

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

102nd Legislative Day

April 14, 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 Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer by Senator Geo-Karis)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Wednesday, April the 12th, 2000.

PRESIDENT PHILIP:

Senator Jones.

SENATOR W. JONES:

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

PRESIDENT PHILIP:

Senator Jones moves to approve the Journal just read. There being no objection, so ordered. Senator Jones.

SENATOR W. JONES:

Mr. President, I move that the reading and approval of the Journal of Thursday, April 13th, in the year 2000, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Jones moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript.

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There being no objection, so ordered. Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

I rise to announce a Republican Caucus in Senator Philip's Office immediately. For about how long?

PRESIDENT PHILIP:

Hopefully, about a half hour.

SENATOR KARPIEL:

All right. Please be -- please be prompt. Senator Philip's Office, immediately.

PRESIDENT PHILIP:

All right. The Senate will stand at ease in -- with the call of the Chair.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We urge all Senators to come to the Senate Floor, because we're going to have business to consider. We urge all Senators to return to the Floor, because we will have business to consider. We urge all Senators to come to the Floor, because we have business to consider and vote for. We urge all Senators to come to the Floor, because we will be taking up Senate business. WAND requests permission to videotape. Hearing no objections, permission's granted. Senator Cronin, for what purpose do you rise, sir?

SENATOR CRONIN:

For purposes of an announcement, a point of personal -- personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Go ahead, sir.

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SENATOR CRONIN:

I'd like to introduce the Wares, a great family from my area, my neighborhood, from the "Lilac Town" of Lombard. Barbara and Bill Ware are up in the gallery, along with Kay Glennon. And Meghan, their daughter, is here serving as a Page with the Senate. Please give them a warm welcome.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We welcome the Ware family to the Senate. Ladies and Gentlemen of the Senate, we're going to Senate Bill 1231, on page 16. Senator Dillard? 1231. Read -- read the bill, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1231.

The motion filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This is an agreed amendment by all interested parties to this complicated rewrite of Article 9 of the Uniform Commercial Code. The amendment specifically adds three additional exceptions to the applicability of the law to ensure that governmental transfers are not covered by the Act and to ensure that workers' compensation benefits and structured settlement proceeds cannot be assigned. By including these additional exceptions, current Illinois law regarding these issues will remain in effect. The remainder of the amendment makes minor technical changes, and I would move that we concur in House Amendment No. 1 to Senate Bill 1231.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none - this is final action - the question is, shall the Senate concur

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in House Amendment No. 1 to Senate Bill 1231. All those in favor will vote Aye. All opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 voting Aye, none voting Nay, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1298. Senator Lauzen? Senator Lauzen? Senate Bill 1298. Senator Lauzen. Senator Lauzen? Mr. Secretary, read the bill.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1298.

The motion filed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. This is the truck debris bill. They made a minor change of one word in the House, and I wish to concur. Be happy to answer any question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will listen.

SENATOR WELCH:

Senator Lauzen, what was that one word?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

It was from cargo... Went from "cargo container" to "cargo

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area".

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch. Any further discussion? Any further discussion? Hearing none - this is final action - the question is, shall the Senate concur in House Amendment 2 on Senate Bill 1298. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, there are 59 voting Aye, none voting Nay, none voting Present. And this -- this motion, having received the required constitutional majority, is hereby declared passed. Senate Bill 1693. Senator Trotter? Read the bill, Mr. Secretary.

SECRETARY HARRY:

...move to concur with the House in the adoption of their Amendments 2 and 4 to Senate Bill 1693.
The motion filed by Senator Trotter.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Trotter. Just a moment, Senator Trotter. Could we have it a little more quiet so that the Senator sponsoring the bill can be heard? Thank you, Ladies and Gentlemen. Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. Members of the Senate, I'm asking everyone to vote for Amendment No. 2, which is -- changes and fixes a drafting area -- error that was in Public Act 91-0564, which we passed last year. It increases the revenues of the indemnity fund by adding a five-percent payment above the -- for current fee structure for each tax purchase.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Hendon.

SENATOR HENDON:

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Thank you, Madam President. I rise in support of this legislation. It's good for the people of Illinois, all the property tax owners in -- in the State. It's wonderful legislation, and I urge an Aye vote. And you look gorgeous today, by the way.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Any further discussion? This is -- by the way, Senator Trotter, do you wish to explain Amendment 4?

SENATOR TROTTER:

Yes, Madam President. There are two amendments here. Also, the Amendment No. 4 deals with language addressing a problem that happened on the north side of Chicago, in the north suburbs, with Miss Willie -- Willie Weeks. It corrects a problem that happened there, and I ask for its confirmation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none -- this is final action -- the question is, shall the Senate concur in Amendments 2 and 4 to Senate Bill 1693. Those in favor, vote Aye. Those opposed will vote Nay. The open is open -- the voting is open, rather. Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, there are 59 voting Aye, none voting Nay, none voting Present. And this bill and motion, having received the required constitutional majority, is hereby declared passed. Senate Bill 1444. Senator Dillard. Senate Bill 1444. Make your motion, sir.

SENATOR DILLARD:

Thank you, Madam President. My motion on this would be slightly different than is -- what is on the printed Calendar today. I would like to nonconcur in House Amendments No. 4 and 5. So I want to add No. 4 in a nonconcurrency motion. So I wish to nonconcur in House Amendment No. 4 and 5 to Senate Bill 1444.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any -- any discussion? Senator Dillard moves to nonconcur in -- in Amendments 4 and 5 to Senate Bill 1444. All those in favor, say Aye. All opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Madam President. For a point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR BURZYNSKI:

Yes, Madam President, we have some guests with us on the Senate Floor today. In fact, Senator Roskam has his parents here, Swede and Martha Roskam. I think it'd be appropriate for us to recognize them.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome to the Senate. We're happy to have you. On page 17, House Bill 390. Secretary's Desk, Non-concurrence. Senator Rauschenberger. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to refuse to recede from Senate Amendments 1 and 2 to House Bill 390 and request that a conference committee be appointed.

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, all those in favor, say Aye. All opposed, Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. And the conference committee shall be appointed. Illinois Information Service requests permission to videotape today's proceedings. Hearing no objection, motion granted. Committee Reports.

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SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Executive Committee - House Joint Resolution 61 and House Joint Resolution 63; to the Committee on Executive - Amendment 4 to House Bill 3876 and Amendment 2 to House Bill 3939; the Committee on Revenue - the Motion to Concur with House Amendments 1 and 2 to Senate Bill 1627; re-referred from the Executive Committee to the Rules Committee - House Joint Resolution 61 and House Joint Resolution 63; and Be Approved for Consideration - House Joint Resolution 61 and House Joint Resolution 63.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR KLEMM:

For the purposes of an announcement, Madam President. The...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Purpose of an announcement for Senator Klemm.

SENATOR KLEMM:

The Senate Executive Committee will be meeting one hour from now, at quarter after one, I guess it will be - an hour from now. Quarter after one, in Room 212, the Senate Executive Committee. And we've got important issues there, so please be prompt. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate Executive Committee will be meeting at about a quarter after one in Room 212. Senator Peterson, for what purpose do you rise, sir?

SENATOR PETERSON:

Thank you, Madam President. For the purposes of an announcement.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your announcement, sir.

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SENATOR PETERSON:

The Revenue Committee will meet at 1:15 in Room 400.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Revenue Committee will meet in Room 400 at 1:15. Thank you. Will the Members please turn to House Bills 3rd Reading, on page 6? On that order, House Bill 3114. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3114.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Madam President. House Bill 3114, as amended, amends the Counties Code to provide for an annual stipend of sixty-five hundred dollars for each coroner in the State of Illinois to be paid for by the State. It applies to coroners whose terms begin on or after December 1st, in the year 2000. The amendment added an annual sixty-five-hundred stipend for the Cook County Recorder of Deeds, also to be paid for by the State. The current law does provide for an annual sixty-five-hundred-dollar stipend for all other recorders in the State, to be paid for by the State. All this does is adds Cook County to parity with the rest of the hundred and one counties in the State of Illinois.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill -- I mean, House Bill 3114 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 31 voting Aye, 21

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voting Nay, 2 voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. House Bill 3225. Senator Dudycz. Senator Dudycz seeks leave of the Body to retune -- return, rather, House Bill 3225 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3225. Senator Jacobs.

SENATOR JACOBS:

Yes, Madam Chairman, Ladies and Gentlemen of the Senate, I have a motion in writing to reconsider the vote by which House Bill 3225 had passed -- by which the amendment had passed -- failed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Secretary, will you -- will you read the motion?

SECRETARY HARRY:

Pursuant to Senate Rule 7-15(b), and having voted on the prevailing side, I move to reconsider the vote by which Floor Amendment 1 to House Bill 3225 failed.

The motion, by Senator Jacobs.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You've heard the motion. All those in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 44 voting Aye, 10 voting Nay, none voting Present. And this motion carries, and the question is -- before the Senate is... Mr. Secretary, are there any amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCH:

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Thank you, Madam President. Amendment No. 1 adds to the bill, authorizing a statutory pay raise for the Metropolitan Water Reclamation District Board, effective in December of the year 2000, when their new terms begin, or later if the commissioners are in the middle of their current six-year terms. Once again, Ladies and Gentlemen, their -- the salaries shall be increased by ten thousand dollars, according to their positions. There are nine commissioners, with three of them up for election every two years. Just to remind the -- the Members of the General Assembly -- or, the Senate, that these are elected officials who have not seen a pay raise since they got the last one in 1989. If they do not get a pay raise now, then that will be an additional six years. That will mean seventeen years without any type of a pay raise for these -- for these commissioners from the Metropolitan Water Reclamation District. What we would be doing, we would be increasing the current salary of the President from fifty to sixty thousand dollars; from -- the Vice President and Finance Chairman from forty-five to fifty-five thousand dollars; and six commissioners from forty thousand to fifty thousand dollars. Ladies and Gentlemen, unlike the previous bill, which we were adding stipends for the coroners of tax dollars from the State, these -- this is local money. None of this is coming from the State, and I would ask for the adoption of Senate Floor Amendment No. 1 to House Bill 3225.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor, signify by saying Aye. All opposed. The Ayes have it, and the motion is carried. Any further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Thank you. 3rd Reading. 3rd Reading. On the Order of 3rd Reading is House Bill 3225. Mr. Secretary, will you read the bill?

SECRETARY HARRY:

House Bill 3225.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz. Senator Dudycz.

SENATOR DUDYCZ:

Yes, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You ready?

SENATOR DUDYCZ:

Certainly am. House Bill 3225 provides for a statutory pay raise for the Cook County Sheriff's Merit Board from a maximum ten thousand dollars to a maximum twenty-five thousand, with the Chairman to receive no more than thirty thousand dollars. It adds an additional two members to the Merit Board to make it a nine-member Board, where now it's currently five plus two discretionary members. There -- this is an exemption from the State Mandates Act, so there is no reimbursement required from the State. Current practice -- in current practice, the Cook County Sheriff's Merit Board already pay their members twenty-five thousand dollars. All this does is codify it into law. As I explained earlier, on Amendment No. 1, it provides a pay raise to the Water Reclamation District commissioners of -- of a ten-thousand-dollar pay raise for -- for their next term. Again, just to -- just to remind the Membership that during the time from their last pay raise to today's date, this would be a twenty-five-percent pay raise, although the cost of living has gone up forty percent. So they wouldn't even be able to be kept up to 1989

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dollar standards. I'd be more than happy to ask -- to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you. Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR SYVERSON:

Senator, is this a mandatory increase that the local -- locals don't have a -- don't have a chance to vote on this? This is something that we're authorizing that local governments raise taxes to give these salary increases?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCZ:

Senator -- Senator Syverson, we are giving this authority for them to receive the pay raise, but, in practice, they do take a vote. Their public will know -- their voters will know their feelings on this pay raise, because they've been doing this every opportunity they had. I have been assured that they will also take a vote on this pay raise of the Board so their voters and their constituents will know whether they support it or not, but we are the ones that are giving them this raise.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Syverson.

SENATOR SYVERSON:

Just to clarify then: So there -- there will be a vote that has to take place, not from the voters, but the -- the Board themselves will have to vote? Is there an option also for a -- for a -- a referendum if individuals wanted to have a referendum on that?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- Senator Dudycz.

SENATOR DUDYCZ:

Senator Syverson, their pay raise is set by statute. We -- or, their -- their salary is set by statute, as is the pay raise. I'm sorry. Could you -- repeat the question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Syverson.

SENATOR SYVERSON:

Question is, will -- they are -- that Board will have to take a public vote on that pay raise, is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCZ:

Senator Syverson, yes, they shall take a public vote on our action today.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Syverson.

SENATOR SYVERSON:

The question is: Do they have to take a vote? Yes or no?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCZ:

...the best of my knowledge, the answer, Senator Syverson, is yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, do you wish to close, Senator Dudycz? Do you wish to close? All right. The question is, the -- shall House Bill 3225 pass. Those in favor, vote Aye. Opposed will vote Nay. This is final action. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished?

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wished? Take the record. On that question, there are 35 voting Aye, 21 voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senator Smith, for what purpose do you rise, madam?

SENATOR SMITH:

Madam President, would you do me the courtesy, please - I was talking and I pushed the wrong button - I'd like for 3225 to please get a Yes vote, that I register a Yes vote, please.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your -- the record will so reflect, Senator Smith.

SENATOR SMITH:

Thank you, kindly.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You're welcome, ma'am. Senator Dudycz, for what purpose do you rise? ...today's Calendar, on page 17, there's -- on Secretary's Desk, Non-concurrence in House Bills, House Bill 1137. Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Madam President. I move to refuse to recede from Senate Amendment No. 1 to House Bill No. 1137 and request that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, Senator Dudycz moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 in Senate -- House Bill 1137 and a conference committee be appointed. Those in favor, say Aye. Those opposed, say Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House, and a conference committee be appointed. Ladies and Gentlemen of the Senate, the Senate will stand in recess until the call of the Chair.

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(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measure assigned: Be Approved for Consideration - Amendment No. 3 to House Bill 3939.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will the Members in their offices please return to the Senate Floor? We will be going to substantive business -- business, shortly.

SECRETARY HARRY:

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bill 1627 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration.

And Senator Klemm, Chair of the Committee on Executive, reports Senate Amendment 4 to House Bill 3876 Be Adopted, and Senate Amendment 2 to House Bill 3939 Be Adopted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Resolution 351, offered by Senator Sullivan and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. University of Illinois at Springfield has requested permission to record the proceedings. Hearing no objection, leave is granted. WCIA requested permission to record the proceedings. Hearing no objection, leave is granted. Members turn their attention to the middle of page -- page 15, in the

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Order of Secretary's Desk, Resolutions. We will be going to that order of business immediately.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate Resolution 261. Senator Cronin. Out of the record.
Senate Resolution 273. Senator Cronin. Out of the record.
Senator -- or, Senate Resolution 292. Senator Burzynski. Senator Burzynski. Out of the record. Senator -- or, Senate Resolution 331. Senator Luechtefeld. Do you wish to have this -- your resolution considered? Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 331, offered by Senator Luechtefeld.
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the Senate. Senate Resolution 331 urges the United States Environmental Protection Agency to not classify coal ash as a hazardous waste. There is some talk that the USEPA is through -- on -- with political pressure, is attempting to do that. I think it will be another blow to the coal industry if this happens and would ask that this resolution be approved.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Philip, on Senate Resolution 337. Senator Philip? Out of the record. Senate Joint Resolution 69. Senator Karpziel. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 69, offered by Senator Karpziel.
The Committee on Executive adopted Committee Amendment No. 1.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Senate -- Senate Joint Resolution No. 69, as amended, is the -- is the -- creates the task force that I talked about when we passed Senate Bill 807, the reform of the Health Facilities Planning Board legislation. And this is the resolution that creates the task force. It shall consist of the following five voting members: A Member appointed by the President of the Senate to be co-chairperson, a Member of the Senate appointed by the Minority Leader, one Member of the House appointed by the Speaker to serve as co-chairperson, a Member of the House appointed by the Minority Leader, and a consumer member appointed by the co-chairpersons of the task force. In -- in addition, the task force shall have -- consist of these non-voting members: representative from the Illinois Health -- Health and Health Systems -- I'm sorry, the Illinois Hospital and Health Systems Association, one from the Illinois State Medical Society, one from Life Services Network, one from the Illinois Health Care Association, one from the Illinois Council on Long Term Care, one from the Chamber of Commerce, one from the Freestanding Surgical Treatment Center Association, Health -- one from the Health Facilities Planning Board, and another consumer member. The meetings shall be held at the call of the chairpersons and shall serve without compensation, and they have to report back to the General Assembly no later than January 9th, 2001.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? All those -- or, Senator Karpziel moves the adoption of Senate Joint Resolution 69. All those in favor will vote Aye. Those opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

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On that question, there are 59 Ayes, no Nays, none voting Present. Senate Joint Resolution 69, having received the required constitutional majority, is declared passed. And the resolution is adopted. Senate Joint Resolution 71. Senator Klemm. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 71, offered by Senator Klemm.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Thank -- thank you, Madam President. Earlier we passed Senate Bill 1672, which created a study by DNR on our groundwater and surface water requirements. The bill got kind of held up over in the House. Senate -- Joint Resolution 71 creates the Environmental Resources Advisory Committee, and it's to examine the environmental impact of the new and expanded energy-producing facilities. Sometimes we call 'em "peaker plants". But also it's going to focus also, not only on that, but also the groundwater and surface water, and they're to give the Governor and the General Assembly its report by December 15th, the year 2000. It's going to consist of several members representing all the Code Departments that are concerned about this, plus five members that are appointed by our legislative caucuses, plus there are about seven different areas that are going to be represented by the following industry groups, and it actually comes out with nineteen interested organizations and representatives of the General Assembly to come up with some suggestions. It's supported by all parties and there's no opposition. I do ask for your support on this resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing

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none, Senator -- Senator Klemm has moved the adoption of Senate Joint Resolution 71. Those in favor will vote Aye. Opposed, vote Nay. Have all -- and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Joint Resolution 71 is adopted. Senator Maitland, on Senate Joint Resolution 72. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 72, offered by Senator Maitland.
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senate Joint Resolution 72 creates the Illinois Task Force on Tobacco and Health Care to provide recommendations to the General Assembly next year on how to allocate Illinois' share of the Master Settlement Agreement funds. I think many of us feel this money should go for health-related purposes. We need to get in place a plan to make this happen next year. And I believe this is a proper way to handle this, and I would move for the adoption, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Welch.

SENATOR WELCH:

This is a fourteen-member task force but only four legislators on it, is that correct?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Well, this is a task force to spend billion -- over a billion -- billions of dollars and we only have four legislators coming up with a recommendation. So we're going to have a recommendation from a group that really doesn't have to answer to the voters for the expenditures, and then they're going to issue a report, then we're going to be somewhat bound by this report, or at least have it as a recommendation. That -- to me, that -- the number of legislators on here is inadequate. What -- why is there only four, Senator?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Senator, I don't think we're going to be bound -- bound by anything. We have a -- a group of professionals. This is going to be a recommendation to the General Assembly as to how this money should be spent. My guess is there will be many more people involved in this, as time goes on. This is a -- this is an attempt to start the process, and we, frankly, felt that we didn't want to burden any more legislators with it early on. We wanted to get advice from the Cancer Society, the Lung -- Association, many other groups, who have been very helpful to us in these subcommittees, and make recommendations to us, and from that, then, we take a preliminary guideline and take it to a larger group and ultimately the General Assembly.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Welch.

SENATOR WELCH:

It just seems to me that this is our job, not the job of a -- of a committee to decide. I mean, we're the legislators. We're elected to do this, and this just looks like -- like we're trying to appease a bunch of groups. One teacher appointed by the IEA; one Medical Society. You know, this looks like the list of the top ten donors to all of us here in the -- in the Legislature, more than -- more than anything else. Frankly, if you look at the list, that's what it looks like. I think -- I think we should have the complete responsibility to send that -- to use that money, to spend it, the way our voters tell us, without advice from this committee that's just coming here in the last day of the Session.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Radogno.

SENATOR RADOGNO:

Could you explain to us a little bit about the rationale of why -- why the particular people selected are on this list? I know a lot of us have been contacted by some of the interest groups who are concerned that they were not included.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Senator Radogno, I'm so happy that you asked that question. We had -- we had subcommittee hearings of the Executive Committee last summer and last fall and we got tremendous -- tremendous efforts from a number of the people who -- and groups who have called you and others and are upset that they're not on -- on the

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task force. Each one of them had a plan, and if you total up the cost of all of their plans, it was well over a billion dollars that could be spent every year. We value very much their judgment; we value very much their help, and they're going to be advisory to what we do, and we feel that they can be more effective coming to us and giving us input, rather than being directly on the task force. And we -- frankly, Senator, we thought about this a great deal and decided this was the better way to do it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Madam President. I guess I just wanted to emphasize again what Senator Maitland said and the concerns that we've had from the different groups and encourage the Senator - and I know he says here today that he's agreed to that - is really including a lot of these people and the groups in the task force as an advisory so we get their input for smoking cessation programs.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Molaro.

SENATOR MOLARO:

Yes. Thank you, Madam President. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Molaro.

SENATOR MOLARO:

Is there anything in this resolution that would stop us from doing what we may be doing later tonight or tomorrow morning, as far as using the tobacco settlement money?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

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Absolutely not, Senator Molaro.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro.

SENATOR MOLARO:

Well, I -- I -- contrary to what Senator Welch said, because I didn't -- I certainly agree with what he had to say; however, I think this task force is a -- is a great idea. I wish we would have probably had it last year and maybe they would have come up with a different solution than we're going to come up with later today, but it seems like the compromise is made. So I agree with the task force. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Well, I stand in support of Senator Maitland's resolution. The reason is because I was part of the task force that -- the subcommittee that looked at this. You know, when we sat there and heard the testimony from all these interested organizations, every one, almost without exception, wanted fifty percent of all the dollars for their organization and then give fifty percent to somebody else. Well, Senator Watson and I were sitting together there, and we were starting to add up what the requests were from these groups. They had great ideas, but we just didn't have enough money. And we added up - it was six hundred and some percent. Well, we only have a hundred percent of the dollars to spend. And so, to put these people specifically on that committee really adds some conflict, to some degree. We know what their testimony will be. I think the group is going to certainly consider them because they're going to be part of the players, but to have them actually draft what we should be doing, I think is putting the -- the -- actually, the horse before the cart. So I think I certainly agree with Senator Maitland, in that we should

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be looking at it. It is a legislative initiative. They will be hearing testimony. So I do ask for your support on this important bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator Maitland, to close.

SENATOR MAITLAND:

Thank you -- thank you very much, Madam President, Members of the Senate. I -- I really hope that we all take this very seriously. I certainly am, and I think we have an obligation to find a way in which to funnel this money to people who have health-related -- cigarette health-related problems. And I think this is a way to -- to move in that direction, and I would seek your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland moves the adoption of Senate Joint Resolution 72. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 3 Nays, none voting Present. Senate Joint Resolution 72 is adopted. Senator Molaro, excuse me, for what purpose do you rise?

SENATOR MOLARO:

Just as a point of information to the Body, that there's still a few downstairs at the stand of the State Journal-Register, of today's State Journal-Register. For those who haven't gotten it, there's still a few left downstairs.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, if you -- if you go down and spend your quarter and you bring it up, you might get an autographed copy of our all-star.

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It's too bad he didn't play a hell of a lot better; we might have won the game.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further -- well, Senator Maitland, for what purpose do you rise?

SENATOR MAITLAND:

Thank you very much, Madam President. On a point of personal privilege, ma'am.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR MAITLAND:

Seated behind me are two very special people for -- to you, Senator. Your father, Mr. Larry Kent, who's no stranger here, and his wife, Judy. I'd like them to stand and be recognized.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you rise and be welcomed? Thanks, pop. All right. Senate Calendar Supplemental No. 1 has been distributed. On that Calendar is Secretary's Desk, Concurrence, is Senate Bill 1627. For the information of the Body, we will go to House Bills 3rd Reading, page 7 of your regular Calendar. We will go back to Supplemental Calendar a little bit later. We will go to the bottom of page 7. Bottom of page 7. Senator O'Malley, do you seek leave of the Body to return House Bill 3876 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3876. Senator O'Malley, for what purpose do you rise?

SENATOR O'MALLEY:

To table Amendment No. 3.

PRESIDING OFFICER: (SENATOR DONAHUE)

You've heard the motion to table Amendment No. 3. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is tabled. Are there any further Floor amendments

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approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 4, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Amendment No. 4 is similar to Amendment No. 3. We heard it in Executive Committee earlier today. Essentially what it does is deal with the issue of when the -- the checks would be mailed to taxpayers. For the -- as a matter of clarification to the Members, for those who have filed their income tax returns on or before July 17, 2000, they would receive checks from the Comptroller's Office between August 15 and October 17th, 2000. There'll be a second round to deal -- of -- of checks that would go out that would deal with taxpayers who have filed on or before October 17th. Their checks would -- would be sent out from the Comptroller's Office between November 17 and December 15, 2000. It is believed that the overwhelming majority of the checks in question will come with the first round of mailings.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill -- 3876. Excuse me. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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House Bill 3876.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Again, thank you, Madam President, Ladies and Gentlemen of the Senate. What we have before us now, as amended, is House Bill 3876, which amends the Illinois Income Tax to create the Homeowners' Tax Relief Rebate Program. It allows a onetime rebate in an amount equal to the amount of the income tax credit claimed on tax returns filed for the 1999 tax year for residential properties' taxes -- taxes that are paid. The amount of each rebate is capped at three hundred thousand {sic} dollars. There also is provided for in the legislation a transfer of two hundred and eighty thousand dollars to the newly established Homeowners' Tax Relief Fund from the Tobacco Settlement Recovery Fund. You will recall that I just explained a short while ago how the checks would actually be mailed. I'd be happy to answer any questions anybody may have, if -- if there are any. I'd be looking forward to the opportunity to make some closing remarks.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3876 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 3876, having received the required constitutional majority, is declared passed. Senator Peterson, do you seek leave of the Body to return House Bill 3939 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd --

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2nd Reading is House Bill 3939. Madam Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm, on Amendment No. 2.

SENATOR KLEMM:

Thank -- thank you, Madam President. Amendment No. 2 actually becomes the bill. It amends the Illinois Income Tax Act to create the earned income tax credit that we've agreed upon. It's -- the amount of credit is equal to five percent of the amount of the federal credit, and the credit is nonrefundable, which means that the amount of the credit may not exceed the total tax liability of the taxpayer. It applies to the taxing years -- the next three years, and it will be repealed on June 1st, 2003. It directs the Comptroller to transfer thirty-five million dollars. In Amendment No. 2, we mentioned there's an error in it. We said we'd transfer it in June. I do have an Amendment No. 3 that will correct that. It will be amended in the -- January of the next three years. I ask for your support on Amendment No. 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Yes. Thank you, Mr. President. Amendment No. 3 makes the -- the technical correction.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Klemm, I beg your pardon. Could the Members hold it -- hold the conferences down a little, please? Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Amendment No. 3 makes the technical correction of changing the date from June of 2001 to -- or, June 2000, to January, 2001, and every January 1st for the next three years. That was agreed to. It was an error in the drafting. Ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is House Bill 3939. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3939.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm. I beg your pardon. Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President and Members of the Senate. As you heard Senator Klemm explain, the Amendments No. 2 and No. 3, they become the bill. This is something that's been worked on and supported for many years, and finally we're going to have a chance to give those people who are basically the working poor a chance to get some funds back by the earned income credit. And I certainly would want a hundred-percent support for this bill, as amended. Thank you for your support.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Yes, Mr. -- thank you, Mr. President and Members of the Senate. I know this is a very important bill. It's not like we have, at the end of year, throngs of people coming down here to -- to watch us debate this, but I do want to ask you one thing about the nonrefundability of this provision. How -- how would that work? If you have a credit of fifty -- if you have a credit of three hundred and you only owe fifty, do you get an extra two fifty or do you only get credit for the fifty?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

You only get the credit -- percentage credit for what you have against the federal earned income credit. So if you go beyond that, you would just -- there would be no carryover credit to the next year.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Well, if you know, does that differ from the federal earned income tax credit provisions? As I understand, that -- that would be different than the -- the federal earned income tax provisions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

That's correct.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of House Bill 3939, and I think that we should give a lot of credit to people on both sides of the aisle who have worked on this over the years. Senator Peterson certainly has done a lot of work as Chairperson of the Revenue Committee. Senator Obama has also been one of the leaders on this. But, in particular, I would like to acknowledge and thank our Leader on this side, Senator Emil Jones, for the hard work that he put in to make sure that this was part of the tax relief package. This is not a perfect bill, as Senator Cullerton has pointed out, but it will provide relief for low-income working people, and that's the key to this. These people are working. Many are being taxed below the poverty line. This money will not be used on extravagances. They will be able to pay their rent, their utility bills, make sure they can feed their children breakfast in the morning. And I think this is a good bill and I urge everyone to support it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Klemm. Senator Klemm.

SENATOR KLEMM:

Well, I guess just to clarify. The federal earned income credit is -- is refundable and this State one is nonrefundable, and I guess Senator Cullerton asked for that. There is a slight difference in the two, and I just want -- for legislative intent and for the record, that is correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Emil Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I, too, want to commend the

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sponsor for taking time out and to work with this piece of legislation and also my counterpart, Senator Philip. You know, when we sat down at the table and began to negotiate this particular issue and it has been my contention and many on this side of the aisle that those who spend more of their disposable income toward taxes should really be the ones we should be fighting for in the General Assembly. But it was a compromise. This is a step in the right direction. All your major newspapers, your chamber of commerce around this State endorse this concept, and so I'm glad we here in the Senate and also in the House will be moving in that direction, in the direction of taking care of those who need it the most, taking care of those individuals as we try to move some of them from welfare to work and try to help them sustain themselves until they can get on their feet to be very productive citizens in this State. So, again, I want to commend you and my colleagues for all the hard work that's been done on this issue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR PETERSON:

Thank you, Mr. President. And I, too, want to thank all those people on both sides of the aisle for the hard work they put in on this bill, and I would appreciate an Aye vote on House Bill 3939.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 3939 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And House Bill 3939, having received the required constitutional majority, is hereby declared passed. Senator Maitland, what purpose do you rise?

SENATOR MAITLAND:

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Thank you very much, Mr. President. On a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR MAITLAND:

I'd like to introduce my Page for a Day, Sarah Ferry, who attends Metcalf Lab School at ISU. She's a fifth grader, and I'm happy to welcome her here today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Members turn their attention to the middle of page 7, in the Order of House Bills 3rd Reading. We go to House Bill 3872. Senator Radogno. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 3872.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill addresses an issue that's been very important to all of us, and that is prescription drug coverage for seniors. This bill has two major components. For our poorest seniors, this bill raises the level of Medicaid eligibility to one hundred percent of the federal poverty level over three years. In the first year, it goes up to seventy percent of the federal poverty level. Right now seniors don't qualify for that assistance until they reach forty-two percent of poverty. Additionally, because this is Medicaid coverage, it not only will cover prescription drugs but also other services that Medicare doesn't cover, or cover adequately, such as home health care. Secondly, for seniors that don't qualify for Medicaid, it

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expands the circuit breaker program, which we're all familiar with. Again, it not only covers drugs, but it also provides license plates at twenty-four dollars, as well as the property tax relief component. But specifically, with respect to the drug coverage, as you know, circuit breaker currently covers three diseases: arthritis, diabetes and circulatory problems. This will add to the diseases covered cancer drugs, Alzheimer's, Parkinson's, glaucoma, and lung disease and smoking-related illness. Additionally, it's going to increase the income level at which people can qualify. Currently it's sixteen thousand dollars per household. This will create a three-tiered system. One person will qualify up to twenty-one thousand two hundred eighteen dollars; two persons up to twenty-one -- twenty-eight thousand four hundred and eighty; and three people at thirty-five thousand seven hundred forty dollars. It changes the co-pay and the card cost that is currently in place. Right now, those that pay for the forty -- pay forty dollars for a card will pay only five dollars for a card and the co-pay will go from the current fifteen to zero. For those that currently pay eighty dollars, it will go down to twenty-five dollars to participate in the program and the current -- and the co-pay of twenty-five will be reduced to only three dollars. It also has a limited brand name waiver. For so -- for those drugs that have a narrow therapeutic index, the brand names will be available. So taken together, I think this provides a very reasonable approach to prescription drug coverage. It targets relief to those that need it the most. It's not duplicative of other things that are already in place, and it uses and expands our existing program so there's not a lot of extra bureaucracy that we need to create. So I'd be happy to try to answer any questions and would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Halvorson.

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SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. I stand in strong support of this bill; however, I'm still very disappointed that we chose to leave the middle-class senior citizens behind. We did some tracking, and those senior citizens who fall between the range of twenty-eight thousand and fifty thousand that will not be able to take advantage of the prescription drug discount is a hundred and thirty thousand senior citizens. That is what we can track. We all know that there's going to be a lot more of that. I want to also mention that Maine this week had the courage to take it upon themselves to pass the drug prescription program that was in House Bill 3036. This is a start. I think it's a wonderful bill, and I believe that we need to do something for our middle-class senior citizens who daily have to decide whether they're going to eat, pay their rent or take their prescriptions. So, again, this is a great bill, but we have to do a lot more.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Bomke.

SENATOR BOMKE:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BOMKE:

I have behind me today a young man from St. Agnes who's a Page for the Day, Sebastian Retana, and I'd like you to help me welcome him to the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Any further discussion on House Bill 3872? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Sponsor indicates she will yield. Senator Welch.

SENATOR WELCH:

Senator Radogno, the list of drugs that are going to be covered include drugs for Parkinson's, Alzheimer's, cancer, glaucoma, lung disease and what's called smoking-related illnesses. Could you explain how it's going to be determined what a smoking-related illness is? Will it be a notification from a doctor or -- or how is that determined?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Well, I believe it says lung disease and smoking related. So emphysema -- I think it just is more broad. But respiratory illnesses.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well -- well, I'm just wondering why they didn't spell it out in the bill, because if -- if somebody -- if a senior comes in and -- and they do have emphysema or -- and it's related to, let's say, a black lung disease, as opposed to smoking, and -- and they have a -- let's say they a claim filed with Social Security for disability, but yet, for this program, to get the drugs, they say it's smoking related. How -- how would that be handled?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Well, it's "and". Lung disease "and" smoking related. So that wouldn't -- you wouldn't have to prove causation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

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Thank you, Mr. President. First, I want to commend Senator Radogno. This really is the culmination of two years' worth of work. Obviously, there's been a lot of bills introduced this year on -- in reaction to politics, but this was work that's been worked on for the last two years. We had hearings throughout the State. I know we had hearings last year with Senator Smith and -- and others in Chicago as we -- as we tried to come up with legislation to address the pharmaceutical needs of seniors. We were hoping, over the last two years, that the federal administration would start addressing the pharmaceutical need. As you all know, this is a problem of the federal government through Medicare. This administration has refused to address the Medicare issue and so now, as a State, we're stepping up, spending in excess of a hundred million dollars to fulfill their responsibility. I would certainly hope that as we go into the future, that the next administration in Washington will seriously take into consideration the pharmaceutical needs.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR RADOGNO:

Well, thank you. I just reiterate that this is a major commitment on behalf of the State to try to help those who are most in need. I think it's a good program. It's a program we can afford along with all of our other obligations, and it certainly targets help to where we need it most. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 3872 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And House Bill 3872, having received the required constitutional majority, is hereby

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declared passed. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR DEMUZIO:

Well, joining us today is the wife of one our most distinguished Members. She's been quite concerned about how he's been voting down here and so she came down to help him out. And so I'd like for Lorraine Shadid to please rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Mrs. Shadid. We recognize your burden. If the Members turn their attention to Senate Calendar -- Supplemental Calendar No. 1, we will be going to the Order of Secretary's Desk, Concurrence. Senate Calendar -- Supplemental No. 1. Secretary's Desk, Concurrence. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1627.

Motion filed by Senator Tom Walsh.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President and Members of the Senate. House Amendment 1 and 2 to Senate Bill 1627, in addition to retaining the underlying bill, Amendment No. 1 allows issuers of variable rate alternative bonds to project debt services amount using the Bond Index. Amendment No. 2 directs a county clerk to extend taxes for debt services on certain refunding bonds issued for a library district that transferred parcels to another district. I

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don't know of any opposition to these amendments and would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Klemm.

SENATOR KLEMM:

Just a question. I guess if the...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. If in the past the units of local government had to look at the worst-case scenario and levy for that worst-case scenario, but now they don't have to do that, what happens if it is a worst-case scenario and they didn't levy enough money for it? What happens then?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

If they go by the Bond Index, they'll be -- be levying what really is.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

I'm sorry. I didn't hear what you said.

SENATOR T. WALSH:

Bond indexes would...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Walsh.

SENATOR T. WALSH:

I'm sorry. The Bond Index was -- is a good -- would be a pretty good indicator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

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SENATOR KLEMM:

Well, my -- my only concern is that when we looked at the worst-case scenario, we knew that it would be taken care of. Certainly -- in fact, some of my colleagues today are saying, "Boy, the stock market's up and down; the bond rates are up and down; things are kind of chaotic." What if they don't? What happens if the local unit, a local government, then, if they don't levy enough and now they find out that the borrowing market goes south? It normally would have been they were protected 'cause they had to look at the worst-case scenario, and with the fluctuating market, I just don't want taxpayers to be taxed again or the public entity not having enough money to cover it. So I just want to assure us of the protection that that wouldn't happen. That's all. I'm not opposed to what you're trying to do; I just want the assurance that the local governmental entity who is issuing these bonds would be protected for the taxpayers. I hope maybe you could answer that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Well, thank you, and I appreciate the -- the question, but that's one of the reasons that they would have a reserve fund for this. And right now, currently, for this particular governing body, the law has been silent on this, and they obviously want to be able to take advantage of it in good times, take advantage of a variable bond rate, and they would be able to do that with this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR T. WALSH:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1627. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And the Senate does concur in the House -- concur in House Amendments No. 1 and 2 to Senate Bill 1627, and the bill, having received the required constitutional majority, is hereby declared passed. Senator Smith, what purpose do you rise?

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have with me today a guest Page, and his name is Rickey Douglas, and he attends here in Springfield, Illinois, the Lanphier High School. He's in the ninth grade and he's fourteen years old, and he's also the son of my secretary, Mrs. Sandra Douglas.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Senator -- Senator Philip, what purpose do you rise?

SENATOR PHILIP:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR PHILIP:

Purpose of an announcement. The Governor has invited us all over to the Mansion tonight at 7 o'clock. Members of the General Assembly and the staff. They will be checking IDs. Nobody under twenty-one. So all you young Senators, don't go over to the Mansion. It's all right for us old guys. What's going to happen tomorrow - we're just about done here tonight - most of the budget is put together. It's not completely put together. When it is put together, it takes about fourteen hours to print, believe it

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or not. So we will come in tomorrow morning. It should be ready in the morning. We'll come in at 9. Hopefully we should be out of here in a couple hours. So enjoy the evening and we will see you at 9 o'clock in the morning.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

Senate Bill 1653, together with House Amendment No. 1.

Passed the House, as amended, April 13th, 2000.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further business to come before the Senate? If not, Senator Parker moves that the Senate stand adjourned until 9 a.m., Saturday, April 15th.

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