

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

60th Legislative Day

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PRESIDENT JONES:

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by -- Rabbi Michael Datz. Let's see. He's at Temple (B'rith) Sholom Church in Springfield, Illinois. Rabbi Datz.

RABBI MICHAEL DATZ:

(Prayer by Rabbi Michael Datz)

PRESIDENT JONES:

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDENT JONES:

Be seated. Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journals of Thursday, May 29; Friday, May 30; Saturday, May 31; Thursday, October 23; and Wednesday, October 29, 2003.

PRESIDENT JONES:

Senator Haine.

SENATOR HAINE:

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

PRESIDENT JONES:

Senator Haine moves to approve the Journal just read by the Secretary. There being no objection, so ordered. Illinois Information Service and Comcast seek -- and the Chicago Trib seek leave to record the proceedings. No objection, leave is granted. Madam Secretary, Communications.

SECRETARY HAWKER:

Dear President Jones - I would like to inform you that I am resigning from my position of Senator of the 59th District, effective at the close of business Friday, June 6, 2003. It has certainly been my honor to be part of this great Body. I will always be appreciative of all the support you have given me and

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of all the friendships that have been established in this Chamber, both among Members and staff. Having had the privilege of being a Senator is something I will cherish all my life. If I can ever be of assistance to you in the future, please do not hesitate to contact me.

Sincerely, Larry D. Woolard, State Senator, 59th District.

June 18, 2003. Dear Ms. Hawker - This office is forwarding herewith copies of the Notice of Vacancy from the Democratic Legislative Committee of the 59th Legislative District declaring the existence of a vacancy in the Office of Senator in the 93rd General Assembly of the 59th Legislative District, as a result of the resignation of Larry D. Woolard, effective June 6, 2003. Also enclosed is a copy of the Democratic Legislative Committee's Certificate of Appointment for Gary Forby, 8725 Bennett Road, Benton, Illinois 62812, who was appointed to fill the vacancy in the Office of Senator in the 93rd General Assembly for the 59th Legislative District.

Yours truly, Jesse White, Secretary of State.

Message from the President.

Dear Madam Secretary - Pursuant to the provisions of Senate Rules 3-1 and 3-2, I hereby appoint Senator Jeffery M. Schoenberg as Chairperson of the Senate Committee on State Government, effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

Another Message from the President.

Dear Secretary Hawker - Please be advised that Senator Gary Forby has been appointed as a member of the following committees: Education, Agriculture and Conservation, Labor and Commerce. If you have any questions, please feel free to contact Courtney Nottage, Chief of Staff, at 782-3920.

Sincerely, Emil Jones, Jr., Senate Democratic Leader.

PRESIDENT JONES:

Senator Welch, what purpose do you rise?

SENATOR WELCH:

A point of information, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR WELCH:

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Senator George Shadid is not here today because of an illness in his family, Mr. President. Secondly, I'd like to -- like to point out -- point out to the Body that we have a new Senator here today. Gary Forby is now a Member of the Senate. If we could welcome Gary to the -- to the Floor.

PRESIDENT JONES:

Yeah. Welcome to the Senate, Senator Forby. We allow you to explain your vote. Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2105, offered by Senators David Sullivan and Watson.

(Secretary reads title of bill)

Senate Bill 2106, offered by Senator Halvorson.

(Secretary reads title of bill)

Senate Bill 2107, offered by Senators Risinger, Althoff, Watson, Lauzen and others.

(Secretary reads title of bill)

Senate Bill 2108, offered by Senators Demuzio, DeLeo and Dillard.

(Secretary reads title of bill)

Senate Bill 2109, offered by Senators Demuzio, Dillard -- pardon me, Demuzio, DeLeo and Dillard.

(Secretary reads title of bill)

And Senate Bill 2110, offered by Senator Radogno.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT JONES:

Senator Soden, what purpose do you rise?

SENATOR SODEN:

For personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR SODEN:

Today -- to all my colleagues -- to all my colleagues in the Senate, today's a very momentous day for this Body because today we celebrate the birthday of Senator Wendell Jones. And we'd like to have conveyed to him our very best wishes for continued health and happiness for many years to come.

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Stand up, Wendell, so we can recognize you... Senator Jones.

SENATOR W. JONES:

Thank you, Mr. President, Senator Soden, Members of the Senate. I appreciate it very much. Normally we're home campaigning on election day on my birthday. This is the first time in five years that we've been down here on my birthday, so it's a pleasure to celebrate with all of you. We have cake down here in the area below. And I'd also like to recognize a couple of staff members who share our birthday, Jae Williams, who is the secretary for Senator Brady, a longtime secretary for Senator Maitland. Her birthday is today. And Deb Johnson is here, My secretary. Her birthday is tomorrow. So, thank you. Let's celebrate.

PRESIDENT JONES:

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 293, offered by President Jones and all Members.

Senate Resolution 294, offered by Senator Geo-Karis and all Members.

Senate Resolution 295, offered by Senator Geo-Karis and all Members.

Senate Resolution 296, offered by Senator Haine and all Members.

Senate Resolution 297, also offered by Senator Haine and all Members.

Senate Resolution 298, offered by Senator David Sullivan and all Members.

And Senate Resolution 299, offered by Senator Peterson and all Members.

They're all death resolutions.

PRESIDENT JONES:

Resolutions Consent Calendar. Madam Secretary, are there any motions filed?

SECRETARY HAWKER:

Yes. I have a number of motions filed with respect to the Governor's action on the following bills: Senate Bills 70, 83, 100, 212, 216, 272, 318, 408, 472, 606, 629, 639, 1321, 1364, 1521 and 1881.

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PRESIDENT JONES:

Those motions shall be reflected on the Calendar. Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. I'd like to announce that we will have a Democrat Caucus immediately during recess in Senator Jones' Office. It's the only one around here big enough.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. We would also request a Republican Caucus at the same time. Thank you.

PRESIDENT JONES:

So ordered. Okay. Both caucuses will meet. The Senate shall stand in recess until the hour of 2 p.m. 2 p.m. The Senate stands in recess. And for all Members, we will be coming back, taking care of business, taking care of business of substance. There will probably be some committee hearings later on this evening or this afternoon. So, all Members kindly come back to the Floor at 2 o'clock, because we will be taking care of business. The Senate stands in recess till the hour of 2 p.m.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

Will the Members please come to the Floor? We're going to begin action very soon. The Senate will come to order. Madam Secretary, Messages.

SECRETARY HAWKER:

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

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

House Bill 3412.

Passed the House, November 4, 2003, by a three-fifths vote.

Bradley S. Bolin, Assistant Clerk of the House.

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PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, Motions in Writing.

SECRETARY HAWKER:

Yes, Mr. President. I have motions with respect to the Governor's action on three bills: Senate Bill 1765, Senate Bill 1085 and House Bill 3412.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam. Is he in the Chamber? Rules Committee is meeting. Chair recognizes Senator Jacobs. State your purpose, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. A point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your purpose.

SENATOR JACOBS:

I have with me today a young lady by the name of Nicole Rasso, who is Miss Poppy of Colona, Illinois. And she has a prepared speech, but in the interest of time, we -- we asked her if she would forgo that, but we'd like to have everyone give her a great big round of applause.

PRESIDING OFFICER: (SENATOR WELCH)

All right. Welcome to the Senate. Madam Secretary, Rules Reports.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Senate Bill 67, House Bill 576, House Bill 2200, 2696, 3413, Senate Joint Resolution 39, Motion to Accept Specific Recommendations for Change to Senate Bills 150, 180, 196, 640, 699, 1523, 1754 and 1848.

Filed by Senator Demuzio, Chairman.

PRESIDING OFFICER: (SENATOR WELCH)

On page 8 of the Calendar is the Order of Motions in Writing to Override the Total Veto of the Governor. This is final action. Senate Bill 191. Senator Crotty, do you wish to proceed? Madam Secretary, read the motion.

SECRETARY HAWKER:

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I move that Senate Bill 191 do pass, notwithstanding the veto of the Governor.

Motion filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President. Senate Bill 191, if all of us remembers, it amended the Children and {sic} Disabilities Article of the School Code regarding reimbursement for special education classes for children from orphanages, foster family homes, children homes or State housing units. It requires that if a child who is eligible to receive services is adopted and that child continues to receive support services from the Department of Children and Family Services, then the child shall continue to be eligible to receive those services. This went through the Senate with 54 Yes votes, and with the House at a 117. I'm asking that all of you join me in overriding this.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

She indicates she'll yield, Senator.

SENATOR CRONIN:

Senator Crotty, does this involve funding that would be due to Maryville Academy in Des Plaines?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

No. That's the next bill, could be incorporated with Maryville, 192.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cronin.

SENATOR CRONIN:

Well -- I'll save my question for -- for that bill. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? No one seeking recognition, Senator Crotty, to close.

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SENATOR CROTTY:

I ask for everyone -- for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 191 pass, notwithstanding the veto of the Governor. All those in favor will vote Aye. Opposed, vote Nay. 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 53 Members voting Yes, no Member voted No, no Member is recorded as voting Present. Senate Bill 191, having received the required three-fifths majority, is declared passed, notwithstanding the veto of the Governor. Senate Bill 192. Senator Crotty. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move that Senate Bill 192 Do Pass, notwithstanding the veto of the Governor.

Motion filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you, again. Senate Bill 192 amends the Children with Disabilities Article of the School Code regarding reimbursable administrative expenses. It allows for the reimbursement of administrative expenses incurred by a responsible school district for children whose residence is other than a foster family home and who are educationally placed in a nonpublic school, nonpublic special education facility, public out-of-state school, or county special education facility. Requires that these administrative expenses must be associated with supervisory and case coordination responsibilities specific to these eligible students. Again, the Senate gave us 48 votes and the House 118 Yes votes. I ask for a favorable vote. I'll take any questions that Senator Cronin has.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? I'm sorry. Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. Given that the sponsor indicated she would yield, if I may, what was the Governor's message, the reason for his veto here?

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

It deals with the administrative costs. I'll read -- the rationale was that it required the State to reimburse school districts for administrative costs of coordinating the special education services for wards of the State who are educated in residential facilities. That's exactly what the bill was. And that the Governor notes in his Veto Message that his administration has been committed to reducing those costs wherever possible and he felt that there was some fiscal constraints and that it would be an extra five hundred thousand to one million in reimbursement for those costs that would not be justified.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cronin.

SENATOR CRONIN:

Anywhere in that Veto Message does the Governor indicate an understanding, an appreciation or even any piece of knowledge about the quality of the program or the education that the students from Maryville receive, separate and apart from his focus on costs?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cronin.

SENATOR CRONIN:

Do you, as the sponsor of this motion, have any idea whether or not the Governor knows anything about the students from Maryville and their graduation rates?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

I've not had that conversation with the Governor. So I wouldn't know.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cronin.

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SENATOR CRONIN:

Well, you know that the Governor has been somewhat embroiled in some controversy regarding Maryville Academy. Given his veto, I guess I'm just suspicious that this may be part of his effort to make life difficult for people there. Is there any indication in the Veto Message or any communications that you've had with the Governor's Office that this veto has anything to do with the Director of DCFS and Mr. Samuels and that whole matter?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

No. I think the only concern that he has was the costs. But the costs are going to be there either for all of our taxpayers, because they foot the -- the bill for those administrative costs, or it's going to be the State.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cronin.

SENATOR CRONIN:

Just finally, I rise in enthusiastic support of the -- or, Senator Crotty's motion here and just want to let you know that Maryville Academy's students, who are impacted by this veto and who will be impacted now by the motion to override, have the highest graduation rate out of any student in a facility of its kind in the State. And I think that while the Governor is -- his actions are -- are singularly focused on cost, I'm delighted that we're looking at a little longer term view here, recognizing the quality work that's been done up there, and therefore, I encourage all my colleagues to vote Aye in favor of this motion to override.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? Senator Crotty, to close.

SENATOR CROTTY:

I also ask for a Yes vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 192 pass, notwithstanding the veto of the Governor. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Take the record. On that question, there are 52 Yeas, 4 Members voting No, 1 Member voting Present. Senate Bill 192, having received the required three-fifths majority, is declared passed, notwithstanding the veto of the Governor. Senate Bill 594. Senator Clayborne? Senate Bill 1353. Senator Larry Walsh. Read the bill, Madam Secretary. Read the motion, rather.

SECRETARY HAWKER:

I move that Senate Bill 1353 do pass, the veto of the Governor -- pardon me, notwithstanding the veto of the Governor. Pardon me.

Filed by Senator Larry Walsh.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Larry Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1553 {sic} amends the Township Code and Vehicle Code in regards to the disposal of brush and disaster relief. It gave the township voters the authorization to use township permanent road funds, general road funds and bridge funds or town funds for disposal of brush and leaves from property contiguous to roadways. Voters could also authorize the use of the general road funds and bridge funds or town funds for disaster relief services if approved by the township board. In the Governor's Veto Message, the Governor said the bill's language was identical to House Bill 2634. And in this issue, it's sort of a case of mis-identity in the regards that Senate -- or, House Bill 2634 did not allow the authorization of permanent road funds for this purpose. And so what Senate Bill -- or, 1353 did was just open the door for all of the different funds to be used and this actually is the bill that should have been approved to accommodate that. I'll answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. We did discuss this in Local Government. As I recall, we disagree with the position of the Governor. It may be semantics more than

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anything, but I would suggest that we put votes on this side of the aisle. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR ROSKAM:

Senator, I -- I just tuned in a little bit late. Can you tell me what it -- what -- what mistake the Governor made and why we've got to override him and why his amendatory -- or, why his veto is incorrect?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Senator Roskam, in township government, there are some townships that have what is known as a permanent road fund tax and a township road fund tax, and in the language of House Bill 2634 that the Governor signed, it did not include the language known as permanent road tax. I received some phone calls in -- from other townships that have this permanent road tax as -- as a funding source to expend for road purposes. That would not allow them to use the permanent road tax as a source of revenue in order to use this. Basically, he signed a bill which he thought was identical to 1353, but 1353 included all of the road taxes that are available to a township highway commissioner for this purpose.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Senator. That's very clear. We're going to be dealing with a lot of Governor's vetoes. My question is, when you raised that question to the Governor's staff and to the Governor himself, I would presume, did they acknowledge their error? Was there, you know -- you -- you articulated it very clearly. Doesn't seem ambiguous at all. You're asking us to override the Governor. Did they acknowledge that they've got a problem?

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh, if you know the answer.

SENATOR WALSH:

I have had no acknowledgement from the Governor's staff. This -- this has been brought to us by a township official, Senator, and I believe that he -- he may -- he may have had conversation with the Governor's staff. The Governor's staff is on board, recognizing the fact that Senate Bill 1353 accomplishes all that the bill was intended to accomplish.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

But you're not saying that the Governor's staff is on board with the override of the Governor's veto.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Yes. The Governor's staff is on board with the override.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Wow! That is something. That is flexible, isn't it? To veto a bill -- to -- what? -- maybe be for a bill, to veto a bill and then to be for the override of a bill all within just hardly a season. That -- that is -- what -- what shall we call that? Let's call that "legislative dexterity" for now. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh, to close.

SENATOR WALSH:

I would just ask for a Aye vote. Thank you, Senator Roskam.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1353 pass, notwithstanding the veto of the Governor. All those in favor will vote Aye. Opposed, vote Nay. 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 Members voting Yes, no Members voted No, no Members are recorded as Present. Senate Bill 1353, having received the required

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three-fifths majority, is declared passed, notwithstanding the veto of the Governor. Ladies and Gentlemen, seated next to Senate President Emil Jones on the Floor of the Senate is the Chief Whip of the African National Congress, the National Assembly, Mr. Nhleko. Please rise and wave your hand. Thank you. Welcome to the Senate. On the Order of Business, Motions in Writing Overriding Specific Recommendations, is Senate Bill 1333 on page 8 of the Calendar. Senator Susan Garrett, do you wish to call your motion? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move that Senate Bill 1333 do pass, notwithstanding the specific recommendations of the Governor.

Motion filed by Senator Garrett.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President, Ladies and Gentlemen. We have filed a motion to override Senate Bill 1333 for several reasons. But as you know, through no fault of their own, many wards of the State have no ability to bring taxes to any local school district where they are sent to go to public schools, and this is the case in many school districts throughout the State when they receive wards of the State in their public school system. The expense -- the additional expense of this is about 1.4 million dollars. And in my particular district, there's one school district, River Trails, that would lose a hundred and thirty-three thousand dollars because we are not, through this legislation, saying that we are going to fully fund wards of the State. So I'm asking for this override because I believe that it is the State's moral obligation and responsibility to make sure that these students are taken care of and that individual taxpayers from any given public school district should not bear that burden and that it should be borne by taxpayers evenly throughout the State of Illinois.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in strong support of Senator Garrett's motion. This -- in -- in our area of the State, this supports a great institution that we all know as Maryville. We've all seen Maryville in the press lately. It's an outstanding organization that caught a lot of unnecessary press because of some overzealous bureaucrats in the Governor's Office. We were able to prevail upon them to do the right thing. This is another example where we can prevail upon the Governor's Office to do the right thing for the kids at Maryville. We need to stand up for Maryville and do the right thing for them. So I urge everyone to support Senator Garrett's motion.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. I also rise in support of the lady's motion. I have a facility in my district operated by Maryville Academy, the Dolan Educational Center in western Winnebago County. They've gone through tremendous turmoil the last three months with the removal of the students from that facility and re-placement as a result of all the activity that's been going on around Maryville. The Durand School District depends -- critically depends on the orphanage -- money from the Orphanage Act to -- to pay for the teachers that work at -- at the Dolan Center. So the -- the Senator is absolutely correct here. The Governor was wrong to cut this money and I urge everyone to vote Aye and reinstate this money.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR GARRETT:

I just want to thank all of you who support this override measure.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1333 pass, notwithstanding the specific recommendations of the Governor. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, 56 Members voted Yes, 1 Member voted No, no Member is recorded as voting Present. Senate Bill 1333, having received the required three-fifths majority, is declared passed, notwithstanding the specific -- the specific recommendations of the Governor. Ladies and Gentlemen, please turn to Supplemental Calendar No. 1. House Bill 3412. Senator Garrett. Senator, do you wish to proceed? Madam Secretary, read the motion.

SECRETARY HAWKER:

I move that House Bill 3412 do pass, notwithstanding the specific recommendations of the Governor.

Motion filed by Senator Garrett.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Susan Garrett.

SENATOR GARRETT:

Thank you, Mr. President, Ladies and Gentlemen. We are asking for another override for House Bill 3412. As you know, this is the ethics reform legislation that the Governor did an amendatory veto on. On August 26th he provided additional language, and the last two and a half months we have been working on ways to actually solidify this ethics reform package to make it even better. And I think we are going to be able to adopt concepts from both sides of the aisle, the Republican side, Senator Watson, as well as input we have received from our Democratic colleagues. So, we will be following this, if we, in fact, are successful in our override, with a trailer bill. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I've been in the House and Senate for about thirty years. There is no bill good enough for ethics disclosure. I'm rising -- to speak against it. I think we should have a bill that says complete -- disclosure. And that's what the taxpayers want: complete and full disclosure, not these -- these -- these -- these very, very patterned bills one after another. Therefore, I'm going to -- I'm going to vote No, and I ask for a bill to come out with complete disclosure. What are we going to be afraid of? And

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let the people know. The people are entitled to know complete disclosure. And that's why I rise against the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Emil Jones.

SENATOR E. JONES:

Thank you, Madam {sic} President. This is final action on this piece of legislation where -- where it involves the General Assembly, and I stand in strong support of Senator Garrett's motion to override. The House has already overridden this legislation and this is final action as relate to the death penalty provisions that's contained in this bill. There will be another ethics bill coming, which we will be acting on, which is -- has all the -- the teeth that we wanted in it as relate to the Executive Branch and also the General Assembly. But that ethics bill will be coming along shortly. We will either -- meet in the Executive Committee on that. But this portion of the ethics bill that the -- the motion is made to override impacts the General Assembly. And I think all of us should stand in strong, strong support of this so that the -- so that we can move forward and pass a -- a meaningful ethics bill by the General Assembly, which we so indicated last May when we were here. And we would have dealt with it then had we had enough time to deal with it. But the -- the motion is a good motion and I stand in strong support of it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger. No, wait. Senator Rauschenberger. Oh, I'm sorry.

SENATOR RAUSCHENBERGER:

The -- the beard is absent without leave. Couple questions of the sponsor, if she'd permit.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR RAUSCHENBERGER:

Some people have represented the Governor's amendatory vetoes as efforts to strengthen the ethics legislation. In fact, I think a spokesman from his office made a -- an eloquent case to a lot of major media that his efforts in the -- his amendatory vetoes were to actually improve a bill that he

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thought needed to be improved. Are -- are -- are you suggesting that we override - not accept - his veto changes?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Senator, yes. And the reason for this is because we believe that through consensus and through discussions from both sides of the aisle during the summer, we have come up with a even stronger piece of legislation.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I appreciate that answer. Two things, I guess, still trouble me. Since we have, I think, five or six days of Veto Session or as many as the Senate President deems necessary, I just would feel a lot better -- if there's a trailer piece of legislation that's supposed to restore these, you know, in a better fashion, why we wouldn't act on that trailer before you - - in effect, you're asking us to reject what the Governor's called stronger ethics that -- and then supposedly we're going to get out of the House or we're going to see sometime soon a consensus bill that makes this better. I don't understand why you don't hold this motion to let us see the -- the proof of the pudding. And then the -- the last question. I'll -- I'll close and let you answer this. I'd like to know what Members of the General Assembly - since the trailer bill obviously affects our futures, our political careers, the risks we all have of unsubstantiated claims during the campaign season - which Members were actively involved in negotiating the changes to this trailer bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Well, Senator, first let me respond that I will give you my personal commitment, and I think you know I stand behind what I say, that the bill that will be following will be a stronger piece of legislation that will, in fact, include the General -- the entire General Assembly, not just the constitutional officers. That is one thing that we did change with our trailer

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bill. We made it much more inclusive. I know that Senator Watson has been very outspoken about some of his concepts that he would like to see incorporated in the new ethics language, and those will be addressed. So I can give you my personal commitment. There were many people that were part of the rewrite. The Governor understands full well that we -- we -- we're going to do an override. He doesn't have a problem with that, because at the end of the day, Senator, he wants to see a very strong ethics reform piece of legislation come out of both the House and the -- Senate. And as Senator Jones said, there is consensus on this from Leadership and I think that you're going to be -- we're going to be passing the new trailer bill through the Executive Committee either tonight or tomorrow morning. So before we leave this week, we will see that language.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. I apologize for speaking twice on this bill, but listening to the comments from the other side of the aisle, the trailer bill will have all those things that we feel should be in the bill, even as it impact the Members of the General Assembly. It will not have a hotline in there, 'cause we are all public officials and we feel that anyone making a complaint should -- should at least be willing to come forward and state their -- their name and who they are when they make a certain complaint. However, there will be the trailer bill to deal with strong ethics, which we strongly support. And so, therefore, rest assured that when you see it, you'll like it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I think Senator Rauschenberger, as usual, was on to a -- a couple of good topics and -- and pointing us in the right direction. It does make me a little squeamish to vote for an override that could be viewed as weakening ethics laws in -- in Illinois. Would the sponsor yield for a question, Mr. President?

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PRESIDING OFFICER: (SENATOR WELCH)

Indicates she will, Senator.

SENATOR DILLARD:

Senator Garrett, is the Governor in support of and is he in agreement with overriding this particular amendatory veto?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Yes. And -- and let me just revisit. We were with the Governor on Sunday at a press conference and publicly the Governor said he doesn't care how it gets done - whether we override his amendatory veto, whether we come up with a trailer bill, whether we come up with an entire new piece of legislation - as long as it addresses some of the parameters that he has laid out. And I can guarantee you that the new legislation, or the trailer bill, will do that. It will actually make it stronger, because as you know, Senator Dillard, the bill that we are hopefully going to override only deals with the constitutional officers. The new trailer bill does address inspector generals for the General Assembly, the entire General Assembly - the lawmakers in the House and the Senate.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard. Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR ROSKAM:

Senator, what is it about this bill that the Governor thinks is weak and ineffective?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

I guess I'm confused. About what bill? We -- he has provided an amendatory veto and it's come out with what he believes is stronger language, which I -- I'm sure you have read. And we are making it stronger. As Senator Emil Jones said, we are going to add some new provisions to it, take out some of the things, like the ethics hotline.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Senator, is this one of these bills that the Governor is for and he's against, and he was against the veto and now he's for the veto, and it's like, kind of, double secret probation? I mean, what is the Governor's position? What is the current view on the Second Floor about this bill and what the -- what -- what are going to happen? Because here's -- here's what's happening. We're -- we're playing with live bullets now, aren't we? If this bill passes and the President bangs the gavel, then timesheets are in effect. Correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator...

SENATOR ROSKAM:

So, what is -- what is the Governor's position? What kind of -- what kind of package is the Majority going to ultimately move? Because there are -- there are -- there is so much confusion on this issue and so many mixed signals coming from the Governor's Office, it's really difficult to keep up with it all. So give us the big plan and then how we get there.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Well, first of all, you know, I'm not speaking on behalf of the Governor, but I will take some license to say that he has been extremely proactive to ensure that we do have strong ethics reform legislation in Illinois. And I think everybody in this General Assembly agrees with that. As with any kind of far-reaching legislation, there's going to be debate and discussion, as there has been. And I believe that the legislation that we passed out of the Senate and then ultimately out of the House last spring did not go far enough. And I was one who said that he should provide an amendatory veto so we could make it stronger, so that we could send a strong message to the citizens of this State that, in fact, we mean business when we say we are going to change the way business is done here. So his amendatory veto did -- did just that. And then after looking at that and bringing Senator Watson, who just walked into the

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Senate, to the table, there are additional provisions that should be included and they are going to be addressed, as well as other things, such as I've already said, including the provisions to over -- over -- have oversight over the General Assembly, not just the constitutional officers.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Well, Senator, with all due respect, I think the confusion really continues, because you've just told us that the bill that you advocated and that you sponsored and that you argued for and urged us to support last spring, which was under your sponsorship, you went to the Governor and asked him to do an AV on. Now, did I misunderstand you? Okay. Why don't you -- maybe we can hit the pause button and you can explain that again, 'cause that didn't make sense to me.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Last spring we had what we believed then to be a comprehensive ethics reform package. It passed the House. It did not pass the -- we -- we made changes in the Senate. Some of those changes weakened the original bill that was passed out of the House. It was the best we could do with what we had. We agreed that we needed more time to broaden the bill and get the kind of consensus that was necessary. And so when the Governor looked at the legislation that passed, he believed that it should be made stronger and so he provided an amendatory veto, which we have been discussing during the summer. Both the Republicans and the Democrats have been meeting on a -- on a regular basis. I was under the impression that this new version was, for the most part, agreeable. In the last week or so, that version has been made stronger, for the right reasons, and that is the trailer bill that will be following this particular piece of legislation, the override. There's nothing hidden about this. The Governor has been very, very clear how strong he feels about making sure we have ethics reform in Illinois. There are no smoke and mirrors here. None at all.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Roskam.

SENATOR ROSKAM:

Last question. Then I -- is it correct, Senator, that if this bill passes now, it becomes effective immediately, and effective immediately, our employees in this Dome - everybody in my voice basically - has to start doing timesheets? Is that correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Senator Roskam, you're an attorney and I'm not. But I will say that we are talking a lag time of probably a day before we get the next piece of legislation to look at, and I just ask you to be patient and understand that this is going to be good for everyone in Illinois. Whether or not the timesheets are going to be available or not I think is inconsequential, because we're talking a twenty-four-hour period of time in order to make this bill stronger. If you care about making -- ethics reform stronger, it's worth the wait, and I don't think it's -- it's too much to ask for.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Carol Ronen.

SENATOR RONEN:

Thank you, Mr. President. I rise in support of Senator Garrett's motion, and I'd like -- I won't mention the former speaker, but I -- I think what -- because I don't want to hear him talk again 'cause he's going to get up and say the same thing that he says about every single bill, and all he's talking about is process, process, process. Not talking about the real issue, and what he's trying to do is -- is really, more importantly, obfuscate the issue. Let's talk about what's clear here. We passed a bill in May that wasn't a strong piece of legislation. The Governor, at that time, decried that and said we have to do better. He -- he set forth some principles that make a strong, solid ethics bill. He put them in an amendatory veto. We can talk now about whether we do the amendatory veto or whether we do the bill. But here are the facts: For the past summer, the Governor, the Legislative Leaders, the sponsors of the legislation in both Chambers, and both parties, and good

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government groups have been working to fashion a bill that sets forth what is good ethics legislation. Today is the anniversary of an election that was all about the worst scandal in Illinois history. Let's remember that. So people who say there's no need to do something and respond to that I think are not listening to the public. This motion is good. This is the first step in us coming together and passing tomorrow, or the next time we come back, a very solid piece of -- ethics legislation that the Governor has said he wants. He's been clear about the criteria that must be in a bill that he will sign and he's -- he's said that from the day he started running for office, that he was for good ethics. He said it when he was elected and he's keeping his promise now to make sure that Illinois gets out of the Wild West and we start putting in place some practices and bills and legislation that people can finally see that we're doing so that people can come to respect their government once again. And we can all be part of that process as all of us have. And the few people, I think, that are talking about process and obfuscation are just doing that, just obfuscating. So let's get with the program. Let's support Senator Garrett, who's trying to pass what can be and will be good legislation.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR LUECHTEFELD:

Senator, I understand what you want to do with regard to the override, but in your discussion, you have mentioned several times about a trailer bill and you seem to know -- you know, you said this is really going to be good. You seem to -- do you know what's in the trailer bill pretty well? And you -- you agree with that and your Leader agrees with what's in the trailer bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

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Yes. And I'd be happy to review some of those provisions if you would like or, you know, we can wait.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

That would be good. My -- my -- I understand, though, that this trailer bill really didn't come from the Governor's Office. It came from the Speaker. Is that right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Senator, it partly came from everybody in this Chamber. It's something that has been a work in progress. You know, whoever gets credit for it, who actually put their -- you know, crossed their "t" and dotted their "i", who the last person was, I can't tell you. But, you know, again, the Governor doesn't care. If the Speaker was the last person who had a say in it or Senator Watson was or Emil Jones or Tom Cross or Susan Garrett or anybody else. The point of the matter is, and what we have to be absolutely focused on, is that we are able to pass out -- meaningful and realistic ethics legislation. And what we are doing in the trailer bill is exactly what the Governor, I think, has laid out over the summer.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, I -- I obviously, as I'm sure a lot of other Members, are concerned about what's in that trailer bill. You said you might -- might list some of those things. I'd appreciate that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Here we go. Number one, requires yearly ethics training for all State employees. Creates a one -- nine-member Executive Ethics Commission, five of the members are appointed by the Governor, one each constitutional officer. The commissioner appoints -- appointments confirmed by three-fifths vote of the Senate, which makes it independent, and allows the appointment of a special IG -- of special IGs. Number three, creates the

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Executive Inspectors General. I can go into detail about that. I'll just continue to move on if you have any questions. Creates the Legislative Ethics Commission, which is one of the things that the Governor's amendatory veto did not include. Again, this would require a three-fifths vote by both Chambers. Creates an IG for the Auditor General, as well as an ethics officer. Prohibits all public funding PSAs and promotional items, such as magnets, bumper stickers, et cetera, et cetera. And I think this was one of Senator Watson's concerns. Creates a one-year revolving-door prohibition for employees, officers and members dealing in contracts over twenty-five thousand and for regulators and licensers. Establishes an -- ex parte communication requirements for agents of the Governor and others when dealing with specific boards and commissions. Again, I think that was a concept that Senator Watson brought forward. Reduces the number of -- exemptions in the Gift Ban Act, including golf and tennis and unlimited food and drinks, seventy-five-day limit. Increases lobbyist registration fees to three hundred and fifty dollars, and bans lobbyists on boards and commissions unless they are an elected official or serving in an advisory position only. And it creates...

PRESIDING OFFICER: (SENATOR WELCH)

Thank you.

SENATOR GARRETT:

...penalties for any violations.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she will.

SENATOR RIGHTER:

Senator Garrett, first a -- a procedural question. If your motion to override is defeated, then what is -- what is the status of the underlying bill then?

PRESIDING OFFICER: (SENATOR WELCH)

That's a parliamentary inquiry, Senator? ...the motion is defeated, the Senator can ask for Postponed Consideration. Senator Righter.

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SENATOR RIGHTER:

To continue on that parliamentary inquiry, Mr. President, then would she have the option of filing a motion to accept the Governor's amendatory veto?

PRESIDING OFFICER: (SENATOR WELCH)

She has the option of making an oral motion for Postponed Consideration. If the motion were to fail, the bill would be dead. Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President. In response to that question, the House has already overrode the Governor's amendatory veto. So therefore this is final action. Either the bill fails or it passes. Secondly, we are in this posture because in our rules, as well as the House rules, we, the Members of the -- we, the Members of the General Assembly, are the ones, according to the Constitution, who write the laws. The Governor exceeded his amendatory veto power when he got to the point he's writing legislation. He went too far in writing legislation. That's left up to us, the Members of the General Assembly. That's why we have the other bill that's going to deal with the ethics that we are talking about. But this is final action. So, therefore, if you want to kill ethics far as the General Assembly, you -- you would do -- you'll vote No. If you want the General Assembly to have ethics legislation, you will vote Yes on the -- on the motion.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I'd like to ask the sponsor a few questions, if she would yield, please.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield. Please proceed.

SENATOR RIGHTER:

Thank you very much, Mr. President. Senator Garrett, I heard you talk a little bit about what is going to be in the trailer bill, and, my understanding, that's the -- what's commonly being referred to around here now as the Speaker's bill. I want to touch on some of the proposals that were made by the Republican Leader here in the Senate insofar as an ethics

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package and confirm for you whether or not they're in the trailer bill. Just very briefly. There was a -- there was a point raised with regards to unpaid advisors to the Executive Branch and whether or not those individuals would be required to file financial disclosure statements. Is that part of the trailer bill to your understanding?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

The way I understand it, I think that concept is -- has been included, and I will also remind you that every staff has received a copy of this trailer -- trailer bill legislation as of 8 a.m. this morning. But the concepts that Senator Watson has talked about, both to his own caucus and then to the press -- and to the press have been included to some degree, at some level, in this -- in this legislation. Now, I can't debate the legislation that's not currently in front of me, but I'm giving you my word that it is, as best as possible, going to be addressed in the new legislation.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Senator, for that. The next one with regards to a ban on federal lobbying by State elected officials was also one of the proposals made by the Senate Republican Leader. Do you know if that's in the trailer bill that you're referring to?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

What I have, and I really don't -- I mean, I -- I -- I find -- I think this is a little uncomfortable for me to do this, because I don't have the real legislation in front of me. So I will answer this as best I can. The new legislation, the trailer legislation -- I'm not sure I got your question, but increases the lobbyist registration fees to three hundred and fifty dollars. No. What was your question?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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With regards to a ban on lobbying the federal -- contracts to lobby the federal government, contracts awarded to State elected officials, whether or not there's a ban against that in the trailer bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

I don't have that information. I can't tell you yes or no if that's in there or not. I just don't know.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Last point, about statement of economic interests to be posted on the Internet. Is there a requirement? Do you -- do you have some new information?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Senator Righter, I just want to say that the previous question was not in the amendatory veto either. So, here's my worry, that we're -- you guys should be on board with this, because we have worked for two and a half months just over the summer and, you know, I -- to nitpick over what may or may not be in when I think we have -- we are introducing sweeping reforms that have been agreed upon by both sides. I can't tell you the exact language that's going to be in this bill, but I'm giving you my word that it is a much stronger and fair piece of legislation, and that the Governor wants this to happen, whomever takes credit for it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter, your time's expiring.

SENATOR RIGHTER:

Last question, if you would, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Okay. Please proceed.

SENATOR RIGHTER:

And -- and Senator Garrett, I appreciate that. Me asking what might or might not be in the bill, I don't know I would characterize as nitpicking, and that's not what we're trying to

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do here. We're trying to find out or get an idea from you what may in -- be in the bill. The people on this side of the aisle are not control of what's going to be in that bill; you are, and that's the reason we're asking the questions. The issue -- the last question I had was about statements of economic interests to be posted on the Internet. Do you know whether or not that's in the trailer bill that we're referring to?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

I -- that's actually my legislation that I had filed last year, and I think that will be -- I believe it will be a separate piece of legislation that will see its way through. Part of the problem is, I think, mechanical with the Secretary of State's Office and we're trying to work on some of that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. Unfortunately I wasn't on the Floor for a significant part of the debate, but I know that and understand that my name was -- was used by the sponsor on several occasions as we talked -- I guess as she talked about our initiatives that we're asking to be part of a package that we think ultimately should be brought to this Floor, and that -- maybe that I've been negotiating on this. Certainly, we've made our thoughts known to the Governor, to your staff. Yes. Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Could we please have order? It's very hard to hear the Minority Leader here. Could the conversations be taken off the Floor and the Sergeant-at-Arms advise the people in the hallway to be quiet? Thank you. Please proceed, Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. We -- we made our thoughts known to -- to your caucus, to both caucuses on the other side, to the Governor's Office about what we thought ought to be part of a reasonable ethics package, the shadow government issue where someone who is negotiating on behalf of the administration or the government ought to file an ethics statement if they're

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going to be representing the Governor, but we appreciate, obviously, those unpaid people who are willing to do that. But we need to know, you know, where they are, the importance of -- of sunshine on the fact of -- of what their interest truly might be. And I think an -- an economic interest statement would do that. We had several other proposals, as you heard; the fact that we, as legislators, elected officials, shouldn't be paid to lobby the federal government. We shouldn't receive an -- additional funds to do that. That's part of the responsibility of being elected. We put several proposals forward. We're not sure what exactly is going to be in the final bill that comes out of the House and for -- for that matter, we've got a bill that's been made available to us, but we -- we just don't know what it might be when it ultimately comes over here. All we know is we're being asked on this side to vote on a particular piece of legislation that's been weakened. This is not the same bill that passed the Legislature. This is actually a weaker bill than what passed the Legislature. And now we're being told, "Well, trust us," once again. "We're going to bring over a trailer bill following that's going to have all these wonderful things that we'll all just fall over ourselves to support." Well, we understand the word "minority". We are in the minority here. We understand that. There's only -- there's twenty-six of us. Takes thirty to pass legislation. We don't control the process. We understand that. But I think that the minority has certain responsibilities and rights that just can't -- can't be trampled on. Now, I had a conversation with the -- Mr. President, President Jones. He called, said "I want to sit down. I want to talk to you about the ethics legislation." I said, "Wonderful. I'm available. Give me a call. Let me know when we're going to do that." That conversation never took place until I walk on the Floor. Now, I would like to sit down and talk about this if this -- and other issues that are going to be before the -- the Senate during this Veto Session. And I'm not being unreasonable. But I don't think that -- that the Members of this side of the aisle, even though we are the minority, and we understand that. We don't lead the charge. We don't carry the flag. We don't establish the agenda. We respond over here. But we're not going to have our rights

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trampled on. We think we need to be a part of this process as much as you are. And that's all we're asking, and I'd like for our Members on this side of the aisle to either vote No or Present on this issue until we're brought into the -- into the negotiations, the true negotiation of what's going on. I'd appreciate it if the Members on this side of the aisle would either vote No, Present or just be absent. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett, to close.

SENATOR GARRETT:

I appreciate the Senator's comments. But I -- I'm sending out a strong plea to my Republican colleagues that, first of all, this bill passed unanimously in the House. Both Leaders, the Democratic side and the Republican side, Tom Cross, stood up in strong support to override this bill because they believe and they know firsthand that the bill following will be stronger. As lawmakers in this State, we have an obligation to ensure that we provide meaningful and realistic ethics reform. I ask you for your support. This is one step in the process, and I hope you will vote to override the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett, are you finished?

SENATOR GARRETT:

Well, I've just been told we're going to wait on this for a few minutes or so. So we're going to take it out of the record until, I guess, we have all the Members ready to vote.

PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, please take the bill out of the record -- the motion out of the record. Ladies and Gentlemen, please turn to Supplemental Calendar No. 2. We will begin on page 2 of the Supplemental Calendar. Motions in Writing to Override Specific Recommendations. Senate Bill 212. Senator James Clayborne. Is Senator James Clayborne in the Anteroom? Senator Clayborne? With leave, we'll come back to the first two bills till we find Senator Clayborne. Senate Bill 272. Senator Walsh. Senator Larry Walsh. Senate Bill 472. Senator John Cullerton. Senate Bill 472. Excuse me, Senator Cullerton. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

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Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

State your point, Senator.

SENATOR TROTTER:

I would just like the Members of the Senate to recognize, with me, one of our good old friends, Senator Bruce Farley, who's in the gallery.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Farley is in the gallery on the President's side. Welcome back, Senator Farley. Senator Cullerton, do you wish to proceed? Senate Bill 629. Senator Larry Walsh. Senate Bill 639. Senator Shadid. Senator Jacobs, do you want to handle that bill? No? All right. Senate Bill 1321. Senator Crotty. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that Senate Bill 1321 do pass, notwithstanding the specific recommendations of the Governor.

Motion filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

This -- this is to override. Good.

PRESIDING OFFICER: (SENATOR WELCH)

Override specific recommendation.

SENATOR CROTTY:

This Senate Bill 1321 amended the School Code. In -- in recomputing a general State aid claim that was originally calculated using the extension limitation equalized assessed valuation, it requires a qualifying reduction in equalized assessed valuation to be deducted from the extension limitation equalized assessed valuation that was used in calculating the original claim. What this basically does is, if at -- at any time that there is a property tax refund, that that is calculated in the school State aid formula, just as that formula was set up. And I'd be more than happy to answer any questions. Otherwise, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1321 pass, notwithstanding the specific

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recommendations of the Governor. All those in favor, vote Aye. Opposed, vote Nay. 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 55 Members voting Yes, no Member voted No, no Member voted Present. Senate Bill 1321, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendation of the Governor. Senate Bill 1364. Senator del Valle. Senate Bill 1521. Senator Jacobs. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that Senate Bill 1521 do pass, notwithstanding the specific recommendations of the Governor.

Motion filed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1521 we're asking to be overriding the Governor's amendatory veto. It has to do with Off-Highway Vehicle Trail Fund. It's my opinion that the Governor overstepped his boundaries and changed the legislation outside of the intent of the Legislature. I think that is something that we as a Legislature should do. We have an agreement with the Director of DNR that we will put an amendment on or bring a trailer bill which will take care of the concerns of some of the opponents of this bill. And I think we can get it cleared up without any problem, but I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR WELCH)

The previous question being moved. There being no further speakers, the question is, shall Senate Bill 1521 pass, notwithstanding the specific recommendations of the Governor. All those in favor, vote Aye. Opposed, vote Nay. 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 49 Members voting Yes, 8 Members voted No, 1 Member voted

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Present. Senate Bill 1521, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Is Senator Clayborne on the Floor? We will return to the top of the Calendar on page 1, Motions in Writing, Override Total Vetoes. Senate Bill 70. Senator John Cullerton. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that Senate Bill 70 do pass, notwithstanding the veto of the Governor.

Motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill deals with driver's ed. And for a school district to receive State reimbursement for driver's ed, a school district must provide thirty hours of classroom instructions and six hours of practice driving in a car. But the law also allows -- the current law also allows for the school districts to have students complete three hours of practice driving and then they give them a proficiency examination and they waive the other three hours. So, I -- I thought that was not a good idea in light of the fact that the National Transportation Safety Board has determined that teenagers are involved in three times as many fatal crashes compared to other drivers, presumably due to inexperience. Motor vehicle crashes are the leading cause of death for fifteen- to twenty-year-olds and -- and a third of all fatalities in this age group. And in spite the fact that that age compromises {sic} less than seven percent of all licensed drivers, seventeen percent of all drivers involved in crashes were between fifteen and twenty. So, I put this bill in to require -- basically eliminate the loophole that allows them to only have three hours of training. This six hours of behind-the-wheel instruction is the minimum time required to develop safe driving skills, according to certain studies that have been conducted, and any time less than six hours was kind of counterproductive and inconsistent with the goals of the graduated driver's licensing law. And what's interesting is, the school districts are receiving the same reimbursement

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whether they're teaching six or three hours. So the districts are actually being reimbursed for behind-the-wheel driving time that the students are not receiving. And I think the misunderstanding in the Governor's veto is that he says it will result in increased financial burden on the school district and the State. But there's no increased financial burden on the State at all. We -- we are already reimbursing the school districts for all these students who are taking driver's ed. So there's a association, Illinois High School and Driver's -- College Driver's Education Association. They represent over six hundred public high schools that provide driver's ed, over one thousand certified driver's ed teachers in the State of Illinois. These teachers work diligently to ensure the safety of new drivers. Senate Bill 70 will undoubtedly make our roadways safer by ensuring that there's six full hours of quality instruction behind the wheel for our new and inexperienced drivers. This bill, when passed, was supported by the Illinois Federation of Teachers, the Illinois Education Association, the Illinois Department of Transportation, the Secretary of State's Office, University Professionals of Illinois, State Board of Education, Illinois High School and College Drive Education Association and Chicago Teachers Union. With that, I would be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to the override. Much like we discussed before, the -- perhaps, Senator Cullerton, the State's only reimbursing for three hours, not six hours. Maybe we'd need more reimbursement. But anyway, we discussed this bill at some length. I think a key here also is the fact that students may proficiency out. It doesn't say that it's a -- a mandate that they only have to take three hours. It says they may proficiency out. So, I'd like for the record to show that I am in support of Governor Blagojevich on this veto. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator, the record will so reflect. Senator Luechtefeld.

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SENATOR LUECHTEFELD:

Thank you, Mr. President, and question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR LUECHTEFELD:

Senator, and I understand what you're trying to do, but are there any statistics that basically show that those kids who really only took the three hours have a -- a greater accident rate than the ones who took the six? Basically, I think it's a judgment of the -- of the teacher, that this person is pretty good at what they do already. Are there any statistics at all that could show that -- that that is a wrong decision that those people are making?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Senator, unfortunately there's not, because, you know, when we have crashes and fatalities in Illinois, sometimes they don't even write down in the police report whether or not they're wearing their seatbelt or not. So we don't have good statistics on it, and -- and -- and just so -- I know what you're saying, but the problem I think is that there's a loophole that we put in the law that -- that allows for a school district to maybe shortchange the student by saying they passed the test and saving some money. Doesn't save -- doesn't save the State any money. We're still giving 'em the same amount of money for reimbursement whether the kid's getting six hours or three hours. But the school district and at tough times admittedly are -- are -- are taking advantage of the loophole, maybe even when the kid didn't even pass any proficiency test. They're just saying that they passed the test. So, that's what the fear is. I'm just saying common sense tells me, and hopefully you agree, six hours is a minimum for a sixteen-year-old kid to first go on our highways, six hours behind-the-wheel training before they get their license. That's all we're saying. That's what the original law was before our loophole was passed. I want to close the loophole.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

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SENATOR LUECHTEFELD:

Senator, as you know, I -- I taught school for a long time and watched a lot of this process taking place and what I saw an awful lot of times were -- was a driver's ed teacher giving that six hours and -- and -- and then basically saying, you know, "You really need nine or twelve; we're going to keep you -- we're going to keep you there for a few more hours." Whereas -- and -- and -- and a lot of times that was made up by other students who maybe really were pretty good, especially kids in rural areas who, you know, maybe drive tractors, live on a farm, whatever. They come in pretty good shape already. And what I saw was sort of a trade off a lot of times. Now I know that what you're saying is that a school could sort of fudge on this a little bit and -- and in the process still get the money and -- and not do the hours, but I also think there is an advantage to that for those kids who maybe aren't very good and really do need more than six hours. And -- and that happens a lot. And, you know, I understand what you're trying to do and I've no problem with it. I -- I just, for my area at least, I -- I just don't think it works. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Seeing no further discussion, Senator Cullerton, to close.

SENATOR CULLERTON:

Well, thank -- I want to thank Senator Luechtefeld, but let's just weigh what you just said, that there might be some kids in Illinois who are real bright kids, they've been practicing on -- on -- at their farm driving a tractor, and so for them, they only need three hours. Okay. That's theoretically possible. I can see that. Okay? But we're talking about a State law that applies to every kid, you know, throughout the State and if you've seen these kids driving, you know that it's more -- more than -- more likely than not they're going to need a minimum of six hours. As you said, some cases they even need more. So, to have a -- a State law that doesn't just apply to a farm community - it applies to the whole State where we're allowing this loophole to exist - it -- it -- I think it -- it's just not right. And I think that the inconvenience of that good driver having to spend three more hours behind the wheel before they get their driver's ed

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certificate, weigh that against the great good that'll come by having those bad drivers have those three hours, I think in the long run, it -- it weighs in favor of overriding the veto. So, I would ask the General Assembly to do so.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 70 pass, notwithstanding the veto of the Governor. All those in favor will vote Aye. Opposed, vote No. 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 33 Members voting Yes, 22 Members voting No, 1 Member voted Present. Senate Bill 70, not having received the required three-fifths majority, is declared lost. Senate Bill 83. Senator Link. Senate Bill 100. Senator Cullerton. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that Senate Bill 100 do pass, notwithstanding the veto of the Governor.

Motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. You may recall that, I believe it was last year, in light of our fiscal concerns, we passed a bill for the last fiscal year that eliminated the cost-of-living adjustment for judges. And that passed unanimously. I believe Senator Philip was the sponsor. And Governor signed that bill. After we did that, it was brought to my attention, by some judges who were about to file a lawsuit, that the Constitution dealt specifically with judges' salaries, said that judges' salaries cannot be reduced during their term, and cost-of-living adjustment is clearly, when we set it up, clearly part of the salary. So, I introduced Senate Bill 100 in order to correct that problem and we passed the bill. The Governor vetoed it, and sure enough, as I predicted to you, a lawsuit was filed and it's pending right now. The lawsuit's filed as a class action. The lawyers who are bringing the class action are -- have the case up in Cook County. The Attorney General, as is her constitutional duty, is representing the State. And my belief is, and I don't think it's too

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surprising that the courts are going rule on this issue because it's pretty clear, the Constitution is very clear, the judges cannot have their salary reduced during their term. Now, the reason why we tried to pass the bill and avoid the lawsuit is that right now we're spending money for attorney generals who could be doing other things like going after polluters or whatever else the Attorney General's Office does. Instead they're in court defending this unconstitutional law that we passed. The plaintiffs' lawyers are going to ask for legal fees for the class action, and when they win the case, we're going to pay their legal fees. Now, if we can override this veto, we can address this issue, we can save those costs and we can uphold the Constitution. What is this about? It's not about greedy judges asking for more money. It's about a real simple concept that I think everybody here can recognize and could accept and they can understand, and that's why it's in the Constitution. If we didn't like a judicial decision, we could come back to the Legislature and reduce their salary. We could make the -- let the judges - there's nine hundred and one of 'em in Illinois - they could make one dollar. And they would be totally intimidated by the Legislature. We have three branches of government. We have to have the independence of those three branches. Everybody understands that; it's a basic tenet of our -- of our way of government here in the United States. So that's why it's in the Constitution. We should uphold it and that's why I ask you to -- once again to support me in overriding this veto.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he will, Senator.

SENATOR GEO-KARIS:

You are stating that this bill would reduce the judges' salary. My understanding is that this bill increases the judges' salary. Now, which is correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

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SENATOR CULLERTON:

We -- this bill repeals a bill that we passed that reduced -- that attempted to reduce the judges' salary. We passed a bill -- attempting to reduce the judges' salary. This bill reverses that. It repeals that bill. It reinstates the salary that we're not allowed to reduce.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I think -- maybe I'm wrong, Senator, but the bill that we -- that we did not vote -- that some of us did not for included an additional compensation to the judges. I believe it was cost of living. Wasn't that right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Senator, we passed a bill in 1991 that set up a cost of living adjustment for not only judges, but also legislators. It goes into effect by operation of law the first day of the fiscal year. Last fiscal year we attempted to rescind that cost-of-living adjustment for judges. I voted for it. Everybody voted for it. I later found out that the Constitution specifically prohibits it as it relates to judges. So I put Senate Bill 100 in, in order to avoid this lawsuit. Lawsuit came anyway when the Governor vetoed it. We can end the lawsuit and save a bunch of legal fees for the State if we would just override this Governor's veto.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It seems to me that we voted against our own -- pay raise, too. It would seem to me that with the times being what they are and with the budget being what it is, that even the judges can afford to wait. And therefore, I speak against the motion.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. I stand in support of the motion to override and I very much

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appreciate the explanation Senator Cullerton gave on this. This is not a fiscal issue. It is simply what the majority of the people voted into our State Constitution in 1970 under Article VI, Section 14, which we borrowed from the United States Constitution, which says that you cannot diminish the salary of a judge during his term of office. What we did approximately two years ago was, as Senator Cullerton pointed out, we made an error. We inadvertently diminished their salary during their term of office, which is constitutionally prohibited. If we want to change that, file the amendment and bring it out to the people of the State of Illinois. But in terms of the -- the constitutional prohibition against diminishing the salary of a judge during his term of office, we're clearly in violation. Senator Cullerton, wisely, has sought to possibly avoid the effects of -- of litigation, which we will surely lose. So, I -
- I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR LUECHTEFELD:

Senator, in the Illinois Constitution it says a judge's salary can be raised but not lowered during his term of office. And you have -- you have specifically said that this is unconstitutional. And I understand that, you know, the judge gets his salary, then we have a COLA built in. I -- I think there is some interpretation of what's constitutional or not. I mean, you are assuming, and you may be right, that the judges will determine that this COLA is also part -- this is also lowering their salary. But I think you could make an argument, if the salary stays the same, you're really not lowering that. And I've talked to some -- and I've talked to some lawyers and some judges who agree with that. Now I -- I think you're -- you may be right. We'll lose that battle because they are going to make a determination for their own, you know -- they're going to interpret their own law. But -- but I -- I -- I think -- would you admit that there is some argument that this may not be

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unconstitutional and that there are people who would say it's not?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I -- I'll tell you what they're saying in court. The only thing they can say in court is that the COLA is not part of their salary. Okay? But, if you go back to the law that we passed in 1991, there's specific legislative intent. When we passed it, we -- we specifically stated that the COLA is part of the salary. At that point in time, we passed two provisions. We passed the Pay Raise Commission that can make recommendations as to how we actually get a pay raise, and we also passed the COLA. So, yeah, I mean, when you're up -- when you're in court, you got to say something and that's what they're saying. They're saying that what we passed in 1991 doesn't mean what it says right on its face. But they're going to lose, and not just because the judges are greedy and they're deciding their own fate. It's because the Constitution is very clear. It -- but you're right. There -- there is an argument that they're making that the COLA is not part of their salary. But I'll tell you something, if they prevail on that, then every COLA that all of us have received for the last twelve years will all be subject to a -- a forfeiture and we can give money back to class action lawyers because there'll be lawsuits all over the place. It's not going to happen. It's not what the law said when we passed it in 1991.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR RIGHTER:

Senator Cullerton, following a little bit up on what Senator Luechtefeld talked about, since there is some open question in some people's minds about the constitutionality of it, then why not just let the court process play out, then two years or five years or seven years or ten years from now people

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sitting in our chairs are not having the same debate because the Supreme Court will have ruled and we will know whether or not it's constitutional or not?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

The only open question is how much money are the State taxpayers going to have to pay the class action lawyers and the Attorney General's Office, who's going to prevail in this lawsuit? That's the only open question. And number two, if we resolve this in the Legislature so that we don't have to worry about that case going forward, we will know from our experience here that you should not and cannot reduce judges' salaries and we won't pass the law in the future that we passed last year.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator Cullerton, how many Illinois Supreme Court cases or Illinois Appellate Court cases are there on the books now that rule on this specific issue? Are there any at all?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

No. Not that I know of.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Well, then with all due respect, Senator, it is an open question. I mean, I know that you're convinced of your position and others would be convinced of other positions, but in terms of the case law on the constitutionality, it is an open question. That being the case, allowing it to be litigated out resolves the question once and for all. I don't think that -- overriding this veto solves the question for us at all. I mean, I think the notion that if we override the Governor's veto, that two or three years down the road, or ten years down the road, when we have another fiscal problem, the General Assembly's going to look back now and say, "You know what? They tried that

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before and it didn't work because it wasn't constitutional," I don't think that really sells.

PRESIDING OFFICER: (SENATOR WELCH)

That wasn't a question. Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Senator, what -- what's the fiscal impact of this, if this passes?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

This bill will save legal fees that will be expended by the litigation that's being brought by the -- the -- the trial lawyers who filed the lawsuit. They are going to ask for legal fees. If they prevail, they'll be awarded legal fees, and the Assistant Attorney General's time, our State is paying for them right now. Okay? The lawsuit -- assuming the lawsuit prevails, okay? If the lawsuit -- if they, for some reason, lose the lawsuit, Senator, then we would be reinstating a COLA, approximately four and a half million dollars.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Watson.

SENATOR WATSON:

The answer to that question is four and a half million dollars is the cost if we override this particular piece of legislation. And -- on that issue, the fact that he was so lengthy in his remarks and so -- and we've had this before. You've got us on a timer. I think it's somewhat unfair that -- thank you -- that once again we are being asked to muzzle ourself on this side of the -- of the Floor to -- to represent the views of our constituency that sent us here. Well, first of all, four and a half million dollars, obviously, is a lot of money, and I think that everyone in State government -- in fact, we all recognize that, the fact that we froze our salary. Other constitutional officers have done the same, merit compensation people. In fact, the only people that have gotten a salary increase over the last couple of years has been those in the bargaining units throughout this State. So I -- I think that we're all in this together. There is a fiscal problem in this State, and I think we should solve this together. And I think

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the Judicial Branch should also be a part of that, and we should vote No on this particular motion. I also want to -- I'd like to ask the sponsor, he mentioned a class action lawsuit. I -- I'm curious as to where that lawsuit might have been filed.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton. The venue of the lawsuit filed. The class action lawsuit.

SENATOR CULLERTON:

The lawsuit was filed in Cook County, and it's -- it's pending right now in front of Judge Madden.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Watson.

SENATOR WATSON:

Excuse me. Well, that's a shock in itself. If anybody knows anything about class action lawsuits in this State, that's one of the most abusive legal processes that we have right now in Illinois, and one of the most costly processes that we have in this State right now is the situation that's going on in Madison County. Madison County, Illinois, is the -- is the highest class action lawsuits as far as filed in this country. They come to this State to file class action lawsuits in Madison County. And why is that? Because of the lucrative decisions that are handed out. So, at least I got to give the -- the judges the fact that they -- they went to Cook County, and I'm sure the -- the -- the court system there will -- will look upon this in -- in a different manner maybe than they would in Madison County, the most abusive class action county in the country. Some changes ought to be made in regard to that process. We ought to do it right here, and we ought to do it now. Vote No on this issue. It has nothing to do with class action lawsuits, by the way; it's a judicial pay raise. But I just thought I'd just get that off my chest.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. Well, thank you, Mr. President. I guess we should be happy that the judges didn't file their class action lawsuit in Madison County. Apparently, they chose Cook County. Senator Watson, you're right. If -- if those judges up in Cook County

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rule against themselves, then this will cost about four and a half million dollars. Okay? But if they rule for themselves and they uphold the Constitution, then this bill will save money. I hope you would concede that part. If they're going to win the lawsuit, they're going to pay legal fees out to the lawyers. The Attorney General's going to have to work on the case. That's going to cost us money. That's all my point. And we did, indeed, two years ago or last fiscal year, decide to not give the judges their COLA. I would point out that the General Assembly this year did not choose to do that, not only for the judges, but also for ourselves. We decided to let us keep the COLA. And the reason why we did that, hopefully, is because we recognize the fact that you cannot reduce the judges' salaries. We don't need to have a court decide this. We, in the General Assembly, know we can't pass a bill that takes away their salary. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 100 pass, notwithstanding the veto of the Governor. All those in favor will vote Aye. Opposed, vote No. 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 28 Members voting Yes, 28 Members voting No, no Member voted Present. Senate Bill 100, having failed to receive the required three-fifths majority, is declared lost. Senate Bill 315. Senator Shadid. He's not here. Senate Bill 408. Senator DeLeo. Senator James DeLeo. Senate Bill 606. Senator Radogno. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that Senate Bill 606 do pass, notwithstanding the veto of the Governor.

Motion filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a very simple bill. It passed unanimously out of this Chamber. What it does is it addresses a loophole that exists in the tax cap legislation. There are a number of

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incentive programs for development that we have in this State. We have TIF districts. We have enterprise zones. And Cook County has a program that applies to their Class 6B through 9B classifications. Under the tax cap legislation, incentive programs - TIF districts, enterprise zones - when those incentives expire, they're treated as new property under the tax cap legislation. This was never -- the -- the Cook County program was simply not addressed in tax cap legislation. So it's unclear as to how it should be dealt with. There is no opposition to treating that property as new property once the incentive ends. The Assessor is fine with it. The taxing districts are in favor of it because it allows them to access the property tax increases that they have actually incentivized. So, once again, I believe that the Governor's Office did not understand this bill. He characterized in the Veto Message that it was a tax increase. In fact, it is not. So, I would ask for your support in helping to override this.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Viverito.

SENATOR VIVERITO:

I rise in strong favor of this proposal and bill. Commend the sponsor of it. It's long overdue and obviously it will be a great incentive for the schools in the district. It only affects Cook County, and the tax incentive that was there lasted for almost nine to ten years. I would hope that all of you would see fit to vote for this bill and helping our school districts out in all of the Cook County area. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Radogno, to close.

SENATOR RADOGNO:

Just ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 606 pass, notwithstanding the veto of the Governor. All those in favor will vote Aye. Opposed, vote No. 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, 50 Members voted Yes, 5 Members voted No, 1 Member voted Present. Senate Bill 606, having received the required three-fifths majority, is declared

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passed, notwithstanding the veto of the Governor. Senate Bill 1881. Senator Harmon. Senate Bill 150. Senator Terry Link. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 150 in manner and form as follows:

Amendment to Senate Bill 150

in Acceptance of Governor's Recommendations

Motion filed by Senator Link.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. All I am doing is moving that we accept the Governor's recommendation where he removed a portion of the bill committed to additional State funds for -- for reimbursing school districts for transporting children who use public transportation to get to school. So, I am concurring with the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor in Senate Bill 150 in the manner and form set forth in the motion. All those in favor will vote Aye. Opposed, vote Nay. 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 52 Members voting Yes, 4 Members voted No, no Member voted Present. The specific recommendation of the Governor as to Senate Bill 150, having received the required constitutional majority, are declared accepted. Senate Bill 180. Senator Dave Sullivan. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 180 in manner and form as follows:

Amendment to Senate Bill 180

in Acceptance of Governor's Recommendations

Motion filed by Senator David Sullivan.

PRESIDING OFFICER: (SENATOR WELCH)

Senator David Sullivan.

SENATOR D. SULLIVAN:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 180 deals with foreign adoptions and making that process easier for our neighbors who are adopting children from abroad. And the Governor basically just has a technical amendment to this bill clarifying that these are foreign adoptions. I ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 180 in the manner and form set forth in the motion. All those in favor will vote Aye. Opposed, vote Nay. 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, 57 Members voted Yes, no Member voted No, and none voted Present. The specific recommendations of the Governor as to Senate Bill 180, having received the required constitutional majority, are declared adopted. Senate Bill 196. Senator David Sullivan. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 196 in manner and form as follows:

Amendment to Senate Bill 196

in Acceptance of Governor's Recommendations

Motion filed by Senator Dave Sullivan.

PRESIDING OFFICER: (SENATOR WELCH)

Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 196 deals with park districts and almost all of us voted for it the first time. We're trying to help them do some inter-fund transfers that falls under the tax cap. It has nothing to do with the tax cap. Doesn't break the tax cap and we discussed that in -- in committee and on the Floor that that is the case. And -- the Governor's amendatory veto just reemphasizes that case, that this does fall within the tax cap, and I ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the

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Governor in Senate Bill 196 in the manner and form set forth in the motion. All those in favor will vote Aye. Opposed, vote Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 55 Members voted Yes, 2 Members voted No, no Member voted Present. The specific recommendations of the Governor as to Senate Bill 196, having received the required constitutional majority, are declared accepted. Senate Bill 640. Senator Terry Link. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 640 in manner and form as follows:

Amendment to Senate Bill 640

in Acceptance of Governor's Recommendations

Motion filed by Senator Link.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. I concur with the Governor's amendatory veto. Basically what this does is delete the Morton Grove portion of the bill from it and leaves everything else intact. I would ask that we concur with the amendatory veto.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR LAUZEN:

Is this a -- is this a quick-take provision, Senator?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Yes, and basically what this did, all the rest of the -- part of it was for infrastructure under the same type of regulations that your side set the rules in and I concur. This Morton Grove part got in on the last minute. It was taken out and I concur that the Governor is right for taking it out.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Lauzen? Any further discussion? Seeing none, Senator Link, do you wish to close? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor to Senate Bill 640 in the manner and form set forth in the motion. All those in favor will vote Aye. Opposed, vote Nay. 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 43 Members voting Yes, and 8 Members voted No, no Member voted Present. The specific recommendation of the Governor as to Senate Bill 640, having received the required constitutional majority, are declared accepted. Senate Bill 699. Senator Viverito. Read the motion, Madam Secretary.
SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 699 in manor and form as follows:

Amendment to Senate Bill 699

in Acceptance of Governor's Recommendations

Motion filed by Senator Viverito.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Viverito.

SENATOR VIVERITO:

The Governor made some significant change. It removes references to special and emergency meetings thereby limiting -- limiting the scope of Electronic Attendance Act to cover only regular and rescheduled, reconvened meetings. Everybody seems to be in agreement. The trial attorney and also the press, as well. If there's any questions, I'd be happy to answer.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates he'll yield, Senator.

SENATOR ROSKAM:

Senator, I know you've put in a lot of work on this issue and -- in the original bill and so forth. It's my understanding that the Governor has taken out the -- he removed special and emergency meetings from when you can do an electronic meeting. Doesn't that make more sense -- don't you think that special or

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emergency meetings are actually when you'd need to do electronic types of meetings? Why'd the Governor do that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Viverito.

SENATOR VIVERITO:

I'm not exactly certain, but he felt that it was necessary and I just went along with it, Senator, due to his expertise, being the Governor. And I'm being candid with you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Senator, I appreciate your candor. Let me suggest to you that the bill that you originally drafted was an outstanding bill, a bill that you persuaded us -- you wore us all down like bars of soap and you got us all to vote for that bill because it was a good bill. Because what you originally said was if there's emergencies or if there are special types of meetings, that's exactly the type of meeting that you were trying to accommodate, when villages and municipalities and so forth had those types of situations, where -- where they were caught up short, basically. Someone was out of town; they weren't able to have a regularly scheduled meeting, but some sort of event came up. It's not a criticism of you, Senator. I'm one of your biggest fans, but I think that the Governor has made a mistake in not following your good wisdom. The bill that you sent, under your leadership to the Second Floor, was neat, tidy, packaged up and well delivered. And now some other folks have gotten their mitts into this thing and they can't even give a straight answer to a good-looking Senator like you as to why we should have this thing. So, my recommendation -- seriously, you know, I -- I think to -- to this sort of fickle nature of some of these amendments, I think -- or, some of these amendatory vetoes, I think some of these that we're seeing today are well thought out. But let's face it: A lot of these that we're seeing are not well thought out. They were not involved in the process. The Second Floor wasn't involved in the process last spring. They come out and sort of play a little bit of legislative "gotcha" and all of a sudden there's some -- something that raises its head that was never articulated during the Spring

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Session when Senator Viverito moved this bill originally. So, you know, Senator, I guess we'll do whatever you want, but my underlying feeling is, you had a good bill and they can't even give you a straight answer and you're too nice a guy. Now, let's go stand up to those guys.

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? Senator Viverito, to close.

SENATOR VIVERITO:

Thank you very much for your kind words, and I do appreciate it very much, Senator, because I certainly think you do a competent job as well. I would appreciate a Yes vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 699 in the manner and form set forth in the motion. All those in favor will vote Aye. Opposed, vote Nay. 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 52 Members voting Yes, 5 Members voted No, no Members are voting Present. The specific recommendations of the Governor as to Senate Bill 699, having received the required constitutional majority, are declared accepted. Senate Bill 1523. Senator Crotty. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1523 in manner and form as follows:

Amendment to Senate Bill 1523

in Acceptance of Governor's Recommendations

Motion filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I concur with the amendatory veto of the Governor, which he has deleted the Commission from appointing task forces and committees in certain situations. Also deleted is that the Commission cannot provide the awards, grants, contracts and sponsorships to persons or agencies. But it does reinstate the

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language requiring the Commission to promote cooperation among State and local agencies concerning education programs that deal with the hard-of-hearing.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1523 in the manner and form set forth in the motion. All those in favor will vote Aye. Opposed, vote Nay. 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, 57 Members voted Yes, 2 Members -- no Members voted No, no Members voted Present. The specific recommendations of the Governor as to Senate Bill 1523, having received the required constitutional majority, are declared accepted. Turning to page 2. Senate Bill 1754. Senator John Sullivan. Senate Bill 1848. Senator Schoenberg. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1848 in manner and form as follows:

Amendment to Senate Bill 1848

in Acceptance of Governor's Recommendations

Motion filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to ask you today to help me go that final mile in establishing meaningful Tollway reform, by accepting the Governor's minor change to the sweeping Tollway reform package that we passed on the final day of Session last year. The Governor's change specifically eliminates the requirement that all future sound barriers be built of brick. I thought that was a good idea because brick is obviously more durable than some of the prefabricated wooden sound barriers. The Tollway requested that this be removed, and since it's all academic because we don't have any money to do any noise abatement, I'm happy to oblige in their request. All the other underlying provisions of the bill, the Inspector General, the requirement for a financial

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plan, the ability of the Legislature to veto any funding beyond the bills -- beyond the outstanding bonds, all those provisions remain the same. I guess you could just say I'm lifting the brick from this bill, and I urge your acceptance of this -- the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he will, Senator.

SENATOR ROSKAM:

Senator, one of the selling points that you used back in that last day of the Session - our staff is giving me a -- just -- a transcript of your remarks - you said that there is a provision that ensures that we'll have quality sound barriers through the -- the use of brick materials. Why is it that now we -- we want to take that out and not have quality sound barriers through the use of brick materials? What -- what -- what revelatory situation happened for the Governor for him to suddenly think that this was a problem that he did not articulate to you, Senator, during the spring Session?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

The -- it was largely felt that we were micromanaging how the Authority should be making its noise abatement decisions on which materials to use. You know, as I said, it's really an academic discussion because there's no money to do -- even repair the existing tollways, let alone any new sound barriers. So, I respected that decision of the Tollway's Executive Director and the Board. So, I'm -- the last thing I want to do is hold up significant meaningful reform of this -- of the Tollway by letting this minor detail get in the way. I still think it -- it's the right thing to do, but I defer to their wishes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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You used a passive voice, "It was largely felt" that micromanagement. Who are the actors in that large feeling?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

You're asking me to bring back that loving feeling? Oh that loving feeling, now it's gone, gone, gone. The -- I defer to...

PRESIDING OFFICER: (SENATOR WELCH)

I think that's out of order, so...

SENATOR SCHOENBERG:

I -- I wasn't going to sing it.

PRESIDING OFFICER: (SENATOR WELCH)

Or out of -- out of tune, if not out of order. Senator Roskam, anything further?

SENATOR ROSKAM:

Well, yeah, you know, an answer to my question. That would be further. Who -- who is -- who thought that it was micromanaging? I mean, it seems to me that if you take the context of the Tollway reform package, there's a lot of other elements that you can characterize as micromanagement. So, what -- what was it about this brick thing that out of this whole host, this entire tapestry of -- of reform that you put forth, what is it about this -- this brick deal that is -- that is worth the Governor's attention and an amendatory veto? And for him to come down from on high and enter into the legislative process with we mortals, what is it that got his attention? Why the brick thing?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

I don't know what it is about the brick thing, but as I said, we don't have the money. There's no money to do any noise abatement. I just drove the tollway system on my way to Midway this morning. I saw all kinds of noise abatement. We don't have the money for any of it. And the Tollway felt that -- the Tollway's management team led by Jack Hartman, and the Board led by John Mitola, they felt that we -- that this would be best served, that the sweeping efforts for reform that you and I

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embrace so tightly, that they would be hamstrung if, in fact, we were to tell them how to build a sound wall.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Well, thank you. Let me just maybe suggest that the Sun-Times columnist, Mark Brown, might have it right where he says "Special interest is helped, but who's the helper?" You know, this -- we're seeing this pattern over and over and over again. And with all due respect to the sponsor, you know, this is a Governor that promised reform and renewal, a new way of doing business, brightness and sunshine. Everybody was going to be singing "Cum-Bay-Ah" and special interests were off the radar screen, in terms of this administration. And now what do we have? We have an administration that throughout the spring was sleeping at the switch, never raised this issue and then the shadow government apparently decides to assert itself and say, "Well, Governor, this is an amendatory veto; you need to take your pen out," and suddenly act here. We all know what's going on, and on the Republican side of aisle, I urge you to do the right thing. Let's not be taken in by this AV. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg, to close.

SENATOR SCHOENBERG:

I just want to say to the prior gentleman's comments that if anything, having a more open process to how noise abatement would be provided for the tollway, if they ever had the money to do it, is taking the thumb off of the scale for certain special interests who have enjoyed the way things work for quite some time. Let's just open it up. There are too many good things in this. I urge that we take that -- go down that last mile for Tollway reform and support the Governor's amendatory veto. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate -- shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1848 in the manner and form set forth in the motion. All those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Take the record. On that question, 43 Members voted Yes, 13 Members voted No, no Members recorded voting Present. The specific recommendations of the Governor as to Senate Bill 1848, having received the required constitutional majority, are declared accepted. The Senate will stand at ease for a moment while the Rules Committee has a meeting.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, Introduction -- excuse me. Committee Reports.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Environment and Energy Committee - Floor Amendment No. 2 to House Bill 2200; refer to Executive Committee - Floor Amendment No. 2 to Senate Bill 67 and Floor Amendment 1 to House Bill 3413; refer to Judiciary Committee - Floor Amendment 1 to House Bill 576.

Filed by Senator Vince Demuzio, Chairman.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton, for what purpose do -- do you rise? Hold on a second. Ladies and Gentlemen, we're going to have announcements of committees that are going to be meeting at 6 -- 5 o'clock or 6 o'clock, I'm not sure which. But I guess if we listen, we'll find out, won't we? Could we have a little order? Senator Cullerton.

SENATOR CULLERTON:

For the purposes of an announcement. The Judiciary Committee will meet at 6 o'clock in Room 400. It will not take very long.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

For purpose of announcement, Mr. President. The Senate Executive -- Committee will meet in Room 212 at 6:05 sharp.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon, for what purpose do you rise?

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SENATOR HENDON:

Purpose of an announcement. The Environment and Energy Committee will meet tomorrow, Wednesday, at 10 a.m. in Room 400. And it shouldn't take very long, if you believe me.

PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2111, offered by Senator Collins.

(Secretary reads title of bill)

Senate Bill 2112, offered by Senator DeLeo.

(Secretary reads title of bill)

Senate Bill 2113, offered by Senator John Jones.

(Secretary reads title of bill)

Senate Bill 2114, offered by Senator Martinez.

(Secretary reads title of bill)

Senate Bill 24 -- pardon me, 2115, offered by Senator del Valle.

(Secretary reads title of bill)

And Senate Bill 2116, offered by Senator Sandoval.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 299, offered by Senator Peterson and all Members.

Senator Resolution 300, offered by Senator Silverstein and all Members.

Senate Resolution 301, offered by Senator Harmon and all Members.

Senate Resolution 302, offered by Senator Collins and all Members.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Joint Resolution 40, offered by Senators Hunter and Emil Jones.

It is substantive.

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PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, Motions.

SECRETARY HAWKER:

I have a motion with respect to Senate Bill 1239, regarding the Governor's action.

PRESIDING OFFICER: (SENATOR WELCH)

That'll be placed on the Calendar. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Just to make it clear because several Members have asked me. Environment and Energy is in Room 400 tomorrow at 10 a.m. Not in 212. We're normally in 212. Tomorrow we're in Room 400. Thank you very much.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. The announcement was Environment and Energy will meet in Room 400, instead of 212, its normal meeting place. Ladies and Gentlemen, the Senate will stand in recess to the call of the Chair. After committee meetings tonight, the Senate will reconvene to receive committee reports and other matters not requiring Floor action. There'll be no Floor action until the Senate reconvenes at the hour of 1 o'clock tomorrow, Wednesday, November 5th, 2003. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, report Senate Amendment No. 1 to House Bill 576 Be Approved for Consideration.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment No. 2 to Senate Bill 67 Be Adopted.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, any further business? Okay. There being no further business to come before the Senate, the Senate stands adjourned to the hour of 1 o'clock on Wednesday, November 5th,

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the hour -- November 5th, the year of 2003. The Senate stands
adjourned.