

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

HB0960	Recalled	3
HB0960	Third Reading	4
HB2654	Recalled	6
HB2654	Third Reading	6
HB2655	Recalled	7
HB2656	Recalled	8
HB2656	Third Reading	9
HB2657	Recalled	10
HB2657	Third Reading	11
HB2659	Recalled	39
HB2659	Third Reading	40
HB2745	Recalled	42
HB2745	Third Reading	43
SB0020	Concurrence	12
SB0082	Concurrence	24
SB0857	Concurrence	12
SB1126	Non-Concurrence	13
SB1704	Postponed	16
	Consideration	
SB1883	Concurrence	14
SR0337	Resolution Offered	19
SR0338	Resolution Offered	19
SJR0042	Adopted	39
SJR0042	Resolution Offered	39
Senate to Order-Senator Halvorson		1
Prayer-The Reverend Bill Schroeder		1
Pledge of Allegiance		1
Journal-Approved		1
Journal-Postponed		1
Message from the President		2
Committee Reports		2
Senate Stands in Recess/Reconvenes		19
Committee Reports		19
Committee Reports		19
Remarks concerning Rep. David Wirsing		20
Senate Stands at Ease/Reconvenes		24
Resolutions Consent Calendar-Adopted		38
Adjournment		44

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

PRESIDING OFFICER: (SENATOR HALVORSON)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise? The invocation today will be given by the Reverend Bill Schroeder, Trinity Lutheran Church, Springfield, Illinois. Pastor Schroeder.

THE REVEREND BILL SCHROEDER:

(Prayer by Reverend Bill Schroeder)

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SECRETARY HAWKER:

Senate Journal of Wednesday, November 19, 2003.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Senator Silverstein.

SENATOR SILVERSTEIN:

...President, I move that the reading of the Journal of Thursday, November 20th, in the year 2003, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. The Illinois Information Service seeks leave to videotape the proceedings. Is there any objection? None -- no objection.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Leave is granted. I'd like to announce that the Rules Committee meeting will be meeting immediately in the Anteroom. Madam Secretary, Messages from the President.

SECRETARY HAWKER:

November 21, 2003, regarding Senator Vince Demuzio replacement.

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

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, any resolutions? Senator Brady, for what purpose do you rise?

SENATOR BRADY:

For the purpose of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR BRADY:

I would like the record to reflect that Senator Burzynski, Senator Winkel and Senator Righter are absent at this time due to the funeral of Representative Wirsing.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you. The record will so reflect. Chicago Tribune seeks leave to photograph the proceedings. Is there any objection? Leave is granted. WICS-Channel 20 in Springfield seeks leave to videotape the proceedings. Is there any objection? Leave is granted. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules reports the following Legislative Measures have been assigned: Refer to Appropriations II Committee - Floor Amendment No. 1 to House Bill 2745 and Floor Amendment No. 1 to House Bill 2659; refer to Executive Committee - Motion to Concur with House Amendment 1 to Senate Bill 82.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

For the purpose of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR SILVERSTEIN:

The Senate Executive Committee will meet at 10:25, one hour, in Room 212.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch, for what purpose do you rise?

SENATOR WELCH:

Madam President, the Senate Appropriations II Committee will meet at 10:45 in Room 212. 10:45. Room 212.

PRESIDING OFFICER: (SENATOR HALVORSON)

Members, please come to the Floor. We'll be going to 3rd Reading. Please come to the Floor. On page 2 of the Calendar is the Order of House Bills 3rd Reading. This is final action. House Bill 960. Senator Link seeks leave of the Body to return House Bill 960 to the Order of 2nd Reading, but -- Senator Petka, I apologize. You're the sponsor of the amendment, correct? Senator Petka seeks leave of the Body to return House Bill 960 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 960. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President. Floor Amendment No. 2 {sic} to -- to House Bill 960 represents the commitment -- fulfillment of the commitment that was made by the sponsor of this legislation and the Senate President in connection with the restoration of a formula for associate judges for the 12th Judicial Circuit, which is Will County. It passed unanimously out of the Executive Committee and I urge its adoption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. On the Order of 3rd Reading, House Bill 960. Senator Link, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 960.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. As Senator Petka said, this is part of the commitment that President Jones and myself made on Senate Bill 75, when we did the subcircuit bill, that we made the commitment that we would come back and rectify this, and I want to make that very clear that we made a commitment. We kept our word. We're doing this, and any other time we will keep our word to make sure that these happen. I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Walsh.

SENATOR WALSH:

Thank you, Madam President. To the bill. As Senator Petka and I represent the fastest-growing county in the State of Illinois, that -- that I compliment Senator Petka in recognizing and pushing forward on the importance of providing enough judges in the 12th Judicial Circuit. This bill will give our circuit the judges that they need to -- in order to perform the duties that -- that come before them. The caseload is unbelievable in Will County, and the judges that we have there right now are doing a very commendable job in moving those caseloads through. And Senator Petka, with his legislation here today, just makes it concrete that we -- they will be given the opportunity to have the judges that are necessary in order to make sure that that continues on. And as the population continues to increase, and we will undoubtedly see bigger caseloads coming forward, we -- with the -- with making sure that the formula is in there,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

that as the turn of the next decade turns and the census is taken, we will continue to increase our number of associate judges. So, I stand in -- in favor of this piece of legislation and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Petka.

SENATOR PETKA:

Thank you, Madam Secretary. I'd like to simply echo the remarks made by my colleague from Joliet, Senator Walsh. And I want to thank Senator Link for hearing the pleas of the -- the people of -- of Will County and especially our -- our overworked judges, both circuit, resident and associate. I think that the -- the legislation reflects really the underlying intent -- under Senate Bill 75 and that is to ensure that the fastest-growing counties, those in the collar counties, have adequate representation in the courts so that the disputes of individuals with one another can be adjudicated. But, Senator Link, before I move on, I'd like to ask you a question in connection with this legislation. When I filed this -- this legislation, we discussed it back and forth. And just -- just so we're absolutely clear, it is the -- it's our intent to make sure that by this legislation, that the formula which was in place in connection with the associate judges prior to Senate Bill 75, that this, in fact, is the intent, that we reinstate that formula for the purpose of the allotment of -- of associate judges.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Most certainly. You're totally correct, Senator Petka. That is the intent of this amendment and bill, to clarify that, that that was what our intent was in Senate Bill 75.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Petka.

SENATOR PETKA:

Yes, ma'am. Again, I would like to urge my colleagues on this side of the aisle and all Members of the Senate to vote in this piece of legislation, and once again, thank the Senate President and Senator Link.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

PRESIDING OFFICER: (SENATOR HALVORSON)

This measure -- okay. Senator Link, would you like to close? Okay, this measure will take thirty-six votes for passage. The question is, shall House Bill 960 pass. All those in favor will vote Aye. Opposed, 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 Ayes, none voting Nay, none voting Present. House Bill 960, having received the required constitutional majority, is declared passed. House Bill 2654. Senator Trotter. Senator Trotter seeks -- leave of the Body to return House Bill 2654 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2654. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment 1, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President, Members of the Senate. Good morning. Senate Amendment 1 to House Bill 2654 gives authorization for transferring 1.2 million dollars from the General Revenue Fund to the Violence Prevention Fund. We, in the spring, had authorized or had put the dollars, so we thought, into General Revenue Fund. That did not happen. This bill will correct that oversight -- or, this amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. On the Order of House Bills 3rd Reading. Senator Trotter, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2654.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President, Members. I just explained the bill, and I just ask for an Aye vote, if there are not any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Trotter, do you wish to close?

SENATOR TROTTER:

I just request an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 2654 pass. All those in favor will vote Aye. Opposed, 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 Ayes, none voting Nay, none voting Present. And House Bill 2654, having received the required constitutional majority, is declared passed. House Bill 2655. Senator Trotter, leaves -- seeks leave of the Body -- Senator Welch. Senator Welch seeks leave of the Body to return House Bill 2655 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2655. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Welch.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. This amendment, heard in the committee yesterday, increases the amount that the Director of the Governor's Office of Management and Budget may transfer from any fund to the General Revenue Fund to seventy-five percent rather than twenty-five percent. It also includes a -- a new provision that wasn't in the previous bill repealing this Section on June 30th, 2004. This would mean an approximate one hundred million dollars in -- additional transfers to the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

General Revenue Fund. I'd be glad to answer any questions on 3rd.

PRESIDING OFFICER: (SENATOR HALVORSON)

This is 2nd Reading. Senator Roskam, do you have... All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Radogno, for what purpose do you rise?

SENATOR RADOGNO:

I have a -- a question on the bill when it's on 3rd.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. Well, we're not calling it on 3rd right now. House Bill 2656. Senator Welch seeks leave of the Body to return House Bill 2656 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2656. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. What this amendment does is delete the underlying bill. It requires that for the months of December 2003 through June of 2004, the amount paid into the General Revenue Fund and the amount that, when added to the Common School Fund, the total will equal 40.1 million dollars. This will approximately raise fifty million dollars in additional revenue to the General Revenue Fund. I would be glad to answer any questions. We're going to call this on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. On the Order of House Bills 3rd Reading is House Bill 2656. Senator Welch, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2656.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. This bill raises money for the General Revenue Fund in the amount of fifty million dollars. It doesn't increase the taxes on cigarettes; it just speeds up the collection of those taxes. I'd be glad to -- answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I just rise to say that Senate Republicans are happy to cooperate as we clean up mistakes in the BIMP and -- the Budget Implementation Act and -- and the appropriation bills when they are agreed to and we understand them. But I think it does highlight the problems we had last May when -- when the decision was made on that side of the aisle to not deliver copies of the bills for other people to review. It had been the history of the General Assembly, the eight years that I was Appropriation Chairman, that Budget Implementation Acts were circulated through all four caucuses' staffs so we didn't have mistakes that were made because no one had read them. And, you know, just -- the frustration of last May, I just think, is -- is highlighted again in the fact that over and over again we're having to correct this budget because there wasn't discussion, there was not a bipartisan sense on the budget. We know that

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

you guys have thirty-two votes and we -- thirty-three votes, whatever. It depends on who's here today. But that doesn't mean that we can't cooperate. But we can't cooperate and help this administration and your Majority do the work of the people if you won't show us copies of the bills, if you won't treat us with respect, and you won't remember that, constitutionally, we represent people as well. So, Senator Welch, I appreciate your work in -- in doing this, and I know much of the frustration last May was not caused by the Leadership on the Senate Democratic side. Much of it really had its origins in the administration, but I certainly hope as we enter the next budget year, that we can work aggressively to make the Bureau of whatever they call themselves today aware that if they don't work with us in a -- in a bipartisan fashion, we'll end up spending Veto Sessions cleaning up bills that they didn't draft right. So, thank you for bringing the bill. We're happy to help. We understand you're frustrated about much of this as well.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR WELCH:

Senator Rauschenberger, I -- I can agree with you. I certainly hope we have this information earlier for the upcoming year than we did for the past year. And I would just urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question -- the question is, shall House Bill 2656 pass. All those in favor will vote Aye. Opposed, 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 Ayes, none voting Nay, none voting Present. And House Bill 2656, having received the required constitutional majority, is declared passed. House Bill 2657. Senator Trotter -- seeks leave of the Body to return House Bill 2657 to Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2657. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Madam President, before I say what's in the bill, I just also want to thank Senator Rauschenberger for articulating what a lot of people have been feeling on this Floor. A lot of things were done wrong. Hopefully, we have now nipped that in the bud and things will go much smoother as we try to deal with the economic situation that we're in at this time. What this bill does -- or, this amendment is another Act that needs to be cleared up. It -- it deletes the underlying vehicle bill, and what it does is increase the statewide rate by four percent for facilities licensed by the Illinois Department of Public Health under the Nursing Home Care Act as intermediate care for the developmentally disabled facilities or for long-term care facilities for residents under twenty-two years of age.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. On the Order of 3rd Reading, House Bill 2657. Senator Trotter, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2657.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. I just explained the amendment. In the spirit of cooperation, I ask all to vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 2657 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Opposed, 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 Ayes, none voting Nay, none voting Present. And House Bill 2657, having received the required constitutional majority, is declared passed. Page 3. Secretary's Desk, Concurrence. We have Senate Bill 20. Senator Walsh. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 20.

Motion filed by Senator Walsh.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh.

SENATOR WALSH:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Amendment No. 1 to Senate Bill 20 changes the fund designation from -- deals with -- I'm sorry. Deals with the Renewable Fuels Development Program Act and changes the fund designation from the GRF to the Build Illinois Bond Fund as the fund from which the appropriation shall be made for the award of grants under this Act, and also redefines "labor organization" and makes an additional definition of "owner." I'd be more than glad to ask any -- or, answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 20. All those in favor will vote Aye. Opposed, 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 Ayes, none voting Nay, none voting Present. House Amendment No. 1 -- or, Senate Bill 20, having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 20, and the bill is declared passed. Senate Bill 857. Madam Secretary, read the bill -- the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 857.

Motion filed by Senator Lightford.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President, Members of the General Assembly. Senate Bill 857 is the identical bill to 1078 that passed out of here with 1 Present vote. So, Senator Obama has a chance to allow me to have all green lights. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 857. All those in favor will vote Aye. Opposed, 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 Ayes, none voting Nay, none voting Present. Senate Bill 857 having received the required constitutional majority, the Senate does concur in House Amendment No. 2 to Senate Bill 857, and the bill is declared passed. Top of page 4, Secretary Desk, Concurrences. We have Senate Bill 1126. Senator Silverstein. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 1126.

Motion filed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Madam President. Like I said, I'd like to nonconcur with the adoption of Amendment 1 the House put on to 1126.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall the Senate nonconcur in House Amendment No. 1 to Senate Bill 1126. All those in favor will vote Aye. Opposed, 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 Ayes, none voting Nay, none voting Present. Having received the required constitutional majority,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

the Senate does not concur in House Amendment No. 1 to Senate Bill 1126. The Secretary will so inform the House. 1883. Senator Jones. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 2 and 4 to Senate Bill 1883.

Motion -- filed by President Emil Jones, Jr.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR E. JONES:

Thank you, Madam President. Senate Bill 1883 passed last spring by a 44 to 10 vote. The House added two amendments. The first amendment adds that the requirements for an existing ordinance or resolution imposed a by real estate transfer tax may be amended without approval by referendum if the amendment does not increase the rate of tax or add transactions on which the tax is imposed. The second amendment is at the -- it adds that any real estate transfer tax adopted by a county at the time prior to January 17, 1997 and any amendments to any existing real estate transfer tax ordinance adopted after that date are not preempted by this amendatory Act. The House Amendment -- No. 4 deletes the effective date. That's what the -- the amendments that the House added to this bill and I move for its -- move the Senate concur in both amendments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR LAUZEN:

Mr. President, does this -- does this bill expand the number and type of transaction that the transfer fee is applied to?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR E. JONES:

It could.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Senator Lauzen.

SENATOR LAUZEN:

I'm sorry. I don't understand whether it could -- I mean, does it expand?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR E. JONES:

It is possible, but it -- but it depends upon the type of real estate transaction that's used. So that possibility does exist.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

One of the concerns on the bill is that it might apply to a transaction where there's not real estate involved, but maybe a -- a holding company that owns real estate. Can you give us an example of what this might be applied to?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR E. JONES:

For example, like in the City of Skokie, they transferred a property, and the settlement was done in court - am I correct? - but -- but -- but they didn't pay the transfer tax, and that's why the issue ended up in litigation, and that's why we have this legislation. If you pay your tax, if it transfers -- the property is transferred out of a court settlement or something of that nature and they don't pay any tax, they should pay just like you pay.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

Just -- just a final question for -- one of the problems that I -- I've heard about this legislation is that it might apply to stock transactions where real estate is involved, and I'm just wondering if you can give us some clarification on that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR E. JONES:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

It's possible, but we talked with those individuals from the stock exchange to make sure that the intent of this legislation would not involve any stock but, this -- those transaction that through some legal maneuver, they get -- get away from transferring property tax, where the average individual have to pay it. And this closes the loophole so that everyone involved in the transfer of property would pay that tax.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, Senator Jones, do you wish to close? The question is, shall the Senate concur in House Amendments 2 and 4 to Senate Bill 1883. All those in favor will vote Aye. Opposed, 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 34 Ayes, 18 Nays, 0 voting Present. Having required -- the required constitutional majority, the Senate does concur in House Amendments 2 and 4 to Senate Bill 1883, and the bill is declared passed. Page 5 of the Calendar is the Order of -- Consideration Postponed. As the bills on this Order have already been presented and debated on the Floor, debate on each bill will be limited to one proponent and one opponent, each speaking to the bill. Senate Bill 1704. Senator Jacobs, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

I move to concur with the House in adoption of their Amendment No. 1 to Senate Bill 1704.

Motion filed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate {sic} Amendment 1 to -- or, to Senate Bill 1704 actually becomes the bill. We talked about it a little bit yesterday. It's the Chicago early retirement bill. I think it got caught up in a little interplay of politics. This is very important to the City of Chicago. The Minority Leader last night made an eloquent plea, in my estimation, to maintain jobs in central Illinois when we were talking about the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Exelon/Illinois Power issue, and I think this is the same thing that we have to look at here. Failure to pass this early retirement bill, which is an agreed-upon bill, will cost the City of -- of Chicago eleven hundred jobs if we can't this passed. It has to be done now. To wait until January, which some have recommended, you really can't do it, because the -- the effective date that they have to apply for their early out is January of next year. So, for -- to make this work, we have to -- we have to move on it. We talked about -- a little bit yesterday about how -- how good of shape these pension funds are in. And we also understand that there's some minor disagreements amongst some of the smaller locals, but it's endorsed by labor. It's approved by the City of Chicago, and I just ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Madam President. To the bill. Senator, I understand what you're trying to do here, and both you and I have had discussions on this over the last week and we both understand that there are certain merits in this legislation, which I think the whole Body could support if worked through properly. Yesterday this bill was voted on and was -- failed to receive the requisite number of votes, and I would predict it will do the same today. The reason for that is not necessarily the merits of the bill, although -- are a few issues that we'd like to further discuss, but also the overall encompassing issues that deal with pensions throughout the State of Illinois. Where the City of Chicago may have a need here, the rest of the State has other needs as well. And I'm not necessarily going to blame this Chamber on this bill's failure to pass. The other Chamber needs to wake up and realize that together we can work and make Illinois better, and until they do so, I'm going to encourage the Members on this side of the aisle not to support this piece of legislation. It's not necessarily anything to do with the merits of this legislation, but it deals with the issues of fairness. It deals with other issues that concern both bodies for the good of the State of Illinois. So, I

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

repeat, I ask our Members to vote as they did yesterday, in opposition to the passage of this legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs, do you wish to close?

SENATOR JACOBS:

Yes. Senator, I understand your concern. I -- I share that same concern. There's a lot of good things that we have sent over to the -- the House and they have not considered. The one big difference, though, between this bill and the other things that we've been looking at that are over in the House and haven't been acted upon, is they all take State monies. There is no State dollars in this piece of legislation; therefore, I think it changes the -- the complexity of the problem. I, too, would like to see some of our bills acted upon. I met with -- as I indicated yesterday, with the Speaker of the House, on, as an example, the early retirement package for downstate teachers. He said, because of a five-hundred-million-dollar price tag to the State, if they could pare that down a little bit, which he thinks they could do, and get it down to three hundred million, he would most definitely look at that. So, I -- I think that we have -- we're comparing apples to oranges here, and I would just make a plea to the other side of the aisle, as did the Minority Leader last night, that this is about jobs. And it's about saving those jobs. It's about maintaining those jobs. Otherwise, here just around Christmastime, we're going to be responsible for laying off eleven hundred people, and the effects that's going to have on their families around Christmastime, I think would be irresponsible, and ask for your Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

This measure will take thirty-six votes to pass. The question is, shall Senate Bill 1704 pass. All those in favor, vote Aye. Opposed, 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 28 Yeas, 18 Nays, 3 voting Present. Senate Bill 1704, having failed to receive the required constitutional majority, is declared failed. The Senate will stand in recess until the call of the Chair. After committee meetings, the Senate will reconvene for Committee

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Reports, for further Floor action and a moment of silence in respect for Representative Wirsing. The -- Senate stands in recess. We expect to be back approximately at 11.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

Like to ask all Members to start making their way to the Floor. We'll be going to Rules in ten minutes. The Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Silverstein, Chairperson of the Committee on Executive, reports the Motion to Concur with House Amendment No. 1 to Senate Bill 82 Be Approved for Consideration.

Senator Welch, Chairperson of the Committee on Appropriations II, reports Senate Amendment No. 1 to House Bill 2659 and Senate Amendment No. 1 to House Bill 2745 Be Adopted.

PRESIDING OFFICER: (SENATOR HALVORSON)

Members, please make your way to the Floor. Now. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 337, offered by President Jones and all Members.

And Senate Resolution 338, by the same sponsorship. They're both death resolutions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Squires Photography seeks leaves to -- photograph the proceedings. Is there any objection? Leave is granted. Resolutions just read by the Secretary will go to the Consent Calendar. ...a Rules meeting immediately in the Ante Room. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislation Measures have been assigned: Be Approved for Consideration - Floor Amendment No. 2 to House Bill 2745.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Will the Members please be at their desks? The Senate will observe a moment of silence in respect of the passing of Representative David A. Wirsing, of Sycamore. Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Madam President. I certainly appreciate the courtesy and the thoughtfulness of our Senate President to allow a few moments to remember today one of our colleagues who died very suddenly last Sunday of a heart attack at the age of sixty-six. David Wirsing was a good friend of many of ours. In my personal situation, our districts joined each other in Lee County and Ogle County, and frequently, Dave and I would be on programs together and share time together reporting to our constituencies about things that had happened here in Springfield. Dave was one of the few Members of the Illinois General Assembly that had a direct involvement with agriculture. And we talk about agriculture being Illinois' number-one industry, and David truly was a farmer and a pork producer, as past President of the Illinois Pork Producers Association when that was a very thriving industry here in the State of Illinois. He provided great leadership to the pork producers and the livestock industry. He fought hard to try to get some legislation passed to create an Illinois food animal institute here, which hasn't been done but ought to be done. Then he was extremely instrumental and involved in the whole process when we dealt with the issue of -- of, how do we site large livestock facilities in this State, and what are the proper setback requirements for the large hog facilities in this State, and what are the concerns of the landowner, what are the concerns of the producers, how do we balance the environmental concerns. And he played a very integral role in developing what's become a model for many other states in terms of the siting and the operation and the management of large livestock facilities in this State. Very committed to keeping a strong and vibrant animal agriculture as part of our economy here in the State of Illinois. So, that would be a great memory for David. And I think for many of us, it's difficult being here today physically, when we know that our hearts are with his family, and our thoughts and our prayers are with his family in Sycamore today. Never easy to lose a -- a husband or a father

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

at a young age unexpectedly, as we did in -- in David's case. And I think as I think of David Wirsing, I -- I'm reminded of the scripture from Micah that many of you I'm sure have heard from Micah, Chapter 6, Verse 8: He showed you, O man, what is good and what does the Lord require of you but to act justly, to love mercy and to walk humbly with your God. And certainly, David Wirsing walked humbly among the halls of the State Capitol. He loved mercy and he certainly act justly. And there's no doubt in my mind that as David returned home, to his heavenly home, that our great Lord said, "Well done, thou good and faithful servant."

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty.

SENATOR CROTTY:

Thank you. Just a little bit different than -- than Todd. Dave Wirsing and I came from different worlds, he being a farmer and me being from the city and now in the suburbs. But just two weeks ago I was with him at a reception down here in Springfield, and I had told him that I was adopted by the Sangamon County Farm Bureau and that I was going to be taking a tour in about a week. And we just laughed and made small talk about what my experiences were going to be. But I served with Dave for six years on the Higher Education Committee in the House and that's one thing that the two of us had in common, and that was our commitment to public education. Dave was probably one of my more quiet Members over in -- in the House, but yet he -- he did have a -- an impact when he spoke. My short time here in Springfield, I've had three very good Members and close friends have these untimely deaths - Doug Hoeft, Tim Osmond, and now Dave Wirsing. But I'm sure the three of them are together and they're looking down at us and probably saying our time here is short. And this really does put things in a perspective, and that I know he made his mark, as well as the other two Members that are there in heaven, and only now are they getting their rewards. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rutherford.

SENATOR RUTHERFORD:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Thank you, Madam President. You know, to follow up on -- on Maggie's comment, this is really somewhat of a reminder that, you know, we are only just a moment in time in this whole process of democracy here in Illinois. You know, we're great big, powerful people. We're powerful Senators. We're powerful legislators. People open the doors for us. They say "Honorable." They say -- well, that's -- after the campaign, you become an "Honorable," but during may be questionable. You know, that there's those of us in this Chamber that sometimes really aren't too courteous, sorry to say. And you know, there's also some in these Chambers that are real courteous, and David was one of those. You know, passing of any of our colleagues is a -- is a tough time, but there's something about our fraternity that the class you come in with. And the class election of 1992 is when David and myself and a few others in this Chamber and obviously a number of others in the other Chamber, I know that we -- there's sort of a -- a common bond there. And that class was very big. David and Bill Brady and myself were in one of the largest classes in the history of the Illinois General Assembly. So, you sort of kind of find your way around and David was one of these guys that -- I don't know that those of us that knew David Wirsing would call him a renaissance man. I'm not sure that really fits the David that you're thinking of either, Todd, but he really was a man somewhat ahead of his time in things. To my colleagues in the Hispanic Caucus, David Wirsing, in the Republican House Caucus, was, I believe, probably the first guy to start up and work with very closely in his district a Hispanic advisory committee. This was important to Dave Wirsing, and it wasn't because it was politically expedient or politically the right thing to do because the Hispanic population in his district was either there or growing, but David really had a passion to reach out. And it wasn't just in election years. And of course, Dave Wirsing's participation and fingerprints in higher ed are very evident. In fact, I just had a conversation with one of the major universities in this State shortly after the word of David's passing having come out, and they said, "You know, we've got a real void having just occurred." You heard Senator Sieben talk about David's participation in agriculture. I want to share a

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

little story with you that -- one night at dinner, Representative Wirsing and our -- our dear, dear friend, Senator John Maitland, and I were all together at dinner and, of course, knowing David's background in the Pork Producers Association, I ordered pork chops and sort of bragged amongst the table that, "I want you to know, Representative, that I always -- you know, pork chops are great. I love pork chops." And Maitland had this sort of straight look, looked me right in the eye, and he said, "Dan, we raise cattle." And I quickly qualified it and looked at Wirsing and said, "But if there's a good steak on the menu, I -- I'm always going to get that first." David had that big chubby-cheeked smile, that big nose, white hair, portly man that he was. Touched many of us, and he will be missed. Please pray for the Wirsing family, and God bless Dave Wirsing.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Meeks.

SENATOR MEEKS:

At this time, can we all stand for a word of prayer?

(Prayer by Senator Meeks)

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones, for what purpose do you rise?

SENATOR W. JONES:

Yes. I'm requesting that we move to the order of business of overrides on House Bill 1180.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wendell Jones.

SENATOR W. JONES:

The -- the Republicans would like a caucus to discuss the override of Senate Bill -- or, House Bill 1180.

PRESIDING OFFICER: (SENATOR HALVORSON)

And -- how long is this caucus going to be?

SENATOR W. JONES:

Twelve minutes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Well, how about if we give you till 1 o'clock? Be back -- twelve minutes, is that...

SENATOR W. JONES:

Five till. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Five till 1. Senate will stand at ease till five to 1.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

The Senate will come to order. Will the Members please come to the Floor? On the Order of the Supplemental Calendar No. 1, Secretary's Desk, Concurrence, Senate Bill 82. Senator Walsh, do you -- wish to proceed? Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 82.

Motion filed by Senator Walsh.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh.

SENATOR WALSH:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 82 amends the Election Code in regards to the certification of 2004 candidates, absentee voting, and registration, campaign finance regulation, disclosure of voter registration records, county convention date, provisional voting, and canvassing deadlines, and public referendum. What this bill does, in a effort of bipartisanship, creates the opportunity that due to the lateness of the Republican National Convention, that it has become apparent that in some states, the deadline to file to be placed on the ballot has elapsed prior to the conclusion of the Republican National Convention. And what this bill does is waives that, and allows whoever the candidate for President and Vice President of the United States, Republican candidate, to file to be on the ballot here in Illinois. It also changes and gives some discretionary latitude to the State Board of Elections. What it does, it gives them the opportunity to -- to look at violations that have occurred and to assess penalties in a way that assesses a penalty to the -- to the -- to the scope of the -- of the violation. It also does a lot of tweaking on legislation that we passed out of here in the spring under Senate Bill 428, tweaking that many of the county clerks wanted

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

to have put into effect. In our desire to try and adhere to all of the requirements of the federal Help America Vote Act, that many of the county clerks found problems with what we put together in 428, and we have come back to try and correct that. This piece of legislation -- it's my understanding that the State Board of Elections testified in the -- in the House hearings and were supportive of this. This piece of legislation passed in the House 84 to 21 and is here today for us to concur with House Amendment No. 1. I'd be more than glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

I move the previous question, Madam Chairman {sic}.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs, there are one, two -- there are eight speakers. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Just to the bill. You know, a friend said to me the other day that, you know, watching some politicians legislate ethics is like asking Jessie James to perform bank reform. In Executive Committee this morning, we watched a bizarre display of hide and seek as State Board of Elections refused or was unable to answer Senator Roskam's straightforward question about public information regarding whose campaign committee fines could be dismissed. In that Orwellian display, last night's dream of ethics reform met - no, crashed into - this morning's reality of enforcement. We can pass all the feel-good, press-release, complicated, high-five legislation we want, but if we don't have the will and the fortitude to enforce the law, those ethics bills are meaningless. It's almost embarrassing that a proposal shirking responsibility for penalties and fines already imposed is even brought before this Body. I encourage you to vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. To the bill. Wow, it didn't take long, did it? Fourteen hours maybe, fourteen and a half?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

We had the Governor here doing his victory lap and had his press conference over in the corner. Last night the Governor said, "On this historic night, we started giving the citizens of Illinois a reason to believe in their government again." Fourteen hours later we return to business as normal. We refocus the focus on the television set, and all of a sudden it's the same old picture. This is unbelievable. I mean, the juxtaposition of these two bills is really too rich to pass up. Can you imagine the editorial cartoons? Can you imagine the late-night material that this is for Jay Leno and company? Can you imagine how absurd for us to be on this Senate Floor last night, as sanctimonious as ever, talking about a bright new day and the starry nights and good things, and the birds are chirping, and we're all singing "Kum By Ya" together, and everybody's got the ability to have confidence in their government? And the very next day, the very next legislative day, a heart doesn't stop beating and we come in here, and a serious proposal, with a completely straight face, which is really the richest part of this whole thing - a completely straight face - Senate Bill 82 is presented as just sort of a tweaking. Senate Bill 82 is no tweak. It's a thump. It's a bad idea, because here's what it does. Senate Bill 82 says, "Here's the law, but if we don't like the results of the law and it affects individual Members and people who are connected in this State, then we're going to come back and change the law." Now, we're not just coming back to change the law, 'cause that's our job, Senators. We're coming back and we're intervening in individual cases that are pending before the State Board of Election. It is my hope that the Governor, who has cloaked himself in righteousness on this issue, will do the right thing. He's already demonstrated his ability to amend -- amend bills and -- and -- and change the legislation that we passed. But it is my sincere hope that the Governor will do the right thing on this issue, and as he is signing the ethics bills that we passed to him last night, he will AV this language and take it out of here. This is the wrong move, at the wrong time, and we cannot, with a straight face, pass this bill. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

SENATOR HENDON:

Thank you, Madam President. You know, Senator Roskam, I agree with you. Fourteen -- I mean, Roskam. I agree with Senator Roskam. Fourteen hours does make a tremendous difference. I saw the Governor on the Senate Floor last night, and you were hugged up to him so tight. I thought you were ready to vote for Carol Ronen's bill, you were so close to the Governor. You stayed over here. The Governor was on this side of the aisle. I wondered, had you deserted Watson for Jones? You stood right here in Senator Shadid's seat twenty minutes playing kissy-kiss with the Governor. Not with Shadid. With the Governor. Now, all of a sudden today, he's a bad guy or he's tricky and can't be trusted. Well, you were in love with him last night. What a difference a day makes. Morning after. So, you can't have it both ways. Now, there's some issues you have in the legislation, fine, but there's some great things that we're doing as well. We're looking out for President Bush. How can you be against that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam, do you choose to...

SENATOR ROSKAM:

Sure, that's -- that's low-hanging fruit, Madam President. Just to clarify, my good friend, the Senator, whose name I will not use in debate, the -- I've made no criticism of the Governor here. I've said that the Governor was here giving his press conference. The Governor has said bring the ethics bill to his desk. I've suggested that the Governor exercise his power, and exercise the power that he's been only too pleased to -- to in the past, and intervene and take this blemish out of this bill. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President, Members of the Senate. Senator Roskam has already hit some of the high points in connection with what appears to be a real paradox, and that is the debate that we had last night on -- on ethics and the vote that will be taken today, which really is -- simply is an enforcement of one of the last major pieces of legislation we had dealing with the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Gift Ban Act and certain -- the penalties that would be applied to disclosure, whether it -- or, nondisclosure - whether it was intentional, negligent, reckless, or inadvertent - penalties that had already been imposed. But I'd like -- take a look at this from a -- a different perspective. Our Senate President, in -- in the Committee in the Executive, in jest stated, "The only reason I'm going to vote for this bill is because I want to help Present Bush be on the ballot." Well, you know what? The Supreme Court of this State, in more recent -- more recently, has come down heavily in connection with a concept that is known as logrolling. And the essence of logrolling is that you put a lot of bills together, some that are good bills, and you put in some of those that have an odor, and you -- you require the vote on the good bill to get out a bill that all the individual Members voting on it up or down, singly, would never get out. This bill, as it is currently constituted, is a textbook example of what logrolling is all about. I mean, the fact that the President of the United States should have to struggle in our State to be on the ballot because of a -- the scheduling of the convention is a very sad, sad commentary on where we are in terms of partisanship. It used to be that partisanship ended at the -- the shores of the United States. Unfortunately, that's no longer the case. A matter like this would simply be a very, very simple 59 to nothing vote to change -- to change the law. But, no, we're going to slip in something. Instead of a walk in a beautiful garden of roses, we're going to walk into a sludge pile, dropping on a piece of -- or, a -- dropping on -- an amendment on this bill and -- and portions of that amendment which really are not sound public policy, when you think about it. They undo some things that this legislator voted unanimously to -- to do, and that is to enforce disclosure in this State. But most importantly, most importantly, we continue an odious practice of logrolling, and that's what this bill is all about. The -- the fact of the matter is that the -- the offensive positions voted up or down by themselves would go down close to unanimously. And the fact that it's tagged on to a bill that should have been done as a matter of professional courtesy and civility makes it even that much more sad. I urge a strong No vote.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, will the speaker yield -- I mean, the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR GEO-KARIS:

Do I understand in that bill that anyone who owes penalties to the State Board of Election will be forgiven?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator -- Walsh.

SENATOR WALSH:

No, Senator, that is not the truth.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, what is the truth?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh.

SENATOR WALSH:

The truth is, Senator, that under this proposed legislation, that the State Board of Elections will have discretion, the discretion, to look at the fines, penalties that have been put on to a campaign since the passage of the Gift Ban Act of 1997 or '98, whatever it was.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senate -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I feel very qualified to speak on this bill because my campaign committee has been assessed -- has been told there'd be negligent filings. So, I -- I'm prepared to pay a fine, and I can honestly tell you that if there are fines to be paid, they should be paid. Whatever you negotiate. If you appeal it, should win on appeal, fine. But the point remains that we shouldn't change now. I -- since -- I -- I cannot vote for the bill because I'm one of those who owes a fine. And since I owe a fine, I'm -- going to be compelled to vote No, because I'm

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

certainly not going to have a conflict of interest voting to help myself. The other point is, I am for President Bush. I will always be for President Bush, 'cause I think he's a terrific guy and a good President. But I'm sure that he's going to get on the ballot without this bill. And therefore, I urge my colleagues -- and I have a personal interest in this, as you know, 'cause I'm one of those subject to a fine -- my committee is. And even though I don't handle the paperwork, still it's my responsibility, and I urge everyone to vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. In Illinois, we've got a lot to be proud of. I think we can be proud of our congressional delegation. They got together on a bipartisan basis and did a map for the congressional reapportionment. We can be proud of the Speaker of the United States House. He's done a fabulous job, with the support of Republicans and Democrats from Illinois, helping to kind of re-tip the balance so Illinois gets a fair shake. We can be proud of the Bush administration responding across the -- the states to the financial problem the states have had. Illinois is the beneficiary of over eight hundred million dollars in emergency aid for the federal government to aid a freshman Democratic Governor without a whisper of partisan credit taken. We've got a Speaker of the House who responds to everybody in this Chamber, to the Governor, to the Mayor of Chicago, and we've got a great group working together. Now -- we've got a problem. Because of the late Republican Convention, we need a small change in State statute to permit the President of the United States to be certified on a ballot. And this request, reasonable request, is presented to the Speaker of the House - and I -- and I place most of the blame of this on the Speaker of the House - and he decides to wed that reasonable request to cooperate with our -- our delegates, our -- our people in -- in Washington, D.C., he weds that request to a noxious bill that should be debated separately on its own merits, whatever merits it does have, and tries to shove it down the throats of the Senate Republicans. This is not the kind of

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

spirit we ought to be operating in. We need to send the Speaker a message that he shouldn't do this to the Senate. I don't believe that -- that -- that Senate President Jones would have married these issues together. We get this on a House Bill asking us to take it or leave it on a concurrence vote. Now, I realize there's some frustration. A lot of people would like to help President Bush get on the ballot, but -- we -- I mean, don't we owe it to the voters of the State of Illinois to correct the -- the -- the statute? This is no favor to the President of the United States, you know. And I realize that the -- the sponsor has the best intentions, but this is just dead-flat wrong, to marry these issues. We ought to vote down this concurrence and let the Speaker know that we will not be blackmailed in the Senate.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. I just wanted to make three points. Number one, the -- the State Board of Elections is not going to be handed a list and -- be told, "Dismiss these fines and these cases." They have the discretion to do that. It's a quasi-judicial body that makes decisions, similar to the Commerce Commission, similar to the Workers' Compensation Commission. They make decisions. They're like judges, but they're not judges. They have to have a majority vote. There are four Democrats and four Republicans appointed to this group. And certainly they have the ability to make their mind up. We -- we approve their appointments here, and we vested with them the authority to -- to make decisions. So, to me, we do have confidence in them and should let them do their job. That's what this is about. The second thing I wanted to say, the issue about putting President Bush on the ballot and how it's unfortunate that our statute is such that the Republicans or Democrats have to certify the candidate more than sixty-seven days prior to the date of the election. This is the latest a -- a Republican convention or a Democratic convention as I know of, at least in this last century, the 1900s, has been held. And of course, we all understand the political reason for doing this. The closer you have your convention to the election, the more

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

the gain you get from having a convention. The four days on television helps your ratings and it's closer to the elections so it's less likely that your ratings your approval rating, will go down for that candidate. But what's happened here goes beyond relying upon having your election that close -- your convention that close to the election. This was done specifically on a date and specifically on a place to take advantage of the most tragic situation ever to occur in the United States of America. Excuse me. You don't think that September 11th, 2001, was the most tragic event in the United States? I think you're mistaken. To make that into a political event, to use that by having your convention in New York City as close to that as possible, and then come here saying, "Oh, we should be fair, we shouldn't be partisan." I mean, that is nothing less than being crass, in my opinion. And the third thing I want to say is this: In the last two weeks -- two weeks ago the Governor criticized us, calling us drunken sailors, and many of us were outraged, as I am. I took it very personally. But when the first two speakers here on this Floor stand up and make the remarks that they did, one comparing us to Jessie James, a criminal who killed people. Another person saying, "Oh, we're going to be on Jay Leno. We're going to be the jokes of the world." We don't need this self-flagellation here in the State Senate. If you don't like it here, don't run. You know, the Governor criticized us. It was outrageous, but he didn't call us a murderer or a bank robber. My God, have some common sense here and a little respect for the State Senate of the State of Illinois.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. Our staff, you know, we had a couple of them yesterday that were leaving, very humorous people, but we got some really -- some really creative folks. Peg Mosgers put this together. She called this bill, "the good, the bad, and the ugly." And I think that paraphrases it very well. The good being, obviously, George Bush and wanting him to be on the ballot, and I think you would all agree that we shouldn't be in the process of inhibiting the ability of

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

our President to be on the ballot. I -- I can't imagine that anybody in this Body would be a part of that. I can't imagine. The bad, we're opening the door to fraud in the changes by which in-person voting will take place. And the ugly is right what we're talking about here right now. An attempt to dismiss the fines assessed by the State Board of Elections against candidates is absolutely ludicrous. I can't believe that we are actually debating this. I couldn't imagine why the bill was brought before the committee and you voted for it, and I thought, well, they surely aren't going to bring this to the Floor. I have no clue as to what you're trying to prove by doing this and what kind of message that you're sending the people of this State when as just -- as was said before, fourteen hours ago we passed and thumped our chest about the way we're changing the way we do business in this State, and then to have the audacity to come up on the next day, fourteen hours later, and present a piece of legislation that has language in it such as we have here. It truly is hypocrisy. What we're doing is one provision. "The Board may at any time," the Board being the State Board of Elections, "may at any time, upon notice to all parties involved, dismiss any matters, or any part thereof, brought by the Board that are currently pending before the Board." Well, who are these people that will be given this discretion? The State Board. Okay. We've already said it's a bipartisan group, and that's fine. But they're going to sit there and pick and choose who will not be fined? Who will be the favored few? Who will be the favored few that will -- that will ultimately decide that, yes, we'll waive this particular fine, we'll dismiss this charge? How will that be done and why? Maybe the question should be, why? I want our Republican colleagues here, all of us, to stand with George Bush and we'll -- he'll be on the ballot, and if he's not on the ballot, there'll be the biggest crusade in this State for a write-in vote. Try it on us and see what happens. We'll respond to this. We'll respond to it. This is partisanship in its worst way. We tried every attempt to get this bill, to vote on it -- get this particular language a separate vote, a separate vote on the RNC, the Republican National Committee language, to allow George Bush to be on the ballot. We think it ought to be given

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

an opportunity. We'd do it for you. But, oh no, oh no, we've got to tie up the language like this. This is truly an embarrassment. It's an embarrassment to this Chamber, to this process to have us on this Floor today. And for you and anybody in this process that's going vote Yes, I'm telling you, you may be on the list. And if you don't think it's a conflict -- if this isn't a conflict of interest, there isn't one. I ask for my colleagues on this side of the aisle, vote No. Don't vote No, vote hell No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator -- Senator Jones.

SENATOR E. JONES:

Yeah. Thank you, Madam President. I see the audition for the Jay Leno show this Saturday night live. Perhaps the Minority Leader can make it. You know, in this Body, in this State, we act on many pieces of legislation. We know what the legislative intent of that legislation is, and sometimes the legislative intent of this Body and the other Chamber if you do not look at it very thoroughly, you may make a mistake. You have to be reasonably sure that the laws that you pass and the intent of the law. The reason why the State Board has not acted because they believe it was not the intent of the law to be carried out the way it's being carried out. This does not get rid of any fines that have been imposed. It gives them the discretion to decide whether or not it should be imposed. Some people may willfully disobey the law. Some inadvertent. Campaign staffs, individuals have people working, volunteers. They should mail or fax something in, don't get it in on time. They didn't willfully try to disobey the law. It gives the State Board the discretion to make that decision. Now, I want George Bush on the ballot so the people of Illinois will have a target. Now, you don't want him on the ballot, Minority Leader, because you are ashamed of him. You are ashamed. You don't want him on the ballot. I want him on the ballot, and there is no sense in talking about what's in the bill. The bill is to clean up and clarify the intent of the law that we passed. If you don't have the courage to clarify the laws that you pass, then why are you here? You know what the intent of the law was. The State Board is uncertain. This gives them the discretion to

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

do what they feel is the right thing to do on that bipartisan board. And I listened to all the things -- you talk about the people of Illinois. You can't be trusted. You got on this Senate Floor and begged for Decatur, begged. So, my colleagues -- on this -- this side of the aisle tried to help you. You're turning right around and stabbed the poor people in -- in the City of Chicago, not in the back, you stabbed them in the chest. If ComEd was not such a good corporate friend in Illinois, I would make a motion to reconsider that vote. And you go back to Decatur and tell the folks that you could not support people being laid off in Chicago, all of you on that side of the aisle. I heard you running around the Chamber, running around the Capitol talking about I've got six days of fame. Six days of fame. We gave you an extra day. That's right. You got seven. As soon as we adjourn, that will be over with. Maybe you'll make the Jay Leno show, but in a bipartisan manner, you should be on the issue as it relate to President Bush. Perhaps you don't want us to have a target, 'cause I want to really go after him. Destroying the economy, tricking the people on the war. So -- so -- so -- so I'm still looking for the weapons of mass destruction. Weapons of mass destruction, his personal war. It's ridiculous. So I want him on -- I want him on the ballot so we can get out here and let the people of Illinois -- yeah, the missing persons? They're still looking for 'em. This administration in Washington can't even track a bleeding elephant, and that's your motto. But this bill should have the support of your side of the aisle. And if he's not on the ballot, you don't want him on there, because he's got to defend the statement he made about the weapons of mass destruction. He got -- he must defend all the issues as relate to trying to find somebody. He's got to defend that. You want -- you -- you don't want him on there. I want him on there. If you want him on there, you will vote Yes on this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh, to close.

SENATOR WALSH:

Thank -- thank you -- thank you, Madam President. I thank all the Senators for their comments, but in all reality, there are some mandated -- federal mandated corrections that need to

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

be -- made in regards to this piece of legislation. The underlying fact, that in order for us to implement Help America Vote Act that was proposed by President Bush after the 2000 Election and the -- and the disaster that took place in Florida, we are trying to clean up many of those problems that occurred. Changing some of the compliances and the dates have been brought to us by our county clerks to help them do the job that they need to do on election -- at election time. And most importantly, I want to say that there is no mandate, no mandate to the State Board of Elections. There is discretion given to the State Board of Elections, a discretion to look at the penalties, the violations and, in accord, justify -- justify penalties with the severity of the violations. There is no mandate that somebody is going to get off. There is no removal of fines or penalties that have been proposed. And as Senator Welch indicated, this is a bipartisan board of eight people - four Democrats, four Republicans - and it takes five members to vote -- make one of those actions take place. We are giving the State Board of Elections - and they testified at the -- at the House hearing - giving them the discretion, the -- the -- the discretion for a discretionary board in order to do this. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

As a reminder, I'd just like say that this measure will take thirty-six votes. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 82. All those in favor will vote Aye. Opposed, 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 23 Ayes, 27 Nays, none voting President. Having failed to receive the required constitutional majority, the motion fails. Senator Welch.

SENATOR WELCH:

I -- I would just like to raise a point of order here. The staffer for the Republicans stood there and took a photograph of the board to make sure that if it was put on Postponed Consideration, we wouldn't have a record. That has never been done in this Senate before. I saw him stand there and take two photos. I've never seen one, Senator Rauschenberger. Never.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

That may be a House action, but it's certainly in the Senate. I would ask that the roll of film be turned over to the Clerk of the Senate. This is -- this is ridiculous. That's never happened. It's a violation of Senate rules. Please take your camera up to the Clerk of the Senate and give her your roll of film.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

I just agree with Senator Welch, and I'd like for the proper action to be taken by the Sergeant-of-Arms.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

Thank you, Madam President. We've agreed that we will turn over the film to the President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Well, Madam President, I -- I renew my request that the Sergeant-of-Arms be handed that film now -- the camera now. It -- it's digital. We need the disk now. It's not a question of trust. We'd just like to handle the business at hand. And since the -- our esteemed Leader has agreed, then let's let it take place.

PRESIDING OFFICER: (SENATOR HALVORSON)

So -- Senator Dillard.

SENATOR DILLARD:

A parliamentary inquiry, Madam President. How many votes does it require to put something on Postponed Consideration?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard, 24 votes. Senator Dillard.

SENATOR DILLARD:

Another parliamentary inquiry, Madam President. So that's an official roll call, which will be made available and journalized to the public?

PRESIDING OFFICER: (SENATOR HALVORSON)

Yes. Senator Welch.

SENATOR WELCH:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

I think Senator Dillard misses the point. If we're going to have photographers take pictures of every vote when it's not authorized by the Senate Rules, what other rules are we going to violate? What other rules are we going to decide at the spur of the moment don't apply for convenience or whatever purpose? There was no motion for Postponed Consideration. Regardless, we have never had photographers, partisan photographers, take photographs of roll calls. We didn't do that for the last ten years when we couldn't do it when you utilized Postponed Consideration to wipe out roll call after roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Brady.

SENATOR BRADY:

Question of the Chair. Is it illegal to have cameras on the Floor?

PRESIDING OFFICER: (SENATOR HALVORSON)

That's what we're looking into right now.

SENATOR BRADY:

So, we'll have a ruling on that. But if the cameras that were allowed up there were to take a video of that, there'd be nothing to raise Cain about, correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Senator, cameras request leave. Cameramen request leave. They're part of the public domain. They work for the public. They're not partisan cameramen. That's the difference. Senator, we're not hiding from a thing. I don't care if you see how I voted. I'll tell you how I voted. I voted No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. There's no other speakers on this issue. We -- we will now to proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, have there being any objections filed to any resolution on the Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The motion carries and the resolutions are adopted. On the Order of Resolutions. Senator Demuzio, do you wish to proceed on Senate Joint Resolution 42? Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 42.

(Secretary reads SJR No. 42)

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. While we're on that order of business, we'll just move to adopt the joint resolution, Senate Joint Resolution 42, which calls for us to come back in perfunctory January 6th. I'd move adoption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 42. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Demuzio moves for the adoption of Senate Joint Resolution 42. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Returning to the regular Calendar, on the Order of 3rd Reading is House Bill 2659. Senator Jones seeks leave of the Body to return House Bill 2659 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2659. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. The amendment becomes the bill. This was heard in committee and passed out unanimously. It amends the General Bond -- Obligation Bond Act by increasing the State authorization level by nineteen million dollars. The money is going to be used specifically for the Environmental

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

Protection Agency to leverage additional ninety-five million dollars in federal drinking water and wastewater funds. I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Welch. I apologize. I've been informed that the Senate sponsor has been changed to Senator Welch. Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. On the Order of House Bills 3rd Reading, Senator Welch, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2659.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. This bill increases the amount of bonds by nineteen million dollars. Allows the -- Illinois Environmental Protection Agency to allocate the money for grants or loans to local government. It will leverage an additional ninety-five million in federal funds for community wastewater and drinking water projects. The -- during the committee, there was a request as to whether the Department of Environmental Protection would change the procedures they have been using for awarding these grants. I have a letter in my hand. A letter was similarly given to Senator Rauschenberger just a few moments ago - the question was just asked about an hour ago - and it says that, "Pursuant to a question asked at the Appropriations Committee, this letter serves as affirmation that the EPA will continue to follow the same procedures it has followed in previous years with -- respect to selecting projects for the award of low-interest loans in the water pollution control and

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

public water supply loan program." Signed by Renee Cipriano, Director. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I just want to tell the Members on this side of the aisle and the Body that the Illinois Environmental Protection Agency did respond in a timely fashion. We appreciate their courtesy. The criterion that's been in place for the last twelve years for distribution of these grants, according to the Department, will remain in place. It was important that we knew that we weren't changing business as usual. We have a -- a merit-based system and I think that's really positive, and I would urge Members on this side of the aisle to support the bill. The last question, Senator Welch: Did the -- did the Governor's Office of Management and Budget get back to you with the bonded indebtedness numbers yet?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

No. Maybe they got back to Senator Trotter. They didn't get back to me. We can -- we can -- he'll have the next bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

We'll just save that discussion, I'm sure, for next spring. Thank you, Senator Welch.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch, do you wish to close?

SENATOR WELCH:

I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 2659 pass. All those in favor will vote Aye. Opposed, 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 50 Ayes, none voting Nay, none voting Present. House Bill 2659, having received the required constitutional majority, is declared passed.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

PRESIDING OFFICER: (SENATOR WELCH)

House Bill 2745. Madam Secretary, are there any Floor amendments approved for consideration? Senator Trotter seeks leave of the Body to return House Bill 2745 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2745. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR WELCH)

Floor Amendment 2, Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Amendment No. 2 to House Bill 2745 becomes the bill. What we are doing here is giving authorization to the six agencies that I'm getting ready to read off of the spending of the federal funds that we've received. One hundred twenty-one thousand nine hundred ninety-three dollars to the Illinois Emergency Management Association {sic}(Agency) for emergency management preparedness grant program, training and education, prior years training, and State Emergency Operations Center. To Illinois State Police Department, fourteen million two hundred thousand for homeland security funds. Department of Public Health, twenty million two hundred thousand for homeland security funds for bio -- terrorism preparedness; and the Ryan White Care Act, five million one hundred thousand. To the CDB, the Emergency Operation Center, we're giving three million one hundred eleven thousand dollars. To Illinois Department of Transportation, twelve million two hundred and seventy thousand, and that goes towards the Illinois Terrorism Task Force for homeland security and the transfer of the 99.6 million dollars from the transfer Series A Bonds. And lastly, to the Department of Revenue, we're also making a technical correction for the Local Governmental {sic} Distribution Fund. That's a total of one hundred seventy-one million seven hundred seventy-five thousand dollars.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. Amendment is

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, actually.

PRESIDING OFFICER: (SENATOR WELCH)

Floor Amendment No. 1, Senator Trotter.

SENATOR TROTTER:

I would like to table Floor Amendment No. 1, please.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter moves to lay Floor Amendment No. 1 on the table. All in favor, say Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is tabled. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On the Order of House Bills 3rd Reading is House Bill 2745. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2745.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. The bill was just described in detail. We're discussing the amendment. Simply, this bill just gives spending authority of the federal funds that are received for bioterrorism here in the State of Illinois to protect our borders, as well as our municipalities. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I just wish to point out that the Floor Amendment that was just adopted, No. 2, is very different than the one we heard in committee, and I appreciate the sponsor tabling the first amendment. The amendment that we're voting on now is limited, in fact, to just federal

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

11/21/2003

funding, many for homeland security issues. This is important spending. Unlike the bill that initially was presented to us, which I might add was supported by the Governor and it is, in fact, the Senate that removed a lot of the excess spending in that bill, the original bill contained a number of projects that were hardly of an emergency nature and certainly could be defined as projects that were important to individual Members, and perhaps not important to the State as a whole at this particular time. So thank you, Senator Trotter, for trimming this back down, and I think we in the General Assembly should take credit for not spending, despite the fact that the Governor was behind the original bill. So I would urge my colleagues to vote Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter, to close.

SENATOR TROTTER:

I think I just want to thank, also, Senator Radogno and the Members of the -- on the other side the aisle. Our committee process does work. We listened to your concerns, and we have addressed them here in this bill. And I ask for everyone to vote Yes on this bill.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 2745 pass. 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 51 Members voting Yes, no Members voting No, no Members recorded as voting Present. House Bill 2745 having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. President, I hear the turkeys. I move we adjourn as -- as per the adjournment resolution.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio moves we adjourn. There being no further business to come before the Senate, pursuant to the adjournment resolution, the Senate stands adjourned until the hour of noon on Wednesday, January 14th, 2004 {sic}. The Senate stands adjourned.