

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

SB0037	Concurrence	13
SB0738	Concurrence	15
SB1994	Concurrence	3
SB2212	Concurrence	16
SB2216	Concurrence	20
SB2220	Concurrence	25
SB3195	Concurrence	27
SB3196	Concurrence	30
SB3199	Concurrence	32
SB3362	Concurrence	35
SB3362	Vote Intention	41
SR0761	Tabled	64
SR0777	Adopted	60
SR0777	Resolution Offered	41
Senate to Order-Senator Welch		1
Prayer-Rabbi Michael Datz		1
Pledge of Allegiance		1
Journal-Postponed		1
Committee Reports		1
Senate Stands in Recess/Reconvenes		12
Committee Reports		12
Message for the Governor		13
Senate Stands in Recess/Reconvenes		35
Resolutions Consent Calendar-Adopted		64
Adjournment		64

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

PRESIDING OFFICER: (SENATOR WELCH)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the gallery please rise? The invocation today will be given by Rabbi Michael Datz of the Temple B'rith Sholom in Springfield.

RABBI MICHAEL DATZ:

(Prayer by Rabbi Michael Datz)

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, Reading and Approval -- Senator Haine.

SENATOR HAINE:

Yes, Mr. President. I move that the Journal just read by the Secretary be approved, unless a Member of the Senate has additions or corrections to offer. Oh! I'm sorry. I don't move that, Mr. President. I -- I withdraw my motion, and I move that the reading and approval of the Journal of Monday, January 10th, in the year 2005, be postponed, pending arrival of the printed Journal. Thank you, Mr. President, for your indulgence.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. There will be a meeting of the Rules Committee in the Anteroom behind the President's Podium immediately. Would the Members of the Rules Committee please come forward? Ladies and Gentlemen, there have been requests for picture taking or filming. The Associated Press asks leave to take photos and Ron Burgundy has also asked to take photos as well. Is there leave? 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 I Committee - Motion to Concur with House Amendment 2 to Senate Bill 3362; refer to Executive

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Committee - Motion to Concur with House Amendment 1 to Senate Bill 738 and a Motion to Concur with House Amendment 2 to Senate Bill 3199; refer to Revenue Committee - Motion to Concur with House Amendment 1 to Senate Bill 2220 and a Motion to Concur with House Amendment 1 to Senate Bill 3196; refer to State Government Committee - Motion to Concur with House Amendment 1 to Senate Bill 37, Motion to Concur with House Amendment 1 to Senate Bill 2212, Motion to Concur with House Amendment 1 to Senate Bill 2216 and a Motion to Concur with House Amendment 1 to Senate Bill 3195.

PRESIDING OFFICER: (SENATOR WELCH)

Announcements. Senator Crotty.

SENATOR CROTTY:

Thank you. There's going to be a Revenue Committee meeting at noon in Room 400.

PRESIDING OFFICER: (SENATOR WELCH)

Noon in 400. Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. There will be an Executive Committee at noon in Room 212.

PRESIDING OFFICER: (SENATOR WELCH)

Executive at noon, in 212. Senator Hunter.

SENATOR HUNTER:

...you -- thank you, Mr. President. There's a State Government Committee meeting at noon in Room A-1. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Third committee meeting at noon, State Government in A-1. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. The Appropriations I Committee will meet at 1 o'clock in Room 212.

PRESIDING OFFICER: (SENATOR WELCH)

Approp I, 1 o'clock, 212. Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. I would like to -- for everyone here to join me in celebrating my seatmate's big birthday - the grand -- the grand Senator of Pilsen and Cicero, Senator Sandoval.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Congratulations, Senator. We do have a cake here up in the front, if we could get the staff to start cutting and passing out the cake. Thank you. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your -- state your point.

SENATOR HENDON:

Thank you, Mr. President. I was asking Senator Martinez why was the cake so small for such a large Senator. I mean, I'm certain that Senator Sandoval can eat the entire cake himself and he should at least have two cakes over there, so the rest of us would be able to enjoy his birthday with him. But for some reason, they want to pretend that he is not a tremendous eater and they only have one cake. So, I hope that suffices, and perhaps Senator Sandoval would wait and let us get our pieces first before he goes and does his normal damage to food. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and -- Ladies and Gentlemen, please turn to page 3 of the Calendar. At the bottom of the page, Secretary's Desk, Concurrence, appears Senate Bill 1994. Due to a printing error, the fact that there was a motion to concur does not appear on the written Calendar; however, the motion is on file with the clerk's office. Madam -- on the Order of Concurrence, Senate Bill 1994. Senator Ronen, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1994.

Motion filed by Senator Ronen.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Ronen, to explain your motion.

SENATOR RONEN:

Thank you, Mr. President. I move to concur with this amendment. This bill would allow workers who have been locked out of their jobs to be able to collect unemployment insurance. This used to be the law in Illinois. Surrounding states already

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

have adopted this. I think this is a fair and balanced way to level the playing field and ensure that there's -- negotiations proceed around work sites. I urge my colleagues to concur.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Sieben.

SENATOR SIEBEN:

Yes. Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this motion and to the legislation. As the sponsor knows that just last year business and labor negotiated important changes to our unemployment insurance system because that system was billions of dollars in debt. The sides were represented. Labor was represented by Margaret Blackshere. The business groups, the employer groups were represented by Dave Vite. Each of the four caucuses had a Member at the table, and there were months and months of negotiation to work on the delicate balance to improve the solvency of that -- that fund. And the two groups came together and agreed to tax increases on employers and benefit revisions for labor to improve the solvency of that fund and -- and avoid some -- significant federal penalties and higher borrowing costs. In addition to higher taxes, the employers agreed to a benefit expansion that the system could afford, and as a result of that agreement, victims of domestic violence now qualify for unemployment insurance benefits. A big reason the employers agreed to pay billions of dollars in higher taxes was because that labor committed not to pursue additional benefit increases. That was a commitment that was made at the negotiating table; yet, here we are with a bill that -- that directly violates that pledge and is a blatant disregard for the commitments made during that month -- months of negotiating process. So, how can we expect to see an agreed bill process that works in the future if we don't have one that we honor and maintain the commitments that were made today? In addition, I think it's important that we also understand the very negative impact that a bill like this will have on our job climate in the State, a job climate that's somewhat risky -- or, difficult, as -- as we know. I think this legislation destroys that -- that very delicate balance that exists between business and labor in negotiating contract disputes. There's an element of neutrality

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

to try to give each side some equal opportunities here. As you know, if the workers are unhappy, they can call a -- a strike. If the employers are unhappy, they can call for a lockout. And currently, employees can receive unemployment benefits in a lockout situation if the employer is not negotiating in good faith. So, I think disrupting this balance will result in more disputes and send yet another signal everywhere that Illinois is a State that's not friendly to business, that's not open to business, and we'll see more jobs lost in our State. So, if you do this today, and you probably have the votes to do this, you may provide a short-term benefit for a few workers, but I think the long-term effect will be that you will cost workers in this State a great loss. You'll lose more jobs in this State, and you'll do a great disservice to the working people of this State who are looking for jobs. And I can't imagine any economic development director in your community or in the communities that I work in coming to me and saying, "You know what I need for a tool to expand jobs in our area? You know what I need for a tool to retain the businesses that we have here? You know what I need for a tool to bring business from Iowa or Wisconsin to Illinois? I need to be able to pay, under this legislation, those locked-out workers unemployment insurance benefits." It wouldn't happen. That's not what they're asking for. Again, this upsets the balance; I think will cost us jobs in Illinois. So, I urge a No vote to preserve the solvency of the -- the Unemployment Insurance Trust Fund, to maintain or -- hopefully stabilize the job climate in the State, and above all, to respect the agreements that were made by all the parties at the table, from labor and business, from the four caucuses, that this would not happen once the agreed bill was agreed to. I ask for a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: You know, this is an idea, Senate Bill 1994, that was brought to the table during the negotiation process under the agreed bill rules, which is a rule that we usually abide by, and this was an idea that was rejected by the negotiators. Now, following up on the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

rejection, it's an attempt now to put something new that wasn't part of the agreed bill process. Now, the agreed bill process is one that sometimes is in the mind of the beholder. There are some who say that the business community acted unilaterally back in 1996 when they sought some tax relief, which, in a way, is technically true, but the distinction here is that those changes that the business community sought in 1996 had -- had no negative impact on employees. It simply provided some tax relief to the business community. So, to say that -- that the 1996 conduct is similar to what's happening here is -- is incorrect. I think the larger issue is, Forbes magazine, earlier this year -- earlier in -- in 2004, published a report that ranked all fifty states across the Union in terms of economic freedom and places that are most attractive to do business. And do you know where -- where the State of Illinois ranked? We weren't in the top ten. We weren't in the second ten. We weren't in the third ten. We weren't in the fourth ten. We weren't even in the top half of the fifth ten. We were number forty-six out of fifty that one of the leading national magazines said is a bad place to do business. Now, why are we a bad place to do business? We're a bad place to do business, apparently, because we have become more and more and more complicated for people to come in and do business in this State. Our unemployment rate is higher than the national average by well over a percent. And a percent - you might say, "Wow. What's a percent?" - a percent is a lot of folks that we represent who don't have the ability to have -- to have a job. This bill does not create an environment that says "Come in to Illinois. We want you to do business." This says, "We are going to be beholden to a very narrow group. We're going to do their bidding at their will, and we're going to run this through at a very late hour of a General Assembly." We should -- we should take this off the table. We should respect the agreed bill process, and we should say no to this.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I also stand in agreement with my previous two colleagues who've brought excellent points about

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

-- about why this timing in particular is ill for Illinois' job market. In fact, I read from a letter from the Department of Employment Security that says the Legislature enacted in 2003 a bond authorization to help cover the shortfalls and that the contributions now made to the fund don't go to the fund, they go to the shortfalls. The letter further goes on to explain that if the job climate does not improve and if increased demands on the fund, like this, will cause -- occur, then unemployment insurance rates will go up. Right now we are not about -- should not be about driving jobs out of this State. We should be about attracting jobs to this State. This legislation will hurt the job climate in this State and I would argue that Senator Roskam's results of forty-six percent in the nation will even be driven down further. If you want to accomplish that, if you want to see Illinois go to fiftieth in the nation, let's raise all kinds of tax and fees. Let's set a record, folks. Let's make sure everyone knows that no one should ever want to bring a job to the State of Illinois. I don't think that's what we want to do. We want to increase employment in this State. This doesn't do it. Let's be real, realize that we don't live in a vacuum, and do the right thing and vote against this.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, I rise in strong support of Senate Bill 1994, and it's just amazing what a difference a day makes. Certain Senators said as -- we're doing this at the last minute and how terrible that is. Well, we did things at the last minute when Pate Philip was President, and it was okay then. Also, the -- you -- you imply that we're not still in Session. We have a responsibility to the citizens of Illinois to do business all the way up until the last minute. What's wrong with that? That's our responsibility. If we're sitting around and we're not doing the people's business for two, three days, then we make the paper for doing nothing while we pull down a per diem. So, we're doing some work. What's wrong with work? Also, it was mentioned about the statistics yesterday of us -- I mean, today of us being forty-seventh here. Well, there were some statistics given out yesterday on feeding poor



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

children where we were forty-eighth or forty-ninth, and that position didn't bother you at all. You voted against feeding the poor children. But now there's statistics you want to use in our ranking and -- and we're supposed to be so shocked about it. Well, I disagree with that. And when you eliminated Punch 10 on the last day of Session, it was okay. So, this should be in the books of all the high school and college students who are taking political science. This day should be in -- in the book, letting them know that everybody does it. You did it. And one Senator's going to say, well, technically, they did it, but it really wasn't the same. Well, it is the same. You did it. Now we're doing it. This is a good bill. There are provisions that protect businesses in certain situations in a lockout situation where they wouldn't have to do this, but I do want to point out to this side of the aisle, this is supported by the AFL-CIO, the Laborers Midwest Region, IBEW Local 51, United Food and Commercial Workers, United Auto Workers and the Chicago Federation of Labor. It is a good bill whose time has come. The agreed bill process - it's a wonderful thing, but when it's not to your advantage -- and you were in the Majority; you didn't care about agreed bill process. So, what's wrong with this side now doing the same thing that you did to us? I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I rise in opposition to the bill. To the previous speaker, I think that our parents probably taught us the same thing, that if we perceive that under an old administration that it was bad to do it then, it's bad to do it now. One doesn't justify the -- you know, repeating a -- an error. I believe that the majority of the people in this Chamber want more jobs paying higher wages for the -- their constituents in the State of Illinois. I got a call yesterday from a small business employer in my area. This person has taken the risk to provide jobs for three hundred people back home. The average earnings - fourteen dollars per hour. But -- but even more importantly, hospitalization - Blue Cross Blue Shield. It's about a seven-thousand-dollar benefit

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

to those families per year. He's just opened up an office or another facility in Iowa. Because of the things that the previous speakers have spoken about, in Iowa, they now have fifty-eight jobs that would have been at his place in our district, but are now in another state. They've just opened up a new plant in Tennessee, not in Illinois. This is not talking about Mexico. It's not talking about jobs going to China. This is jobs just going to other states in -- in the United States of America. There's a multiplier effect, also, about when those jobs go. This business spends a million dollars a year in energy costs, which are also taxed to the State of Illinois. Those purchases are going to other states. Businesses do react when we set these policies. We might think that it's just a little inch in this direction or that direction, but businesses react. Unfortunately, the majority of Senators voted Yes on the tax and fee increases on rolling stock, on trucks, just a couple of years ago, and in the very next year, Illinois lost seventeen thousand truck registrations. And you just ask yourself: When will we learn that if we want jobs paying higher wages in Illinois, we can't pass legislation like this without kicking our employers in the teeth and then they're taking jobs out of state? This bill knocks off kilter the delicate and fair balance between employers and employees during labor negotiations. I'd ask you to vote No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. And I certainly echo the comments of the -- the previous speaker, and one of the previous speakers made the comment: Well, we did this to you, so we can do this to you. Well, you know what? We're not doing it to us. You're not doing this to the Republicans on this side of the aisle. You're doing it to the working men and women of this State. When we create the climate in this State, as Senator Lauzen mentioned and others have mentioned, when you create a climate in this State that's not conducive for job growth and job expansion, and when someone sits in some board of directors meeting in California or New Jersey or in Florida, when they make a decision on whether they're going to go and

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

expand and -- where they're going to locate, you don't think that these kinds of issues make a -- make a difference in those boardrooms? You don't think that this happens and somebody makes a decision to go to Tennessee instead of Illinois because what we do here on the Floor of this Senate? No, Senator. You're not doing this to us. You're doing this to the working man and woman who's out there trying to provide for their families, and the labor leaders can pound their chests all they want about "Look what we've done for you." But when the job leaves this State, who's impacted? Who's impacted? The very people that the labor leaders represent. The agreed bill process has worked. It's worked in Springfield. It's been very effective - labor and business sitting down, understanding the differences and working out their differences. It has worked, and this is -- this is going in a direct violation of that -- that agreement. What other states have similar legislation such as this - there's twenty-two other states -- twenty-two states have this - twenty-two. Illinois is on that list. We're on that list. And here's how it works: Most states prohibit payment of benefits during labor disputes. Many states, including Illinois, carve out exceptions. Current law in Illinois says benefits may be paid if the employer refuses to meet and negotiate under -- reasonable conditions, one; two, if the National Labor Relations Board issues a -- a finding determining that the employer has negotiated in bad faith; or, three, the lockout itself violates existing contract. We are a part of the twenty-two states that have existing law similar -- not similar. You are mandating -- you are crossing the line. The agreed bill process works here, and that's what we should be doing. This is not good legislation. This is not something that's going to create work or jobs in this State. It's another nail in the coffin of, unfortunately, a climate in this State that has fallen greatly under the leadership that we've seen over the last two years. I urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Ronen, to close.

SENATOR RONEN:

Thank you, Mr. President. I'm -- I'm really kind of incredulous at the -- the -- the speakers from the other side of

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

the aisle, and their facts not only are wrong, but overblown. They talk about the agreed bill process, this rule, this vaunted agreed bill process. First of all, we started -- we reinstated the agreed bill process last year only because the Democrats were in control of both Chambers and the Governor's Office. Years before that, it was gone and left when you could have put the agreed bill process into effect. You didn't when you had the power. We did, and we used the agreed bill process for the first time in years because Democrats knew we wanted to do things in a fair and just way. This bill has nothing to do with the agreed bill process, however. This is not part of it. This is fundamentally a labor-management issue. That's what this is. This bill will make the playing field more level, will give workers a fair chance and will make sure that people stay at the bargaining table, that there are no strikes, that people stay and work it out and people keep on working. As to the cost, this is ridiculous. The Department -- you read something from the Department of Labor -- or, Employment Security but only selectively. The costs here are negligible. Negligible. This is not an issue of cost. This is an issue of fairness and balance, and you all know that. As to the -- the fund, the -- the -- the taking of the money before that -- that one of my -- one of the previous speakers was -- was referring to when it was raided. When it was raided, one of the reasons we had to work so hard last year to replenish it was the money that was taken out when you all had control, when there was money in that fund. So, let's not be hypocritical here. This bill is fair; it's balanced. It's done in twenty-five other states. There's an example right now, The Case factory, where workers in northwestern Illinois, the employees there who live in Wisconsin are getting benefits the employees in Illinois are not, those employees that are locked out. That's not fair and that's not right. This bill is about fairness and justice for employees. I urge all of my colleagues to vote Yes.

PRESIDING OFFICER: (SENATOR WELCH)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1994. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

who wish? Take the record. On that question, there are 31 Ayes, 23 Nays, and 2 Members voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 1994, and the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, you have heard the committees that are beginning at noon, and with that in mind, the Senate will stand in recess to the call of the Chair, until after the committees. Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

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

SECRETARY HAWKER:

Senator Crotty, Chairperson of the Committee on Revenue, reports the Motion to Concur with House Amendment 1 to Senate Bill 2220 and House Amendment 1 to Senate Bill 3196 Be Adopted.

Senator Schoenberg, Chairperson of the Committee on State Government, reports the Motion to Concur with House Amendment 1 to Senate Bill 37, House Amendment 1 to Senate Bill 2212, House Amendment 1 to Senate Bill 2216 and House Amendment 1 to Senate Bill 3195, all Be Adopted.

Senator Silverstein, Chairperson of the Committee on Executive, reports the Motion to Concur with House Amendment 1 to Senate Bill 738 and House Amendment 2 to Senate Bill 3199 Be Adopted.

Senator Trotter, Chairperson of the Committee on Appropriations I, reports the Motion to Concur with House Amendment 2 to Senate Bill 3362 Be Adopted.

PRESIDING OFFICER: (SENATOR WELCH)

Will the Members please come to the Floor? We'd like to move through the Calendar and adjourn for the year. There's only two of us on the Floor right now. Would the Members in their offices please come up to the Floor? Would the secretaries please ask their Members to come up to the Floor? Madam Secretary, Messages from the House -- or the Governor.

SECRETARY HAWKER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

A Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs, January 11, 2005.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 93rd General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Rod Blagojevich, Governor.

PRESIDING OFFICER: (SENATOR WELCH)

We have a couple requests from the media. WMBD News Channel 31, Krystal Morris, reporter/anchorperson, is here to record the proceedings. WICS-TV requests permission to videotape. Melissa Hahn is here as well. Is there leave? There objection? No objection, leave is granted. Ladies and Gentlemen, please turn to Supplemental Calendar No. 1 that's on your desk. Senate Bill 37. Senator Schoenberg. On the Order of Concurrence is Senate Bill 37. Senator Schoenberg, do you wish to proceed? Indicates he wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 37.

Motion filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg, to explain his motion.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House -- I ask you to concur in House Amendment No. 1 to Senate Bill 37. It becomes the bill, and it amends the Finance Authority Act. This is a -- a scaled-down version of something that we had approved previously. The most notable features are that we make it possible for religious institutions to participate in this by a change in the language for sectarian institutions. We make a change in the attendance and voting provisions in order to allow people to participate electronically in board meetings as long as a physical quorum is present, which would allow members to recuse themselves in the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

event of potential conflicts. And finally, it increases the bond authorization one billion dollars. The ceiling would be twenty-four billion. Of the twenty-three billion that are -- that's currently authorized, there's less than 1.5 billion that remains unencumbered. I know of no known opposition to this. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President, Members of the -- the Senate. As I understand this, one billion dollars in bonding will only extend -- is enough to extend us through May. Is that correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

This one billion dollars is less than was originally requested, so it will probably -- I don't know if it takes us through the end of May or through the middle of May, but I think the original ask was for three billion or slightly less than that. This is only for one billion.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

One of the concerns that I have is what's not in the bill. When we -- when we originally did the coordination, we had in it that an amendment that -- that said that bond funding levels for farm and local government programs that were operated by the Illinois Farm Development Authority and the Illinois Rural Bond Bank prior to this -- the merger into the Illinois Finance Authority would remain the same. That language is not in this. Could you -- could you tell us why?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

Yes, and thank you for asking the question. As I indicated, this is a scaled-back version of the original bill that we had passed previously. As we heard in committee, there are two specific reasons -- there were two programs that are really winding to a close, one being an interest buyback program that

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

was administered through the farm -- the former Farm Development Authority, and the other one being a fire truck program, which is drawing to a close. So, it's for that reason that this amendment remains silent on -- on what was formerly the Farm Development Authority's interests.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

I just want to make the Members aware that -- of a concern that we had when we originally put this together, that the -- the farm -- the Illinois Rural Bond Bank would get shortchanged, and -- and I have concerns that that language is not in this. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR SCHOENBERG:

I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 37. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Members voting Yes, 19 Members voted No, no Member is recorded as voting Present. The -- the Senate concurs in House Amendment No. 1 to Senate Bill 37, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 738. Senator Halvorson. On the Order of Concurrence, Senate Bill 738. Senator Halvorson, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 738.

Motion filed by Senator Halvorson.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson, to explain her motion.

SENATOR HALVORSON:



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Thank you, Mr. President and Members of the Senate. Senate Bill 738 basically amends the Election Code by repealing the language that the State Board of Elections fall -- personnel fall under the CMS Personnel Code. What they would do -- they're the only State agency still under that personnel code, and what the intent of it is, is to write their own code and have it approved by JCAR, as well as the General Assembly.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor -- indicates she will yield, Senator.

SENATOR ROSKAM:

Senator, just for the benefit of everybody, there's a little bit of history here, isn't there, where -- has the Governor tried to assert himself in some of these matters and we're trying to take away that ambiguity? Can you just clear that up for everybody?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Senator Roskam, for bringing that up. That is exactly it, and it is just to clear up the -- ambiguity - I'm going to learn that word one of these days - and to make sure that everything is the same in all of the agencies.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any other discussion? If not, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 738. 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, 58 Members voted Yes, no Member voted No, and no Member is recorded as Present. Senate Bill 738, having received the required constitutional majority and the Senate concurring in Amendment 1 to Senate Bill 738, it's declared passed. Senate Bills -- 2212, on the Order of Concurrence. Senator Schoenberg, do you wish to proceed? Madam Secretary, please read the motion.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2212.

Motion filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg, to explain his motion.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I urge you to concur in Amendment No. -- House Amendment No. 1 to Senate Bill 2212. This makes the necessary technical changes for the State to be able to access several hundred million dollars in new federal Medicaid money that resulted from us acting in -- in November of 2003 for the hospital assessment program. This is over five hundred million dollars in new federal funds that will go to hospitals, nursing homes, mental health and developmental disability facilities across the State. The reason why we need this change in the law is because of the protracted length of time that required the -- that -- required the federal government to review and act favorably upon our request. This is -- makes no changes in how the resources were allocated in that formula, so you needn't be concerned with that. And as the net result of all of this, the State will derive approximately a hundred and twenty-five million dollars in additional federal Medicaid money for a prorated portion of Fiscal Year '04 and over four hundred and thirty million dollars in new federal money for health care in Fiscal Year '05. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. This -- this bill, as it's written, as I understand and as you confirmed, the spending is the same as we originally had in the original bill that we passed. There's no changes to that. But there isn't any restrictions on the -- on the way the Governor can spend the unobligated money?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

The -- the allocation formula, as I said, remains the same. When we passed the original hospital assessment bill, we -- we authorized, pending federal approval, over a -- over two fiscal years that we would have this assessment program. As it turns out, there was a lengthy approval process. We are now getting approximately twelve weeks, I believe, for Fiscal Year '04 and all of Fiscal Year '05. As far -- to address a question of how the -- the Governor's discretion is concerned, the -- these -- how that money is spent, not only does it not change from our original agreement, but it is inherently limited that it can be only spent on health care and human services. This money cannot be spent on -- on roads, bridges or Jack Benny statues. The federal government will terminate the assessment program and terminate all the benefits that are necessary from it if, in fact, money were to be spent on anything but health care. And as you know, our health care needs are wanting.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

Thank you. This -- this is a good program, but one of the things that -- as I look at this, it -- it appears that the State has to come up with a large sum of money, to the tune of about six hundred and fifty-five million, for a short period of time in order to make this work. It appears that we would have to borrow the money. Is that -- is that your understanding of what we're going to have to do to make this work?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

I have not been told definitively what course of action the budget office is going to take. You're correct in that the State has to front -- the State has to -- we have to front an -- an -- a large amount of money, seven hundred and sixty-five million dollars, and that is the result of -- again, the protracted approval process meant that three quarters -- three-plus quarters of -- of this hospital assessment accumulated. So, instead of being distributed throughout the fiscal year, it's all in one lump sum. We have to -- there is approximately a five-day gap before the money comes back. I think we recognize

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

that the range of options is inherently limited. I don't think -- my guess is, there won't be any fund sweeps to do this. There won't be any increases in sales taxes or incomes taxes. So, you can shorten the list as you'd like.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

Well, I'm -- I'm glad the feds approved the program. It is a good program. I'm a little concerned about the short-term borrowing, but the hospitals need the money and I'm glad that we've -- we've got a program.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just a comment on the bill. I do hope that we are adequately grateful to the federal administration and our congressional delegation for, two years in the row, shipping a whole lot of money to us in the State of Illinois. If I'm not mistaken, last year about four hundred or five hundred million dollars of funds from Washington came to State of Illinois to fill the hole, and then this year it looks like, through the -- through the sponsorship of this bill, we're getting another chunk of four hundred to five hundred million dollars. If I'm not mistaken, today is Alexander Hamilton's birthday, and he did a lot of the Federalist papers and put together -- he was a strong proponent of a strong federal government, where many folks are states' right guys. The expression I heard this morning is that we admire Thomas Jefferson, but live in Alexander Hamilton's world -- or, country. And so, I hope that we're adequately grateful for folks from the federal government, the administration and our congressional delegation, for securing half a billion dollars a year for the past two years.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen, we still have cake here in honor of Alexander Hamilton. Senator Schoenberg, to close.

SENATOR SCHOENBERG:

I just want my colleagues to know that I didn't need any prompting to thank our congressional delegation. I think plenty

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

of acknowledgement should go to Director Maram, Department of Public Aid, to the administration for their efforts, as well as to the congressional delegation, starting with Speaker Hastert and Congressman LaHood, in particular, and also to our Senators who, through a strong, concerted bipartisan effort, made Illinois one of the states to receive approval for this waiver. And I hope you'll -- we'll continue to move forward to not only address the cost -- to tamp down the cost of spiraling health care for those who need it, but also to find a way to get more money.

PRESIDING OFFICER: (SENATOR WELCH)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2212. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, none voted Nay, and none voted Present. The Senate concurs in House Amendment No. 1 to Senate Bill 2212, and the bill, having received the required constitutional majority, is declared passed. On the Order of Concurrence, Senate Bill 2216. Senator Sandoval. Madam Secretary -- Senator, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2216.

Motion filed by Senator Sandoval.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval, to explain his motion.

SENATOR SANDOVAL:

Thank you, Señor Presidente and Members of the Senate. I'd ask for -- urge to concur on House Amendment No. 1 on Senate Bill 2266 {sic} which establishes a Heartsaver AED trust fund in the State Treasurer. Many of you supported -- many of you know and voted upon it, which became public law on House Bill 4232, which -- in which State Representative Dan Burke, my State Rep, and myself and supported by all the Members of the -- many Members of the General Assembly in the passing of what we know today as the Colleen O'Sullivan Law, which required all physical fitness facilities in Illinois, as well as public schools, park

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

districts and universities, to have at least one defibrillator on the premises and an individual trained to use defibrillators by 7/1/06. Well, this trust fund that I ask your support on this afternoon, establishes a fund which will be administered by the Illinois Department of Public Health. The trust fund will go to public schools, public universities and colleges and park districts. It's a win-win situation in which funds will be matched. The State will put up fifty percent of the cost of the AED and the applicant will put in the other fifty percent. The fund will be open to private donations from individuals, organizations and corporations throughout the State of Illinois. Lastly, I'd like to say that this fund -- there will be no State money that will go into this fund to assist these public institutions. I'd ask a favorable vote this afternoon.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Dale Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Sandoval, did I hear your last statement correct, that there'll be no public dollars put into this fund? Did -- did I hear you say that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

There will be no State public funds going into the fund.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

How -- where's the money going to come from then?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

From -- the money will come from private donations and corporations, folks like yourself and myself.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

SENATOR RIGHTER:

Senator Sandoval, is there a -- is there a limit on the amount of the grants?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

No, there are no limits on the amounts of the grants; yet, the grantee applicant will have to demonstrate that they will -- they have fifty percent of the cost of the defibrillators that they are purchasing for their facility.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Is there in the bill anywhere a requirement of a showing of need? In other words, is the poor school district in your district or mine going to be treated the same as a maybe little better off or much better off, financially speaking, university or other public agency? Are we going to -- are we going to make any effort to try to give a little extra help to the people who probably need it more than others?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

No. I -- I think to the extent that -- to the extent of the size of the fund, I think that there will be -- it'll be a -- a -- a clean allocation of monies to institutions that demonstrate that they have fifty percent of the cost for their defibrillators.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator, what is the criterion? I mean, how do -- how do you decide who's going to get one now, who's going to get one next week, who's not going to get one for six months? Is it based on the order in which they come in? Is there -- is it going to be a -- a showing of need, a region? I mean, how are we going to decide that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

SENATOR SANDOVAL:

There is currently no criteria. The Department of -- the Department will establish, through use, on the best way to allocate the -- the monies that are collected through the trust fund.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

One final area of inquiry, Mr. President. Thank you for your indulgence. Senator, does this -- is this bill exempt this fund from the chargeback provisions currently in law?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

I'm advised that it is not.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

So, Senator, let me ask you: Are you comfortable then with the notion that a charitable entity or maybe a -- maybe a -- my grandmother writes a check because she wants to help someone get an AED, put money into this fund, and then the administration taxes it at eight percent or whatever to bring it into the General Revenue Fund? Are you comfortable with that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

I believe that you and I will do everything in our abilities to prevent that from ever happening to your relative's donation to the trust fund.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

I'm assuming -- saying -- you're saying that you would do everything to prevent that, that you're not comfortable with that, and good for you, Senator, 'cause neither am I. One last question, and that is, you're aware of the litigation that I believe went to federal court with regards to the Illinois Environmental Trust Fund. The Blagojevich administration



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

attempted to seize a hundred and twenty-five million dollars, I believe it was, out of that fund, and the courts said no, because it's private dollars and you don't have a right to take that. Are we not walking down that same exact path in this bill? 'Cause these are private dollars, but they're still going to be subject to the chargeback.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

I -- I respect the court's findings and decisions in -- as it relates to the Illinois Environmental Trust Fund, but I assume that on a case-by-case basis that the courts may render a different decision. But I -- I -- I know where you're coming from, and I support the court's decision on the -- that particular decision that they made on the Illinois Environmental Trust Fund.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

To the bill. Thank you, Mr. President. I appreciate your indulgence. Ladies and Gentlemen, this is a potentially good idea that could be a much, much, much better idea if we weren't trying to ram it through here in the last day. I mean, I appreciate -- even though last year we heard that -- that we weren't going to need to give this kind of assistance because there was a private financing scheme in place to pay for all these AEDs, that is obviously not the case, and so now we're in a position where we're going to create a fund totally unprotected from the chargeback provisions. I don't want to be in a position of explaining to the people in my district, who cared enough about this issue to write a check and put it in the fund, that I didn't take the time to protect it from the administration taking it and using it for something else. I don't think that's right. I think that it's a simple, simple thing to do, to write this bill to put that protection in there. We'll all feel better about it. I think this is a situation where we can do this beginning tomorrow if we want. I would urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I appreciate the -- the bill. When we -- originally passed House Bill 4232, I was concerned at that time that we were passing on an unfunded mandate to purchase these pieces of equipment. At least this is some help to those people that have to dig in their pockets to provide these. I do wish that we had the provision in the bill to keep these funds from being swept. I think that would be protection. We've had the experience that we've faced in the past, and there's no reason to not include that in the provision. If we pass this bill, I wish that we would take a look at it and -- and look to maybe amend it in the future to put that amendment in there. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval, to close.

SENATOR SANDOVAL:

Just to close, that in the same American spirit that we just saw in this country to help relief victims of the tsunami in other parts of the world, in the same very similar effort right here at home in the State of Illinois, this bill goes to help those school districts, those park districts which perhaps may find it less fortunate to provide for the full expense of the defibrillators. Let's send some relief back to our home districts, back to our park districts, back to some of our school districts in trying to help them protect lives in the State of Illinois. I ask a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2216. 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, 56 Members voted Yes, 2 Members voted No, and no Member voted Present. The Senate concurs in House Amendment No. 1 to Senate Bill 2216, and the bill, having received the required constitutional majority, is declared passed. On the Order of Concurrence, Senate Bill 2220. Senator Crotty, do you wish to proceed? Madam Secretary, please read the motion.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2220.

Motion filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty, to address the motion.

SENATOR CROTTY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 2220 addresses an inconsistency between the Illinois Use Tax Act and the bill that we passed last year. A little history: In the fall, both Chambers overrode a veto of a bill that allowed municipalities with business districts to collect a one-percent sales tax within a business district to fund its redevelopment. That bill exempted certain items from the tax, including medicines, medical appliances and related items. The Illinois use tax, collected throughout the State, exempts the same items, but also exempts groceries. The problem is that this creates two different taxing categories or levels within a single taxing district - a State tax on general merchandise and a local tax on general merchandise and food. Having multiple local sales tax rates per jurisdiction is in violation of the streamlined sales tax agreement. Since Illinois will probably want to comply with the agreement eventually in order to collect potentially hundreds of millions of dollars in revenue from Internet and catalog retail, we want to correct that problem. So, House Amendment No. 1 to Senate Bill 2220 simply adds an exemption for groceries in the language that we passed last fall allowing a business district tax.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just for this side of the aisle, this came through the Revenue Committee. My compliments to the sponsor on the consistent application of tax law in these areas. It's -- it's an attempt and a successful attempt, I believe, at making the tax -- sales tax law consistent. Also, the sensitivity to the simplification project that Senator Rauschenberger has been working so hard for so many years on.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Basically, my understanding of this is that we're shifting sales tax money, about one percent, from State coffers to the development efforts in these areas, these business districts that need development. So, I wasn't real crazy about it and I don't think I voted for the bill last year, but it does make the concept consistent by correcting an error that was made in -- in some last minute drafting last year. So, I -- I rise in support. Thank the sponsor for correcting the problem.

PRESIDING OFFICER: (SENATOR WELCH)

There being no further discussion, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2220. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Member voted No, and none voted Present. The Senate concurs in House Amendment No. 1 to Senate Bill 2220, and the bill, having received the required constitutional majority, is declared passed. On the Order of Concurrence, Senate Bill 3195. Senator Schoenberg, do you wish to proceed? Senator indicates he wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3195.  
Motion filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg, to explain his motion.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I urge you to concur in House Amendment No. 1 to Senate Bill 3195. House Amendment No. 1 makes several revisions to the Fiscal Year 2005 Budget Implementation Act. They include changing the name from the Economic and Fiscal Commission to the Commission on Government Forecasting and Accountability, to reflect some of the additional responsibilities that the Commission received over the past legislative Session; secondly, to amend the authorized transfer of unexpended balances for appropriations for information technology. They were formerly just to be transferred only to GRF; however, there's greater

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

specificity in this amendment to allow them to be made not just to GRF, but to the Statistical Services Revolving Fund, the Communications Revolving Fund, as designated by where the need is. There is a fund transfer to GRF for -- from several funds: the State Crime Lab Fund, the State Police Wireless Service Emergency Fund, the State Offender DNA ID System Fund, then the State Police Whistleblower Reward and Protection Fund. These are excesses which have been received and will go to the State Police to address some personnel needs in the supplemental. In addition, the Wireless Service Emergency Fund is added to the prohibitive transfer -- list of prohibited funds by which State funds could be transferred from Fiscal Years '05 to '07. The Finance Act and Pension Fund Continuing Appropriations Act is amended to allow a non-GRF line item that's insufficient to pay for the contribution to the Employee Retirement System due to any limits, to be repaid for the remainder of that fiscal year from GRF. As you know, that the continuing appropriation activates the line item if -- for these appropriations if the amount of money is exhausted. It's anticipated in '05 -- Fiscal Year '05, the Road Fund line for the State Police and/or Secretary of State may be insufficient, so this would ensure that there would be no gap or diminution and that they'd be paid for by GRF. And finally, there are some -- there are technical changes clarifying the replacement charge for registration -- stickers on license plates. That covers it. I'll be happy to attempt to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

WFLD-TV Fox Chicago requests leave to videotape the proceedings. Without objection, leave is granted. Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. -- thank you, Mr. President. A question to the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Senator indicates he'll yield, Senator Bomke.

SENATOR BOMKE:

By changing the name of the Economic and Fiscal Commission to the Commission of Government -- on Government and Forecasting

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Accountability, does this in any way allow the Governor to change personnel by -- by changing personnel, adding personnel?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

No. Those -- those are at the discretion of the -- the personnel issues are at the discretion of the Legislature. What this really does, changing the name reflects the additional responsibilities. For example, we have absorbed -- I'm the Senate Co-Chair of the Commission. So we've absorbed what -- the work of the former Pension Laws Commission in reviewing not only legislation relating to pensions, but also addressing the larger issue of how to -- of how to deal with the underfunding of the State's retirement systems. And in addition, we've also now been charged with reviewing all facilities closures as a result of the budget agreement -- and making recommendations as a result of the budget agreement. So it was felt that given these increases, that's what we would do.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR RISINGER:

Yeah. Senator, you touched on it, but there is a -- a provision in the amendment, as I understand, that protects the cap on the Road Fund. There's a cap on the Road Fund now, and yet it has been exceeded. Can you explain how you can exceed a cap in the Road Fund, how that was being done and why this protection needs to be in there?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

My response to you would be that, not surprisingly, even after the '95 pension reform law, we have found that the allocations which have been certified for meeting pension needs are inadequate. That's something that both the Economic and

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Fiscal Commission, or as it'll be known later on - whatever the eye chart abbreviation for this new name is - and both the Governor's Commission on Pension Reform are seeking to address. I can't answer specifically why they've exceeded the cap. I think -- it doesn't come as a surprise. I think what's more important is that we ensure the integrity of the pension contributions for this -- for these personnel, that -- and that they not be concerned that there'll be any gap or any diminution of contribution towards it. So, if they do exceed that figure, it will be paid for through the General Revenue Fund.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

Well, it appears to me that they have been using the money under the cap and then using the continuing appropriation to exceed the cap, and this does that protection, as I understand it. I think that's a good thing. I appreciate it being in there. I recommend an Aye vote for this amendment.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 3195. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Member voted No, and none are voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 3195, and the bill, having received the required constitutional majority, is declared passed. On the Order of Concurrence, Senate Bill 3196. Senator Trotter, do you wish to proceed? Senator Trotter indicates he does. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3196.

Motion filed by Senator Trotter.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Trotter, to discuss his motion.

SENATOR TROTTER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Thank you very much, Mr. President, Members of the Senate. House Amendment No. 1 to Senate Bill 3196 amends several Acts, inclusive of the Use Tax Act, Retailers' Occupation Act, the Local Mass Transit District Act, the Regional Transportation Authority Act, the Water Commission Act of 1985, and additionally, the -- it amends the Uniform Penalty (and) Interest Act in the Revenue Code. Specifically what it does, it disallows the sales tax exemption in Illinois which currently is allowed on vehicles purchased by out-of-state residents if that individual's state of residence also disallows the exemption to Illinois residents. This amendment also revises the penalties that were added to the Uniform Penalty and Interest Act and deals with the State financial BIMP. This is a -- in retaliation or a reaction to a law that was just passed in Indiana, newly enacted in Indiana, addressing sales tax. So, if there's any questions, I'm certainly willing to answer.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I rise in support of the bill for two reasons. It's easing up on penalties for people who are either late or - the interest penalties. It cuts them in about half, from the discussion in the committee. It's still a hefty penalty, but at least it's back into -- more reasonable. And then it's a tax compliance, that when people buy things in Illinois, like automobile, they pay a sales tax in it. So, congratulations to the sponsor, and I -- I'm -- I stand in support. Please vote Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much. I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 3196. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, none voted No, and none voted Present. The Senate



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

concur in House Amendment No. 1 to Senate Bill 3196, and the bill, having received the required constitutional majority, is declared passed. On page 2 of the Supplemental -- Calendar, on the Order of Concurrence is Senate Bill 3199. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 3199.

Motion filed by Senator DeLeo.

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo, to explain his motion.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3199, this is to concur in the Amendment No. 2. Amendment No. 2 allows the judges of the retirement system who choose to accept a position as legal counsel in the Office of Governor and/or Chief Deputy Attorney General, they can refuse to participate in the State Employees' Retirement System. And basically what that is saying is that if a former or retired judge comes to work for the Attorney General or for the Office of Governor, they can continue collecting their pension and they'll get a salary, but they will not participate in the retirement system. So I ask for the adoption of Amendment No. 2 to Senate Bill 3199, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. I just rise in support of the motion. I think this is really vitally important in government when we've got good, talented people and we want to keep them and we want to get 'em in positions of responsibility. So, I rise in strong support.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR ROSKAM:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Senator DeLeo, we talked a little bit about this in Executive Committee. Can you tell, just for the benefit of the Members, what -- what -- what's the initiative here and why it's necessary, and out of the -- the various legal talent that's out there, why the various constitutional officers find it necessary to go back to retired judges for help?

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo.

SENATOR DeLEO:

Well, thank you very much, Senator Roskam. And as you know, as being a licensed attorney in the State of Illinois, that some of the fine, fine legal talent that serves on our judiciary, there's one of the greatest minds, legal minds, currently serving in the judiciary. And I think that if the Attorney General or the Governor has gone out to seek a legal counsel or a chief -- as the Attorney General's Office, Chief Deputy, they're looking for some people that have vast experience in the -- in the -- in the field of law.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Senator, have you contemplated a salary cap of any kind, because based on the discussion and the testimony in the Attorney General's Office, the position that we're talking about has an annual salary of a hundred and twenty-nine thousand dollars? Assuming, for the sake of argument, the type of highly talented person you're discussing came off of a hundred-and-thirty- or a hundred-and-forty-thousand-dollar salary as, let's say, a retired appellate justice, or lower that slightly, eighty-five percent of that is about a hundred and twenty-thousand dollars. So, what you're talking about is someone earning a quarter of a million dollars, plus or minus, within that striking distance. Can't we come up with a better idea that says -- instead of somebody making in the neighborhood of a quarter of a million dollars, can't we come up with a better idea that says let's -- let's give them something, but let's come up with a cap on this thing?

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

SENATOR DeLEO:

Thank you, Senator. To answer your question, caps were not discussed in this. These two positions that we're talking about, both of them are budgeted positions, and I believe the chief counsel -- legal counsel for the Governor's Office was budgeted last year in the Fiscal 2003-2004, one twenty-nine, and I think it was something comparable in the Deputy -- Attorney General's Office. So, caps were not discussed.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Well, thank you, Senator. Briefly, to the bill. I love it when -- when we're on the -- you'll remember this from your days in English class, when we move into the passive voice when we speak to one another and we say caps were not discussed, as if caps are an active thing. Well, we are the people that do the discussing, so apparently caps were rejected as an idea, and I think that that's a bad idea. What we're about to do is to say that, looking out over all the landscape, the only people we can find are former judges to do something. And you know what? That might be true 'cause there's a lot of talented former judges out there, but the idea that -- that we can't come up with something that makes it interesting and compensates them for their time and so forth, but we've got to have -- we're about to vote, essentially, on a position that's going to be funded by the taxpayers in the neighborhood of a quarter of a million dollars. That is what these individuals are going to be earning from the taxpayers. And I'll tell you, this issue came up two or three years ago out in my neck of the woods, as it related to some county officials, and my constituents reacted very, very, very harshly to it. So, this may not -- you may not want this to be your swan-song vote for this General Assembly and I would urge a real sense of caution. Think this one through.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR DeLEO:

Thank you very much, Mr. President. I ask for concurrence in Amendment No. 2 to Senate Bill 3199.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

PRESIDING OFFICER: (SENATOR WELCH)

This is final action. The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 3199. 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, 36 Members voted Yes, 21 Members voted No, and 1 Member voted Present. The Senate concurs in House Amendment No. 2 to Senate Bill 3199, and the bill, having received the required constitutional majority, is declared passed. Senator Burzynski, for what purpose do you seek recognition?

SENATOR BURZYNSKI:

Thank you, Mr. President. We would request a Republican Caucus immediately, for about fifteen, twenty minutes. We understand there's a controversial resolution that could be coming up and we'd also like to discuss other matters. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link, for what purpose do you rise?

SENATOR LINK:

Yes, Mr. President. There will be a Democratic Caucus in the President's Office immediately, for about the same period of time.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, we will return at twenty minutes before the hour of 4. The Senate stands in recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

The Senate will come to order. Ladies and Gentlemen, if we go back to Supplemental Calendar No. 1 on the second page, we have Concurrences. On the Order of Concurrence, we have Senate Bill 3362. Senator Welch, do you wish to proceed, sir? Madam Secretary, he indicates he wishes to proceed. Please read the motion.

SECRETARY HAWKER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 3362.

Motion filed by Senator Welch.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch, to explain the motion, sir.

SENATOR WELCH:

Thank you, Mr. President. House Amendment No. 2 to Senate Bill 3362 is the supplemental appropriations for Fiscal Year 2005. The total amount of the appropriation is two hundred and eleven million dollars, covering several different agencies. In particular, the bill spends a hundred and twenty-four million dollars for the Department of Public Aid, which is the spending authority for the Hospital Provider Fund. This money is from other sources, other than General Revenue funds, meaning it's a federal source. Secondly, we also have -- we have money in here for the Secretary of State for security at both the Stratton Building, the State Capitol, the Howlett Building to make sure that the individuals visiting these buildings, as well as those who work here, are safe. The bill also provides for payment of Court of Claims outstanding debts, as well as court-ordered debts. It increases funding for the Access to Recovery Program, which is an alcoholism and substance abuse program, to the tune of fifteen million dollars, and does various other appropriations, and I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Senator Radogno, for what purpose do you rise, ma'am?

SENATOR RADOGNO:

Thank you, Mr. Chairman. To comment on the subject before us. As Senator Welch pointed out, there's a number of things in this supplemental. There's a couple of areas I'd like to touch on. As -- as usual, there's some good and there's some bad in this supplemental. There are -- is twenty-two million dollars included in here for IDOT, which essentially restores the cut that was made only six months ago. So, essentially, we have a situation where the administration is coming back to us, a mere six months later, saying that they can't live within what they had agreed to six months later. So, that is in this bill. The

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

other thing that you may have heard about that is not in the bill is twenty-three million dollars for DHS. That's also a similar situation where the administration is now saying that they cannot essentially fund the contract that they had agreed to and passed, again, just a -- a mere few months ago. That is out of here because we did not like the way that they were proposing that that be funded. The original proposal from the administration that is not in here, but that I'm hoping we will -- we will see in a future bill, would have redirected money from the community care side into the institutional care side of the Department of Human Services, and that's something, as a matter of policy, that we're trying to move away from. We want to be supporting the community care side. So, as an alternative, one of the things that has been discussed is potentially an additional appropriation at a future date to cover those costs, but again, the -- the salient point here is that we are now having to go back and -- and redo agreements that were made only six months ago. That's the bad, in my opinion. There's a lot of good in this as well. One of the things that our caucus argued long and hard for was inclusion of the -- funding for a managed care task force, to have an independent look at how we might improve the Medicaid program in this State. There's death benefits for the military. There's money for the school consolidation funding that had been underfunded originally. We have more people wanting that money. And also, bonus incentive grants for those of our constituents who purchased college bonds and were expecting to receive that money, that is included in here. So, typically, there's good and bad, so I would recommend for our folks to do whatever they want to do with this supplemental. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? Any further discussion? Senator Brady, for what purpose do you rise, sir?

SENATOR BRADY:

Sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Senator Welch, aside from the hospital assessment money in this bill, how much of this is new GRF spending?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

It'd be 38.9 million dollars from GRF.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Senator, where are we going to get that money?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Well, Senator, the budget is going to be spent based on projections of revenue. I believe the Governor may be seeing a revenue source that we don't see yet. Certainly he can't spend money he doesn't have. So, we pass this with the understanding that the Governor's under the opinion the economy's getting better, and that's where the money's going to come from.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

And if it doesn't?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

There's five and a half months left in the fiscal year and I think he'll probably be back here with a new proposal.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

But the fact remains that if it doesn't, people who we owe money to are going to go without money because we're spending money today we don't have, correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

We have budgeted money that we may not have; however, for the first six months -- six and a half months of the year, which

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

we're in, we do have enough money to pay for the first six and a half months. We will have enough to pay. Obviously, the Governor's going to have to do some additional cuts if he sees the cutting as being of a lesser priority than these proposals. And I'd point out, one of the proposals in here is twenty million dollars that we all supported, I believe, for the deceased veterans of the Iraq war.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Thank you. Senator, did the Governor offer any cuts? I mean, here he is six months into his budget. He's asking us for another forty million because he couldn't live within the budget that he agreed to. Why is he waiting to offer cuts if this doesn't happen? Why don't we deal with cuts right now? I mean, that's what I have to do in my business. That's what most of Illinois has to do in their businesses. That's what people have to do in their homes. Did the Governor provide one area where he could cut out of a fifty-plus-billion-dollar budget?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Senator, there are several transfers within the budget that -- that come from GRF, some 5.2 million dollars, as well as transfers that the Governor is probably contemplating as well. That's one of the ways that he's been balancing the budget in the last two years.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Balancing the budget doesn't come to us with an additional need of forty million dollars after six months. I mean, I -- I hate to say this because I'd like to be supportive, but offering five million dollars in transfers when you need forty million in more money isn't exactly what I'd call fiscal responsibility. Maybe you would. I doubt it, because I know you. This is not what we should be doing right now. Now, I'm going to support this bill because of a couple things that you've suggested. One is the hospital assessment. Our hospitals need the money. Two



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

is our military. There's not one of us that probably -- not one of us that will turn our backs on our military, probably won't vote against that for that reason. We owe that to those people. School construction -- or, consolidation - excuse me - the Governor promised to fund that, made a mistake. Now we're back here again. There are three issues for which I'm willing to concede and vote for this piece of legislation. But I think it's time we all send a message, not just this side of the aisle, but that side of the aisle. We've got economic problems, and it's time we dealt with them seriously. And coming to the Legislature six months into the budget cycle asking for forty more million dollars in GRF with lame excuses and no cuts is irresponsible. I would ask all of you to join me in sending a message to this administration. Let's stop pretending to govern; let's be a Governor, and let's balance our budget.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Welch, to close, sir.

SENATOR WELCH:

Thank you, Mr. President. With the five and a half months left to go, certainly the -- the Legislature can come up with additional sources of revenue. The Constitution requires that we pass a balanced budget by the end of the Session -- the end of the fiscal year, rather, and I think there's still plenty of time to do that. This is a listing of priorities for the State that the Governor and the Legislative Leaders have put out here, encouraging you to vote for them, and certainly there is a -- a way to find the money to pay for these, as well as continue to work towards a balanced budget by the end of May, or the end of June, depending on how long the Legislature's in Session. So, I would just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay. This is final action. The question is, shall Senate concur in House Amendment No. 2 to Senate Bill 3362. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 1 Nay, 0 voting Present. The Senate concurs in House Amendment No. 2 to Senate Bill 3362, and the bill, having

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you rise, sir?

SENATOR LAUZEN:

I would -- unfortunately, I didn't get to my switch quickly enough. I'd like the record to record I would have voted Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect your intention, sir. At this time, Ladies and Gentlemen, we're going to a resolution. I'd ask all staff to retire to the rear of the Chamber, please. All Members please be in their seats. Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 777, offered by President Emil Jones and all Members.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, please read the resolution.

SECRETARY HAWKER:

Senate Resolution 777.

(Secretary reads SR No. 777)

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you, Madam Secretary. The Chair recognizes President Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. Our colleague who is leaving us, Senator Welch, we both came to this Chamber in 1983, and I said then, "Who's this feisty individual from LaSalle-Peru?" But after working with him for a number of years, I recognized that he was a person keenly interested in the environmental issues of this State. He's always championing the cause of the consumers of the State of Illinois. I loved when we -- we became the Majority, when he had the opportunity to sit in the Chair and -- where he showed that he was fair to all fifty-nine Members of this Chamber. He let them speak -- he let them speak and voice their opinions, but he always was interested in the decorum of this Chamber. Serving here, you often serve with people from all walks of life. This institution affords each of us the opportunity to really get to know someone that you would -- you had -- you would never have come in contact with. So, Pat, we've enjoyed you quite well. He's a

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

expert on utilities. I believe when he leave here -- is it SBC you're going to be working for or ComEd? But we're going to miss you. We're going to miss you in this Chamber. We're going to miss your wit. We're going to miss your knowledge. We're going to miss all the great contributions that you have made. It's been a pleasure serving with you these past twenty-two years, but I know we will continue to see much, much more of you. We wish you well. We wish all the best for you. And it's been my pleasure in calling you my colleague and my friend.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacqui Collins.

SENATOR COLLINS:

Thank you, Mr. President. Pat, the best way to say goodbye is to reflect on my opinion I formed of you at our first hello. At our first meeting, I was immediately impressed with your sharp wit, your keen intellect and our mutual admiration for the Kennedy tradition in government. In tribute to you, Pat, I want to say you have been true to the call of public service as articulated and exemplified by both John and Robert Kennedy. Your respect for the role and responsibility of government in a representative democracy is reflected in your twenty-two years of leadership and vision in the Illinois General Assembly and is reflected in your tenacity in championing the core democratic values that make this country and State so great. I'm sure John and Robert Kennedy would be proud of the honor you bring to the political process and would want to join with me in saluting and congratulating you today. I will miss you and your profound sense and sensibility to the dignity and decency of public service. Your distinguished tenure in the Illinois General Assembly has truly been a profile in courage.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President. Well, I've had a -- the privilege of working with Senator Welch on the Energy and Environment Committee and, as you can imagine, we had a lot of good debates in there. We agreed sometimes. There were other times we certainly didn't agree, but it was always a good debate. We always had fun. Our great Chairman, Senator

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Clayborne, always tried to run a good committee. But - because this is on the public record, this committee hearing, I think I can share this with you - but there was one particular morning where things got a little out of hand, and you -- you're probably not going to believe me, but you can ask the other Members of the committee. This truly did happen. While we were debating one of Senator Welch's pro-environment bills, it really wasn't being well-received in committee. Senator Hendon took particular interest in the legislation and there became quite a discussion between Senator Hendon and Senator Welch, literally to the point where Senator Hendon asked Senator Welch if Senator Welch was questioning Senator Hendon's blackness. Can you -- it happened. I'm not kidding. Can you image anyone questioning Rickey Hendon's blackness? That happened on the record in committee. Usually -- usually things weren't that crazy, but it got of hand there. But another -- another item on Senator Welch, that -- you know, there's no one who can unify this side of the aisle like -- like Senator Watson when he's throwing his papers up in the air, but there's one person who comes kind of close, and that's, obviously, Senator Welch. It kind of -- I think I had some flashbacks to fifth grade at St. Paul of the Cross School with Sister Michaela. When she -- when she felt somebody needed a little attitude adjustment, she would bring them into the cloakroom and they -- they're attitude was certainly adjusted after that. But when -- I think when Senator Welch tried his attitude adjustment from the Chair, it had the exact opposite affair -- effect, and you certainly unified this side of the -- the aisle. So, we greatly appreciate that. We're going to miss you. It's been very interesting. It's been a lot of fun. Good luck.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Chairman Clayborne. Your name was used in debate, sir.

SENATOR CLAYBORNE:

That's not because I have my light on, is it? But anyway. I've spent time with Pat and -- on committees - Appropriation - and Pat has always been - I call him Patrick, actually - has always been a defender of when we were in the Minority, when some of my colleagues on the other side were pretty vicious in

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

attacking some of the newly elected Democratic statewide officeholders. And Pat always came to the forefront and defended them and -- with honor. And, you know, I -- and I sat back for awhile and I would look at Pat, and he got more enjoyment out of it, and sometimes I thought he actually had staged the questions for the Members of the other side of the aisle. Pat has taught me a lot, and in that same committee last year, just before committee -- or, the day before committee, Pat and I were talking and Pat likes to quote people and quote movies, and he told me, he said, "Jimmy, have you ever seen this scene in Dallas?" And I said, "No, I haven't seen it, Pat." And he went to explain that Bobby Ewing went to Jock Ewing and said, "You've got to help me gain power and respect." And Jock Ewing told Bobby, he says, "Respect and power are something that you take." So, I took that and I -- I appreciated that -- that, Pat. So, two days later -- or the next week, Pat came with one of those great Pat bills. So, I told Pat, "Pat, we're not going to call that bill." He says, "What do you mean, Jimmy?" I said, "Because I'm taking my power, Pat." But, truly, Pat, you will be missed. I've enjoyed the time that we've spent together. I've learned a lot from you. I have a lot of respect for you. You know, I told Pat -- after he lost, I called him up, and he answered the phone graciously. And I said, "Pat, if you had called me, I would have assisted you." He said, "Jimmy, that Monday I didn't know I was going to have any problems." And -- and I -- I say that to say that in this Body, many things happen, many faces will change, but, Pat, you will always be a person who's made an impact on a lot of people in this Chamber. And God bless you, and wish you the best in the future.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As one of the newer Members of this great Chamber, I wish to express my appreciation to Senator Welch, for his tenure in the Chair especially, and he afforded me a -- a singular -- a couple of singular moments of my life when I was reminded quite forcefully by the Chair that this was not the House and I was in the Senate and I had breached a custom of the Senate, which I

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

have taken to heart and haven't done that since. And I thought after those two incidents, that perhaps Senator Welch suffered a great indignity in the House and looks back upon that experience with a great disdain and looks upon passage through the House as we in the Catholic Church look upon purgatory to get to paradise on this side of the Rotunda. However, I now realize that Senator Welch is truly proud to be a Member of this Senate, and that great pride has infused his work and will be his legacy in my mind. He has given me, instilled in me, in all of us, despite an occasional difference with a ruling of the Chair, that a -- a further reason to say this -- a membership in this Senate is a great gift from the citizens. Thank you, Senator Welch.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, Pat Welch and I served both in the House and the Senate, and I have to say this about Pat: He tries to stick to schedule, and he's been one of the best Presiding Officers we've had in the Senate. And I haven't always agreed with some of his bills. I thought they were terrible, but I still like the guy. And he's always been pleasant and he doesn't carry a grudge. You know, that's saying something when you're here this long, and I'm in my thirty-second year here. So, I can honestly tell you that he's a very decent and caring person and he has done one of the best jobs as Presiding Officer in this house. And I want to wish Pat the best. I wish you good health, happiness and success in your endeavors, except when you have to run for the Senate again. But anyway, just remember: There's always another road beside the Senate. And you have done a great job, and I thank you for it and God bless you.

PRESIDING OFFICER: (SENATOR DeLEO)

County Executive, Senator Welch -- Senator Walsh. I'm sorry.

SENATOR WALSH:

Thank you, Mr. President. As Senator Meeks said a couple of weeks ago, that I don't really have anything to say about

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Pat. I just -- there were a few people I forgot to thank when I gave my speech a couple of weeks ago.

PRESIDING OFFICER: (SENATOR DeLEO)

Please keep your remarks to the resolution that's on the board.

SENATOR WALSH:

But, in all reality, in all reality, I've known Pat for a long, long time, and when I first came down here as a Senator, Pat was one of the ones that took me under his wing and showed me around, introduced me to a lot of people and basically showed me how the operation worked. And, you know, I sat and I watched. And Pat told me, when we first got started, that as a freshman, when we went to caucus - even though we were in the Minority and we didn't have a lot to talk about, like, you know, you guys - that -- you know, that you go in and you decide who's going to talk in opposition to whatever the bill is that -- that is coming up. So, in caucus, I just sat there for the first two years as a freshman and didn't have a lot to say at all. And I always marveled when Pat would get up to talk, you know, and Pat would get called on. And -- and as he'd get up, he'd always get up and, you know, button this button and stand here and play with the microphone before he started giving his speech, but what an elegant speech it was. And then you could really tell that he hit his pinnacle when he pulled out a book and read a quote from Franklin Delano Roosevelt or Harry Truman or something in regards to what the issue was. But Pat has truly been an icon here in the Illinois State Senate, twenty-two wonderful years of representing his people in the 38th District. And I always enjoyed inviting people from my district to come to Springfield to see what the action was, to show off this beautiful Body and how government worked in Illinois. And Pat always used to tell me, he says, "Larry, why do you bring all these people down here? You know, one of these times you're going to bring somebody that's going to fall in love with this place and run against you and defeat you." And I said, "Well, if that ever happens, so be it." One night we had a group of -- a large group of people down and they stayed overnight, and we decided we were going someplace for dinner and I decided we'd go to Gabatoni's, a nice, little, quiet place. And as I walk into

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Gabatoni's with about twenty people, kind of rowdy, rambunctious individuals from my area and Pat's area, here's Pat sitting over in the corner with a lovely young lady, trying to have a nice quiet evening together. And my -- my guests all said, "Why don't we invite Pat over to join us?" and I said, "I think he'd rather be alone for the evening." So -- but, Pat, you have truly made a mark, made a mark in Illinois -- Illinois Senate history. We wish you the very best. You have truly been a wonderful -- a wonderful friend and a great, great representative that represent part of Will County. Wish you the best of luck.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. I wasn't going to get up today. I was going to give myself a rest, but I decided that I couldn't miss this opportunity. I've -- I've had the opportunity of knowing Pat before I came into the Illinois Senate and he actually caused me not to be in the Illinois Senate because he was helping me fill out a questionnaire before I came into the Senate and he was filling it out the opposite way. But we caught it before we finished it. But, Pat, I wanted to say something to you. I probably will be one of the people that will miss you the most in this Senate because it has come to my mind, besides the glorious bills that I have to carry, I may have the opportunity to have to carry some of the bills that you had to carry, and I don't think that's going to be a good task on my mind. So, I hope that we could spread this around in this Senate, that we can carry the bills that you've had to carry too. But, no, it's been a great honor working with you, this last two years of having your guidance, working with in Revenue, as being a freshman Chair of Revenue and having you there with us when we had no money to work with and trying to figure out some of those guidelines. And, Chairman Clayborne, Senator Welch gave me the same opportunity of showing my power and I did the same thing to him in Revenue when he had a bill. I told him we weren't going to hear it either in Revenue. So, I guess he gave me that same advice. But, Patrick, you gave us a lot of advice and we used it. And we're going to miss you, but we're



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

going to remember your guidance and we're going to remember those lessons that we learned and we're going to keep 'em in our minds forever and we're going to keep that guidance. And as long as you're not lobbying for something that we can't use, we're always -- our door will be open for you. Thank you, Patrick.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

Yes. Thank you, Mr. President. Very briefly, I'd just like to ask Senator Welch on his last day in the Senate if -- if I could finish my five minutes on O'Hare expansion. And -- is the clock on, Mr. President? And I know, as Sully said, you're an expert on utilities, and I also noticed you're an expert on rattlesnakes because of some of the previous discussions that we've had here. But I just have one request: On your way out, since you are an expert on the utilities, could you turn up the heat in the Senate, as you always did? Good luck.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Meeks.

SENATOR MEEKS:

Thank you so much. Senator Patrick Welch, you know, I don't have anything to say about you either. I simply stood to say that I think that my colleagues on the other side, unlike one of my other colleagues, I think you guys do have something to talk about when you go into Session, even though he said that you guys don't talk about anything. Hold on a minute. President Bush, I'm addressing the Senate at this time. Can -- can you call me back, sir? Thank you. Okay. Thank you very much. Pat, as a pastor of a church -- as a pastor of a church and a person who speaks every week for a living, I know that there are books on how to close a speech. And so I refer to those books quite often because you get to the end of the speech and you really want to say something dynamic and eloquent, and you really can't quite think of what to say. So, there are books or book of closings for almost every occasion. And I don't want the book that you use because I know that you have that book somewhere. Can you give it to Senator Hendon, because I would

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

love to hear him quote some of your great closings? Pat, we love you. We thank God for you and we're going to all miss you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

I'd just like to say some -- just some parting thoughts to my good friend, el gran Senador Patricio Welch - that's the great Senator Patrick Welch, my good friend. As a -- as a young Senator, just arrived just a couple years ago, and being a kid that was a product of two folks that crossed the river back in 1960 to this country illegally, and being a product of el barrio, of Back of the Yards, widely known in the book by Upton Sinclair, The Jungle, and being called to service, sixteen years in the federal government, and then being called again to service to serve as commissioner at the Water Reclamation District, and then being called to service to serve here representing the people of the great State of Illinois and the people of the 12th Legislative District and the barrios of Gage Park and West Lawn and La Villita and Cicero and Berwyn and Stickney, one of the first few men that I came into contact was -- was Pat Welch. And I remember, as I went around visiting many Members of the Senate Chamber, I -- first few folks -- one of the first few fellows that I visited was Pat Welch, and in his office stood pictures of John F. Kennedy and Bobby Kennedy and it -- it was always so inspiring to sit down and talk to him. And as he -- as you relayed your -- your -- the history and your thoughts about Bobby and John Kennedy and how they were so inspiring and part of who you are today in your career as a public official, well, those were some of the men that also had inspired me, men like Cesar Chavez and mens like Bobby Kennedy and John F. Kennedy who walked this earth well before I was even a twinkle in my parents' eye. Well, I'd like to say, you're truly a -- reading about your career in -- here in the Senate Chamber, reading about your dedication to the strong democratic principles that have become a fabric of our country and of this great State and of who we are today in the Illinois Senate Chamber with a Majority Democratic Caucus, you truly are a -- a profile in courage on some of the issues -- some of the environmental and social values that you have tried to uphold

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

throughout your career, and as your tenure here as a State Senator. I'd only wish that when I some day leave the Senate Chamber, that I would be construed as a man who is like yourself, Pat - a credit to our profession and really a -- a modern-day profile in courage. We're going to miss you and God bless you. Vaya con Dios.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, my seatmate. My seatmate. They told me -- reminded me -- he reminded me before I got up that we were on television, so I couldn't say all the things that I really wanted to say about Pat. And I hear all of this about Robert Kennedy and Bobby Kennedy. He has the Kennedy hair, that's about it. I'm Pat's seatmate. I sat with -- next to him, and when I moved next to Pat, they told me I was going to learn a lot. Well, I'm here to tell you, I ain't learned a damn thing from Pat Welch, absolutely nothing. And, yes, one day he questioned my blackness. Questioned my blackness, you-all! I'm like, "Pat, how dare you?" And I thought, I'm going to scare him. You know, normally I can intimidate white folk, you know. "Are you questioning my blackness?" He said, "Yes, I am questioning your blackness and your West Side." Man has all the nerve in the world. I brought him to the West Side one time, right? Had Pat on Madison and Sacramento. Middle of the hood, and I'm telling my people how we got to support this guy. I told Pat, I say, "Now, Pat, don't walk in like you normally walk, Pat." You know Pat. He's got that long neck and that high head and that little crook in his back, and he'd walk around. I said, "Pat, we in the hood. Now you got to, you know, put a -- you know, a little blackness in there, Pat." Never could get it right, you-all. Never could get it right. I had some of my people, "Rick, where you get this tall, stiff white dude from? Man, we got to vote for him?" "Yeah," I said, "that's my guy. That is my seatmate." I'll kill for Pat Welch, I -- I'm sorry. Pat, you know I love you, man. Oh my God, I -- I can't say nothing else, you-all. This -- I'm going to miss you. You were great. I really did learn some stuff, but I'm not going to give you all the good stuff. Everybody else has

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

said the good stuff. You're a great guy. Best of luck. And when you run again, don't come back to the West Side.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. You know, like Senator Link, I really wasn't going to say anything, but when Senator Haines {sic} got up and was talking about purgatory, it reminded me of Roman times when people running for office used to peel back their upper robes and show the scars that had been left in battle for citizens back home. And if there's anyone who can lift off the upper robe and show scars, Pat, from serving with you, I think I'm one of those guys. So -- but you know what, Pat? You -- you know, I -- I hear all these tributes and it reminds me of Shakespeare's Henry V, the morning at the Battle of Agincourt. The French chivalry, the finest - they're well-fed, they're all fat, they're sitting on their ponies, and there's this little group of Englishmen that had, you know, come with -- you know, King Pat -- I mean, King Henry V, and he's trying to get these guys all excited about getting killed that day. And he said something to the effect -- I can't quote him, but it was something like, good men and women will teach their children what we did here today. And he said that -- that those asleep at home will consider themselves accursed that they were not here with us in this battle. And even with all of what we go through together in this great Body, I would just like to say that you're a credit to this process and thank you very much. God bless you and I wish you well.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Pat, they all love you after all. See, I -- we didn't want to leave him wondering, and I think this is great. All these accolades are -- are wonderful and certainly well deserved. And as -- as an individual who came here eighteen years ago, as a freshman not knowing a thing about this place and having my doubts about having made the decision to come here, Pat was one of the first individuals that -- that helped me, in that he was available. You know, in this

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

place, we all have expertise. That's why we're here. But when you come here and you arrive here, you look to see who you can go to, who you can go to for an opinion, who you can go to for an opinion that will guide you, who you can go to for an opinion that you can trust, one that you can respect, one that you know will be consistent on -- on key issues, and Pat has been that consistent opinion, the consistent positions on environmental issues, utilities. And for that, I thank him. I thank him because he leaves this place, but we kind of live -- continue to live here on this Floor as a result of Pat's contribution to our own development. And I think the greatest compliment that -- that could be paid to any one of us here when we leave is the compliment that we made a difference with our colleagues and that we helped our colleagues do a better job here, be more effective. And I thank him for that. On behalf of the residents of the State of Illinois, I thank you for twenty-two years of service. I thank you for the sacrifices that you have made over the years, because every one of us has made sacrifices in order to get here, sacrifices in order to stay here, and our families pay a price. We pay lots of prices, and we have to remember that we don't have to do what we do. And so when Pat spends twenty-two years of his life contributing the way he has and leaving the imprint that he leaves here today, we must pause, as we're doing here today, and just say thank you. And, of course, we're going to miss him in the Chair. You know, our days when we have that busy schedule and we've got lots of stuff on the Calendar, Pat was the go-to guy. He was the one to keep things going, keep that -- gavel moving. Yes, Jimmy's waving it. He kept us going. I know sometimes you didn't like the way he did it, but he has to be acknowledged, recognized as having been the most efficient, the most efficient - not hatchet man - the most efficient, the most efficient Chair that -- that we've had here in -- in the last few years. So, I thank him. And, Pat, lots of luck.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It's just good to see Pat here. I was a little

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

surprised that he made it today, that they could stop all the bleeding from all the swords he fell on for the Governor. But it's my understanding that's all going to work out, Pat, 'cause I understand you're going to be taking Bradley Tusk's place. Because if anybody has fallen on the sword more than Bradley Tusk, it's -- it's Pat Welch. You know, everybody's talking about Pat teaching them to take power. Well, in 1986, when I first come in, I -- I got on the Energy and Environment Committee with Pat, and Pat was Chairman. And -- Pat taught me how to run a committee, by watching him and his inability, at that time, to get things passed. You know, for those of you who don't know it, Pat originally was going to be the environmental Governor, and that seemed like a pretty good idea at the time. The environment was hot and everything, but Pat ran into a few roadblocks. So, Jerome Joyce and I were on the committee, and often Pat would come up with one of his bills, and Jerome and I had a -- a little system worked out. We would work -- if it was an odd-numbered bill, he would -- he would make the second. If it was an even-numbered bill, I'd make the second. And we'd do that 'cause Pat sometimes, in his own committee, had problems getting a second to his bills. So, what we would do, is we would do that. We've give him his second so he could have the vote, and then Pat would be the only one that voted for it. So, you know, for those of you who haven't been around long enough, you don't realize how much Pat Welch has mellowed. Pat Welch has mellowed tremendously over the years, and I -- as -- as Larry Walsh said, when he gets up and buttons that old coat and adjusts the -- we're going to miss that, Pat. And let me tell you one thing about Pat Welch: Pat Welch is -- is a dual personality. He truly is. When he's here in Springfield, he is all business and he wears his feelings on his sleeve. But, you know, you get him away from here and he's an altogether looser, kinder, more gentle individual. So, Pat, you know, we love you. You -- as I said, you -- you have fallen on the sword many, many times for this Governor. And, you know, we always look, as legislators, whenever that happens, you'd think the Governor would give you a call. It's my understanding he hasn't. Maybe it's not too late, Pat, to get that. And -- but the thing with Pat, that was never his intention. His intention was always to

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

do what was best for the people of his district and the people of the State of Illinois. On many instances, Pat and I disagreed on a lot of issues. But you know what? Afterwards we'd go out and maybe tip a beer and it was never brought any further than that, and that's something we can't say about a lot of our Members. So, Pat, we love you and we're going to miss you, and anything I can do for you in the future, feel free to call upon me.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. You know, Pat, I -- I -- I didn't -- I was going to bring this up, and I wasn't going to bring it up 'cause I thought it -- we were supposed to be nice to you and I -- I don't know. I think I'm the only caucus chairman that's ever been denied a caucus, and I think you were in the Chair that night. But we'll not go there. That's -- that's in the past. Many of you don't know -- Senator Jacobs talked about Pat being more mellow now than he used to be. And I don't know, Denny, I think maybe Pat was more mellow in prior years and some of you don't realize this because you're relatively new. There are a lot of new people in the General Assembly. But Senator Welch used to be my Senator when I first moved into the DeKalb area many, many years ago in the old 38th District. And so, I knew Senator Welch in a prior life, prior to my coming to the General Assembly, and even then, we had a great relationship. And I -- I will say that, Pat. I think we did at that point. We could talk about a lot of issues. We could disagree on some, but it was just a great time. And even when I first came into the General Assembly as a State Representative, Senator Welch was my Senator, where again, we could talk about issues and we had a great time. And then, Senator Jacobs, he was very mellow for ten years, it seemed like, sometime from '93 to 2003, and, Pat, I don't know what happened the last two years. But certainly I have always appreciated the fact that -- that we had that relationship and that we could talk and that we could visit. And there have been a lot of days when we've commiserated over certain types of things, and maybe disagreed, but yet could talk through those

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

issues. And I have really appreciated the way that Pat helped me when I first came into the General Assembly, and as a constituent of his in a -- in a prior life, and even in the last couple of years when Pat would try and help me and say, "Senator, I know that if you will -- can help us vote - you're going to have an opportunity to vote on this bond authorization - I think we can get that money for Northern." And I -- I've appreciated that. I've -- I've had to, you know, say, "Nah, I don't think so, Pat," but -- but I have appreciated his willingness to help us and certainly wish you the best in your future, the best of successes. And it has been great working with you in prior lives, as well as now.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. Pat, I was thinking about the ways in which you leave the General Assembly. I think I've got all the options here. I think there's four ways to leave. One would be to retire, hopefully with a full pension. The second would be to lose an election and then leave. Thirdly would be to die. And fourth would be to be indicted. So, you're -- you're not leaving under the best of conditions, but when you think about it, it's better than some of the other options. And -- and when you think about it, when you do leave, whether you retire or lose an election, the same thing happens at the end: People get up and say nice things about you. If you die, they'd probably even say nicer things about you. And if you're indicted, there's probably not going to be any speeches, and -- and people would probably remember -- never remember even talking to you. So -- so, since you didn't choose the best way, I guess we're supposed to feel sorry for you that now you're forced to become a lobbyist and triple your salary and have to wait to see if Rickey Hendon would see you, which I can imagine would be, you know, somewhat -- maybe the low point. But just think - you will have that money. As someone who's been here for -- in the General Assembly for twenty-six years, I'm certainly not a fan of term limits. In fact, I'm instead a fan of institutional memory, and that's really what we're going to be losing when we lose you. You have done a -- a great job as



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

being an articulate partisan. You've been very dedicated to your constituents - I know that - and you have a great love for this institution, as -- as we all do, and you will be sorely missed.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. Pat has been the recipient of many kind words this evening, but my colleagues and I in this aisle would like to give him something tangible as a going-away present. So, Senators Forby, myself and Senator Haine would like to give you our flowers today. But, quite seriously, I -- I just want to thank Pat for his answering my incessant questionings during committees. I've relied on your expertise and I'm very definitely going to miss it. Thanks, Pat.

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. I appreciate the -- the acknowledgement. And, Senator del Valle, we do not love, on this side of the aisle, Pat Welch. And -- and, Senator Jacobs, at least Rickey Hendon will see him. We will not miss Pat Welch in the Chair, as some of you have said. But -- and in -- in -- in quite candor, I mean, that's -- that was kind of joking, I guess. But, really, you know, Pat and I came in together in 1982, you know. And -- and -- and we've -- we've obviously had our differences in the last couple years, and it wasn't always like that. Wasn't always like that. We -- in fact, things have changed in the Floor here and I -- and I think it's -- it's not been for the better, because I go back to the days when we would have our differences on the Floor and then we'd go over to -- and we're probably the very -- only a couple of us on the Floor can say that we were in Mr. B's, Sorry Charley's and Play It Again Sam's, all of which was the same place, by the way, but changed its name over the years. But we'd go over there and -- and we'd all have a drink or two and -- and talk about other things than what went on on the Floor. You know, that's -- was a different time. It really is. I don't just -- I don't see that today as much as we used to, and maybe

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

it's just because they closed the place over there, I don't know. But that's something I think we need to try to get -- get back to, because we can have our differences on the Floor. And -- and we certainly do. And I'm sure that many of you have that same feeling towards me, as we did to Pat. So -- and I don't like that. I don't -- I don't think that's good for the image of the Senate. I don't think that's good for us individually, and -- and that should change. And one thing that I would like to -- to comment about is when -- when Pat came in, we worked together on some education issues and -- and Pat became, other than Vince Demuzio, Deanna -- Vince Demuzio was arguably the downstate Leader. I mean, he was the guy that everybody looked to for downstate issues. But you were always the second guy. And, in fact, when -- Vince has left. You've kind of taken over that -- that responsibility. And that hasn't been easy for you in your caucus, and you've -- you've stood on this Floor, in many cases and many times, and argued the position of -- of a downstater, contrary to the -- the vast majority of your Members. And the fact that you've assailed your respect to the position that you have now on this Floor, in light of the way you -- you are -- you're outspoken, you're opinionated, you don't mind getting in somebody's face, and those are all, I think, positive attributes. And the fact that you've -- you've been a success in this process here is a -- is a major -- I think you should take with you as a -- a legacy of the respect that you have, certainly among your colleagues and over here also. We -- we understand the position you were in, in many cases, and you were the guy that had to be the -- the tough guy. We understand that and we respect you for that also. So, I just -- I wish you well. I will see you when you come by my office and you want to lobby a bill. You -- you come on in. And -- and we wish you best of luck. And -- and I -- I just -- I really hate the way sometimes things happen on this Floor, and I think that when it does, it should be left here. And let's get back to that. So, Pat, good luck.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

Thank you, Mr. President. I'll be brief. I just wanted Pat to know that if the Democrat Caucus ever kick you out from the downstate area, you're more than welcome to be a member of the Black Caucus because we all know -- we all know that every time you get up and you quote Shakespeare at the end of the day, you're really rapping, Pat. And next time, we're going to drop you some beat. So you -- welcome to the West Side and to the Black Caucus. But in all fairness and seriousness, you know, when I first arrived here, I looked at the back row often for leadership and I would sit and we were in -- in the Minority, and I would love for them to give you guys the big fight at the end of the day. And I always knew that Pat was good for a good fight, which is another characteristics in being a member of the Black Caucus or being from the West Side. So, don't worry about your stiff walk. Loosen up a little bit. We welcome you on the West Side at any time. And after you gave your first Shakespeare quote at the end of the day, I no longer saw you as Senator Welch. I just said, "Hey, Pat, how you doing?" So, good luck. God bless. It broke the ice for us, and I just wish you nothing but Godspeed.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. For closing remarks, Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. A lot of things have been said today about our great Senator, Pat Welch, whether it's, "Wow! You must have a lobbying job. We noticed some new suits." He's looked better. Or, about those mellow times. And as you can tell, everybody had a different idea of when Pat was mellow. Well, if you hung out with him like I did, it all depended on his social life. We've been through quite a few dry spells, and I think that probably was maybe Pat's most cantankerous times, as many of you probably know. But I'd like to tell you how much I've learned from Pat Welch. We have represented Iroquois County together, Kankakee County together and Will County together, and since he had more seniority than I did and we had to speak at many places, he always got to go first. And as you know, Pat can be the great orator. He could get you going and he could just start, "Wow! Where did that come from?" But I learned after I had to speak

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

second that I had to do something about learning how to be a better speaker; otherwise, I was never, ever going to keep anybody's attention, and if I ever needed help, Pat was there to give it. Now, my secretaries could never figure out who was calling me, whether it was Welch or Walsh, and they both had 815 area codes. So, when we lost Walsh, I was figuring, well, now my secretary could always get it right, but now she doesn't have to worry about either name, unless they decide to call me for something else. I have many stories I could tell, most of which I probably shouldn't, but I think one of the ones that we -- we could talk about is the many times that, I don't care who you were here, if you had a problem or if you needed some leadership, Pat was the guy you could go to. He could always calm things down. Now, in your case, rile you up. But he was the one that we always knew would bring reason to the issues, and -- and especially when Senator Vince Demuzio would always say, "Come on, you guys. You got to come down to Carlinville and have a steak dinner." Every day towards the end of Session, Senator Vince Demuzio would always ask us to come over for steak. So, one day, Senator Welch said to Larry Walsh and myself, "Let's go to Carlinville and get the steak dinner over with." So, one night after a long session, he's like, "Okay, they're making steaks and, you know, I want to show you..." 'cause he was so proud of his home and wonderful Deanna. He goes, "Deanna's at home. She's making steaks. Come on, let's go." So, we're on our way down to Carlinville and if you can only imagine a car ride with Senator Larry Walsh, Pat Welch and myself, you -- you -- you could imagine. So, we're driving and -- you know, and it's getting a little smelly and, you know, the great farmer, Larry Walsh, said, "Ooh, I smell green." The farmer in Larry Walsh saw money, the green. He could smell green. And Pat Welch said, "I don't know. I just smell brown." I said, "I don't know about you guys, but I smell..." And I can't say it here. That was my first introduction to downstate and how they thought about farm country and manure. But once we got to Senator Demuzio's home, we got there and it was fried chicken. So, of course, Pat Welch said, "Hey, wait a minute. We came here for a steak dinner. Where's our steak dinner?" And Deanna, as wonderful as she is, said, "Senator, Vince has been

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

telling me every single night you were coming for steak. We ran out of steak. All we have left is chicken." So, we did have a wonderful night, and -- and I know Senator Viverito was with us also. But that was the camaraderie and the -- the things that Pat Welch wanted to make sure we all experienced. And we will miss Senator Welch, and I know I will specifically because he has sure taught me a lot in my district where I'm able to represent the people. And so, in closing, I just want to say, Pat, we in the General Assembly, whether we love you or we miss you -- or, we hate you, we're going to miss you. So, again, thank you so much for your many years of service and we love you very much. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Jones moves to suspend the rules for the purpose of immediate consideration and the adoption of Senate Resolution 777. Those in favor will say Aye. Those opposed will say Nay. The Ayes have it and the rules are suspended. Senator Jones now moves for the adoption of Senate Resolution 777. The question is, shall Senate Resolution 777 be adopted. All those in favor, say Aye. All those opposed, say Nay. The Ayes have it and the resolution is adopted. Senate will recognize Senator Pat Welch.

SENATOR WELCH:

Thank you. Thank you very much. Thank you. Thank you very much. Thanks. Thank you very much. Thank you for all those kind words. You know, it's unusual when you go through life and you actually get the job you always wanted, and that's basically what happened to me. You know, when I first decided to get into politics, I was in Indiana. I went to -- actually, I went down to southern Illinois to look at Southern Illinois, and my -- one of my brothers was down there and he said, "Well, you're not going to get to see the campus." I was going to transfer there from junior college. He said, "I'm head of the students for Bobby Kennedy. We're going to Indiana at six in the morning on a bus, the student union." So, I didn't see the campus, but we did go over to Evansville, Indiana, and I got to meet Bobby Kennedy and hear his famous speech. And it was just a tremendous experience, and from that point forward, I was interested in getting involved in politics. And the following

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

year -- that summer actually, when Bobby Kennedy -- after he was shot, I came over here with a friend of mine that I worked with at the IGA in Champaign, Illinois. And we had a day off and so we came over here one time to the State Capitol, to -- to look around and -- Legislature wasn't in Session. And we came up to the galleries in the House and the Senate, and my friend and I went over to the House and he looked over and said, "Boy, I'd love to serve here." We came over here to the Senate and I said, "Boy, I'd rather serve in the Senate." We're up there in the bird's -- what we used to call the bird's nest up there that now is just for cameras. And at that point, I always wanted to be here in the State Senate. And I ended up going to law school, the main purpose of getting into politics. I wasn't really all that thrilled about being a lawyer. I think a lot of people -- when you get a degree in political science, there's not a lot you can do with it except go to law school or get into politics, and I did -- I ended up doing -- doing both. So, I came here and was elected at age thirty-three and served twenty-two years, and I got to say that it was beyond my wildest expectations to be here for this long, or to be here at all, frankly. When you think about the odds of getting elected to a job like this, it's -- we really are very, very lucky to be here, because there are a lot of -- lot of people who envy us. Out of 12.6 million people, there are only fifty-nine of us get to serve here in the Illinois Senate, and it's -- it's such an honor that we sometimes don't realize it, but it certainly is. You know, when serving in the Senate as opposed to serving in the House, you know, someone referred to it as purgatory. Well, that's kind of the way, when you get elected and you're only a Senator, that we were taught. Phil Rock, whenever he wanted to disparage somebody in the caucus who came up with an idea he didn't like, he'd always say to them, "You've got a House mentality." That was his way of kind of letting you know that, you know, you're in the Senate now; we don't think like that here. And Vince Demuzio, my -- my great friend, would always try to round everybody up when we couldn't decide on something or people weren't agreeing. He said, "Damn it, this is the Senate!" And he -- he loved to do that, and he -- the older he got, the more he did it. So -- so, he -- many of you who were

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

newer recall him doing that from time to time. But I think that being here and with all these colleagues certainly has been an honor and something that I -- that I've enjoyed tremendously, together with the staff that we -- that we have here. And, you know, I think -- I think Jill Rock has been here as long as Emil and I have been here, and I think Dave Gross may have come about the same time. He's up in the gallery. And just a handful of others, really, were there. Linda Hawker, of course, was there, and Cindy Huebner. I don't know if she's here. She was my press person for a long time. And -- and -- so there are very few of us left from back then, including Frank Watson, who -- who we always thought, back in the eighties, "Boy, this guy's the most conservative guy we've ever seen," until the "Fab Five" got elected in 1992. And after that, we thought Frank was kind of a moderate. It was kind of -- he -- kind of surprised all of us how -- how it could have been a lot worse than in the eighties. But -- that's one -- another way things change, Frank. That's what happens. And my good friend, Emil Jones. I used to sit in the very front row there where Senator Harmon is and I sat there next to Dick Luft, and Emil Jones would come out of that back room and he'd look at us and give us a dirty look and say, "Downstaters," and just shake his head and keep on walking, then he sat over where Mattie Hunter sits. And he'd do that every day, and scared the hell out of us, frankly. We thought -- we thought -- we thought he was a little bit crazy actually, because we -- we never dealt with anybody like Emil before. So, it was quite a surprise to -- to be here with him. But, you know, Senator Lauzen came up with -- I didn't know what Senator Lauzen was going to say, frankly, but the quote that he came up with was one of my favorite quotes from Shakespeare from Henry V. In fact, it's -- it's probably one of the most famous quotes in English literature that goes like this: We few, we merry few, we band of brothers. He who fights with me today and sheds blood with me today is my brother; be he ne'er so vile, this day shall gentle his condition; and gentlemen in England now a-bed shall consider themselves accurs'd they were not here, and hold their manhoods cheap whilst anyone speaks who fought with us on Saint Crispin's day. I gave that speech in 1986, after I won my first reelection, standing on a chair about two

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

in the morning at our victory party, and Matt Ryan, Larry's chief of staff to Will County, reminded me of that over the last couple days. But, you know, being here in the Senate is something that -- that we all treasure. We all remember when we decided to come here and certainly we will all remember when we left, and hopefully all of us leave without the last two choices that Senator Cullerton mentioned. Since I've been here, I've seen people leave all four ways, unfortunately. So, it's a -- some of them were not pleasant. But, you know, being here in the Senate, one of the things that's -- that you realize is that when you're serving the public, sometimes you don't get to do a lot of the things you want to do back home. You don't -- you can't always plan everything because things don't always go on time. Sometimes the Session goes over. Sometimes events happen. Just last night, we had a going-away party. I didn't even make it to my own going-away party at 6 o'clock because we were here till 8. So, it's a -- it's hard to plan when you're in a job where you represent the public and have to do your duty. But let me just say how much I appreciate everybody here. I appreciated being here. Sometimes we might not -- might not have got along but that was just me trying to do what I thought my job was, and I thought that my job was to -- to make sure the Senate moves along and the Democratic agenda moves along. And certainly, if you're staying true to what you believe in, I think that sometimes you have to give some people leeway for the way they carry out their -- their purpose. And let me just say in closing that I think that the words of Robert Kennedy are certainly something that -- that I've always held dear and one of the reasons I decided to get into politics, and what he said was this: He said that each of us must become involved in the actions and passions of our time or risk being judged never to have lived. And I think those words of Robert Kennedy certainly ring true and probably hold true for every one of us here. So, thank you very much. I'm going to miss all of you. I appreciate all the camaraderie. I appreciate all the great debate, and I appreciate, most of all, the friendship. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

161st Legislative Day

1/11/2005

We will now 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. Also, with consent of the Body, the Senate -- Senate Resolution 761 will be removed and -- from the Consent Calendar and tabled. Madam Secretary, has there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, the question is, shall resolutions on the Consent Calendar be adopted. All those in favor, say Aye. All those opposed, say Nay. The Ayes have it and the motion carries, and the resolutions are adopted. Ladies and Gentlemen, there being no further business to be -- come before the Senate, the Senate stands adjourned sine die. The Senate stands adjourned.