? What -- what price at the pump?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

The first year -- it takes effect October 1st. So the first year's estimated annual loss from the Department of Revenue would be about a hundred and eighty million dollars. That equates to two hundred and forty million in the out-years, when you have a full twelve-month impact. But it's about a hundred and eighty million dollars.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I think that -- and correct me if I'm wrong - I don't know what that -- what that figure is equated on, what the price is at the gallon. I assume it's probably -- is that a dollar fifty a gallon, dollar eighty a gallon, or where -- what's that number predicated on?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

Well, of course, the -- the tax is based on a percentage and as the price of gasoline goes up, so would the impact, but we're talking about the impact on last year. On what the bill -- with last year and what their projected impact would be at the current rate of -- of cost at that point in time, which I'm not even sure what the -- per-gallon cost was when they equated this. But when they did it, it was two hundred and forty million dollars.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I rise in support of this amendment. I think there are some things that we really need to work out, some of the questions that we've just addressed, and your willingness to do that indicates to me that -- that we've got some room to -- to talk about this issue before we adjourn in April. I would suspect, however, that we in Illinois will not see that kind of revenue loss because of the fact that we are not competitive with our surrounding states. And what's happening is that people are driving outside of the State of Illinois to buy gas other places, particularly in my district that we serve -- live on the -- on the border of -- of Missouri. So I would suspect that, somewhere along the line, we will probably have a net loss much -- it might -- it might even be pretty close to a wash, depending upon how much of the business that we get back in Illinois. Does that -- does that sound about right?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. There's a significant offset to what would be projected lost income. When you talk about the number of gallons going up by fifteen percent, that would equate to roughly a hundred and fifty million dollars in new revenue for the Motor Fuel Tax Fund.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

What we understand is, according to an Arthur Andersen survey, that for every thousand gallons of gasoline pumped, you will see ancillary sales of around seven hundred dollars. Obviously, those sales will be taxed at a -- with regular sales tax. So there's a credible amount of offset. The federal reimbursement that comes into this State is partially based on the number of gallons pumped. So I personally feel that the figure that the Department of Revenue has given us, as far as what the cost would be, may be accurate as to the point in time, but we're also looking at a -- a huge increase in the ability of this State to capture federal dollars. With -- with the motor fuel tax money going up, that will make more money available to the local, the townships, the counties, the municipalities. I see this as nothing but a win-win situation for the people of Illinois.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio.

SENATOR DEMUZIO:

I want to thank you for that answer. The real answer to my question is yes. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam -- Madam President. Senator Watson, I rise in support of the amendment, but I -- I do have a question. As one of your cosponsors, we really need to give this money back to the taxpayers. Is there any way or any mechanism that we can guarantee the -- the savings will go to the consumer and not the price-gouging gas companies that are -- are really taking advantage of the people of Illinois?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

Well, I'm not so sure that the -- the gasoline industry is gouging the people of the State of Illinois. I'm not sure that's who the -- who the culprit is here. What happens is -- this is the most competitive industry, I believe, that there is. It's one of the few industries that you can actually drive by in an automobile and see what you're going to purchase and never get out of -- see what the cost is of what you want to purchase and never get out of your car. It's very competitive. Now, we've put some language in here - and the petroleum marketing industry has agreed to this - that says that if the number of gallons pumped in this State is not increased by fifteen percent by the year 2004, January 1st, 2004 - a little over three years - that the -- that the tax will come back on. So they know that they've got to get those number of gallons pumped. And how are they going to be able to do that? They're going to be competitive. They got to get the price down there and be competitive with our neighboring states and the guy down the street.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hendon.

SENATOR HENDON:

I certainly believe in competition. However, in my community - and you mentioned Chicago - on the west side of the City of Chicago, gas is now a dollar eighty-nine cents a gallon. And it doesn't matter which station. Right across the street, it's a dollar eighty-nine. Right down the street, it's a dollar eighty-nine. And it's going up. I read in the paper today where it's supposed to be over two dollars by the summer. It'll be over two dollars in my neighborhood by next week. And I am just challenging the petroleum industry here in Illinois, as well as the -- the foreign countries that are producing or not producing the oil for our communities. We have to do something about it and I believe -- my terms may be slightly firmer than yours, but I

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

believe there is a conspiracy against consumers in Illinois and I certainly support this amendment, but I would like to see some guarantee that the savings will go to the consumer and not be gouged by the gasoline industry.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you. Would -- thank you, Madam President, Members of the Senate. Would the sponsor yield for a question? I assume you will. So, let -- let me ask...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He -- he will -- he indicates he will listen.

SENATOR MOLARO:

Thank you. This is off subject a little bit, back to the Road Fund. There'll be an initial loss, but we're hoping that if we reduce the price, there'll be more consumption, and therefore, whatever we lose we'll make up with consumption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator...

SENATOR MOLARO:

Because it comes in from consumption and not a reduction of the tax, would that, in any way, affect the Road Fund in the sense that the money going to our roads would be lessened because of this amendment? And are there any guarantees in this amendment that the Road Fund will remain sacrosanct, so to speak, so there's no diminishment of the Road Fund?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

The Motor Fuel Tax Fund is generated by a different tax than the sales tax. That is not being changed. That's not being changed. That will stay the same. So that should be constant,

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

and then once the number of gallons that we sell in Illinois goes up, you'll see a bump in that Fund as a result of the increase in gallons, because it's a separate tax and it goes into the -- doesn't go into the General Revenue Fund. It goes into Motor Fuel Tax Fund.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Molaro.

SENATOR MOLARO:

I -- I'm aware of the motor fuel tax. So it's your understanding, so -- so I have an understanding of it, that the sales tax generated from gasoline sales, none of that sales tax revenue goes to the Road Fund.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

The formula by which the distribution takes place, 1.6 percent of that - 1.6 percent - goes into the Motor Fuel Tax Fund. So it's insignificant when we're talking about the increase that'll take place by the number of gallons that's pumped.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Can we ask the Assembly to be a little less open-minded. Let's -- let's quiet down so our speakers can get a chance to speak and answer the questions. Any further discussion? Any further discussion? Hearing none, all those -- Senator Watson, do you wish to close?

SENATOR WATSON:

This is just the amendment. I'd just ask for its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. All those -- all those in favor in adopting the amendment, say Aye. Opposed. The -- the Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1954, offered by Senators Hawkinson and Jacobs.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 2880, offered by Senator Noland.

(Secretary reads title of bill)

Senate {sic} Bill 2992, by Senators Burzynski, Sieben and Noland.

(Secretary reads title of bill)

Senator Sieben offers House Bill 3131.

(Secretary reads title of bill)

House Bill 3225, Senator Dudycz.

(Secretary reads title of bill)

House Bill 3490 is presented by Senator Sieben.

(Secretary reads title of bill)

House Bill 3588, offered by Senator Karpziel.

(Secretary reads title of bill)

House Bill 3701, Senator Emil Jones.

(Secretary reads title of bill)

House Bill 3899, by Senator Wendell Jones.

(Secretary reads title of bill)

And House Bill 4148, offered by Senator Silverstein.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

84th Legislative Day

March 7, 2000

Senator Smith, for what purpose do you rise?

SENATOR SMITH:

Thank you, Madam President and Members of the Senate. I...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Hold on just a minute, Senator. Go ahead, Senator Smith.

SENATOR SMITH:

Thank you. I stand on a point of personal privilege. We have...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, ma'am.

SENATOR SMITH:

Thank you, Madam Chairman. We have in our audience this morning a person whom many of you have heard of, you have read of his work, and this morning we have him in our audience. And this is -- you've heard the name "Streetwise" in the City of Chicago and so -- he is my neighbor from my office. And he is with me this morning in our audience with one of his coworkers, and I'm going to ask Mr. Anthony Oliver, who is the Executive Director of Streetwise, who have cultivated the minds of so many people in the City of Chicago to stand on their own. Mr. Oliver, will you please stand? And let's give him a hand.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We welcome Mr. Oliver and his group to the Senate. The Chair would remind the Membership to -- to review House Bills 1st Reading for the purpose of sponsoring those bills. Is there any further business to come before the Senate? If not, Senator Jones, Wendell Jones, moves that the Senate stand adjourned until the hour of noon, Wednesday, March 8, 2000.

MARCH 07, 2000

HB-0665	FIRST READING	PAGE	4
HB-0808	FIRST READING	PAGE	4
HB-0840	FIRST READING	PAGE	4
HB-1284	FIRST READING	PAGE	4
HB-1992	FIRST READING	PAGE	4
HB-2870	FIRST READING	PAGE	4
HB-2880	FIRST READING	PAGE	21
HB-2882	FIRST READING	PAGE	4
HB-2915	FIRST READING	PAGE	5
HB-2965	FIRST READING	PAGE	5
HB-2992	FIRST READING	PAGE	21
HB-3131	FIRST READING	PAGE	21
HB-3223	FIRST READING	PAGE	5
HB-3225	FIRST READING	PAGE	21
HB-3229	FIRST READING	PAGE	5
HB-3383	FIRST READING	PAGE	5
HB-3402	FIRST READING	PAGE	5
HB-3464	FIRST READING	PAGE	5
HB-3478	FIRST READING	PAGE	6
HB-3490	FIRST READING	PAGE	21
HB-3588	FIRST READING	PAGE	21
HB-3621	FIRST READING	PAGE	5
HB-3629	FIRST READING	PAGE	5
HB-3640	FIRST READING	PAGE	5
HB-3671	FIRST READING	PAGE	7
HB-3699	FIRST READING	PAGE	5
HB-3701	FIRST READING	PAGE	21
HB-3850	FIRST READING	PAGE	5
HB-3899	FIRST READING	PAGE	21
HB-3911	FIRST READING	PAGE	5
HB-3936	FIRST READING	PAGE	5
HB-3968	FIRST READING	PAGE	7
HB-3979	FIRST READING	PAGE	5
HB-3989	FIRST READING	PAGE	5
HB-4074	FIRST READING	PAGE	6
HB-4097	FIRST READING	PAGE	6
HB-4116	FIRST READING	PAGE	6
HB-4119	FIRST READING	PAGE	6
HB-4136	FIRST READING	PAGE	6
HB-4148	FIRST READING	PAGE	21
HB-4231	FIRST READING	PAGE	6
HB-4260	FIRST READING	PAGE	6
HB-4261	FIRST READING	PAGE	6
HB-4300	FIRST READING	PAGE	6
HB-4352	FIRST READING	PAGE	6
HB-4450	FIRST READING	PAGE	6
HB-4466	FIRST READING	PAGE	6
HB-4481	FIRST READING	PAGE	6
HB-4693	FIRST READING	PAGE	6
HB-4698	FIRST READING	PAGE	6
SB-1310	RECALLED	PAGE	7
SB-1953	FIRST READING	PAGE	4
SB-1954	FIRST READING	PAGE	21
SR-0305	RESOLUTION OFFERED	PAGE	3
SR-0306	RESOLUTION OFFERED	PAGE	3
SR-0307	RESOLUTION OFFERED	PAGE	3
SR-0308	RESOLUTION OFFERED	PAGE	3
SR-0309	RESOLUTION OFFERED	PAGE	3
SR-0310	RESOLUTION OFFERED	PAGE	3
SR-0311	RESOLUTION OFFERED	PAGE	3
SR-0312	RESOLUTION OFFERED	PAGE	4
SJR-0061	RESOLUTION OFFERED	PAGE	4

REPORT: TIFLDAY
PAGE: 002

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

00/03/16
12:40:48

MARCH 07, 2000

SUBJECT MATTER

SENATE TO ORDER-PRESIDENT PHILIP	PAGE	1
PRAYER-PASTOR THOMAS CHRISTELL	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
JOURNALS-APPROVED	PAGE	1
JOURNAL-POSTPONED	PAGE	1
COMMITTEE REPORTS	PAGE	2
MESSAGE FROM THE HOUSE	PAGE	3
ADJOURNMENT	PAGE	22