

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

5/29/2005

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PRESIDING OFFICER: (SENATOR LINK)

The regular Session of the 94th 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 Isaiah Lightford, of Maywood.

ISAIAH LIGHTFORD:

(Prayer by Isaiah Lightford)

PRESIDING OFFICER: (SENATOR LINK)

Please remain standing for our Pledge Allegiance. Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Thank you, Mr. President. I just wanted to tell Senator Lightford -- I wanted to tell Kim Lightford that if Margaret Smith were here, she'd be very, very proud of your little fellow, as she called 'em. Now, that was wonderful, Isaiah. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Isaiah Lightford did an excellent job with the prayer today and I'm very proud of him, and I'm proud of Kim, his mother, who's trained her -- trained him so well. And I want to congratulate Isaiah for taking my place in prayer today, and sparing me, because you did such a great job. We're proud of you, Isaiah.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move that reading and approval of the Journal of Saturday, May 28th, in the year 2005, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter moves to postpone the reading and the approval of the Journal, pending the arrival in the -- of the printed transcript. There being no objection, so ordered. Requests to videotape or record: Illinois Information Service, - - WICS-TV and Squire Photography. Hearing no objection, leave

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granted. Madam Secretary, Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 369, together with Senate Amendments 1 and 2.

Nonconcurrent in by the House, May 29, 2005.

PRESIDING OFFICER: (SENATOR LINK)

Senator Forby, for what purpose do you rise?

SENATOR FORBY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR FORBY:

Today here I have Bobbie Decatoire grandchildren, who are here with us today. She has five grandchildren. She has four boys and one girl. Today, we got the boy and one girl here, Caroline Hopper and Andrew Hopper. Would you please give 'em a good hand?

PRESIDING OFFICER: (SENATOR LINK)

Will the Senate please welcome our guests? Will all Members in the sound of my voice please come to the Floor? Will all Members in the sound of my voice please come to the Senate Floor? Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes. A point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR DEMUZIO:

Well, today we have with us the children of one of our former staffers and also his parents. In the gallery right behind you, we have Ed and Doris Drea, and Tim Drea's wife, Elizabeth. And they're up in the gallery. And then today we also have with us Bridget Drea and her friend, Kayla Cooper, who will also be working as Pages with us. That's Tim's daughter and her friend. But in the Press Gallery, we have Andy Drea, who is

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going to be observing today because he's a writer for his school paper. So, he's going to be taking notes, observing the Senate and reporting back to the school. So, I'd like to welcome all the Drea Family here today with -- to be a part of the Senate observations and being a part of us. And I welcome the Drea's. Thank you. Would you stand, please?

PRESIDING OFFICER: (SENATOR LINK)

Will our guests please rise, and will the Senate welcome them? Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. As you recall, yesterday I had all my beautiful nieces down here visiting me. Today I'm honored to have my nephew and two of my other nieces come down today, as well. Since we weren't able to go home, I'm just -- just lucky to have a loving family that took the time to come and see what the hell are we doing down here. So, I have with me my nephew, Winston Trotter; his lovely wife, Amy; and their nanny, Maggie Crotty; and little Isabella Lola Trotter. So -- so, please welcome them to the Illinois Senate.

PRESIDING OFFICER: (SENATOR LINK)

Will we welcome our guests? I think while we're giving all these special tributes and seeing that I'm in the Chair today, I'd like to - if she's watching - say happy birthday to my daughter. It's her thirty-fourth birthday today. Lisa, if you're watching, happy birthday. For the purpose of an announcement. We will be standing at ease short -- for a short period of time. Just for everybody's announcement.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LINK)

Will all our Senators please -- please turn to page 38 of your Calendar. Senate Bill 955. Senator Raoul seeks leave of the Body to return Senate Bill 955 to the Order of 2nd Reading

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for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 955. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, to explain your amendment.

SENATOR RAOUL:

Floor Amendment 1 to Senate Bill 955 essentially does similar to what was done with Senate Bill 530, which called for private process serving to be used on deadbeat parents. Senate Bill -- 955 limits it to public aid cases only. And in -- in counties of less than two million, the option is still open to use either private process servers or the sheriff's office.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Raoul moves the adoption of Amendment 1 to Senate Bill 955. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments to be approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Senator -- Senator Raoul, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 955.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

The amendment is the bill. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 955 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 955, having received the required constitutional majority, is declared passed. We'll be going to page 73 on the Order of Secretary's -- Motions of Concurrence. On the Order of Concurrence. Senate Bill 431. 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. 10 to Senate Bill 431.

Motion filed by Senator Halvorson.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson, to explain your motion.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Amendment No. 10 was the amendment that finally came over here, and basically it had a few cleanup pieces in it, talking about uncontaminated concrete, you know, that has protruding rebar will not be considered waste. It will be considered clean construction. Then there's a few other pieces. But I think the -- the one that -- in committee that we were most interested in putting in that finally came over here was a list of different criteria on how to clean up the illegal landfills. So, I can answer any questions on 3rd or the amendment. Doesn't matter.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will.

SENATOR BURZYNSKI:

Thank you. Just as a point of clarification, Senator. Is this the Dick Mell bill?

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

No. This is the good government bill.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Burzynski.

SENATOR BURZYNSKI:

Then, as another point of clarification, is this the bill that deals with who can and who cannot own a -- a landfill and what their relationship can be?

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

That's one of the minor pieces of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, thank you. I -- I was over in the House when they debated this bill and it was -- it was quite an -- interesting, and that seemed to be the focal point of the bill. So, I just want to point that out to the Members of the Chamber. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson, to close.

SENATOR HALVORSON:

Well, first of all, we are the Senate and we don't debate those kind of things. So, I would just hope that everybody would concur on this amendment like we passed it out originally, 59 to nothing.

PRESIDING OFFICER: (SENATOR LINK)

This is final action. The question is, shall Senate Bill -- shall the Senate concur with House Amendment 10 to Senate Bill 431. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 431, having -- or Senate -- the Senate concurs with House Amendment 10 to Senate Bill 431. The bill, having received the required constitutional majority, is declared passed. Senate Bill 506. Senator Haine, 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 506.

Motion filed by Senator Haine.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, to explain your motion.

SENATOR HAINE:

There are three amendments added to the House {sic}. This, as you recall, Mr. President and Ladies and Gentlemen of the Senate, was a bill to provide education at hospitals on shaken baby syndrome, considering the terrible damage that shaking an infant would -- would do. The House added three amendments. House Amendment No. 1 authorized the Department of Public Health to establish and operate a voluntary support service for parents who struggle with infant crying, not limited to -- including, but not limited to, telephone consultation and referrals. The Erikson Institute of Chicago, a -- a wonderful institute who's expertise is in this area, was the proponent of that amendment. House Amendment No. 2 deletes references to other healthcare and childcare providers from mandating reporting requirements. We have asked the hospitals to report those who voluntarily take this short little informational seminar, but not the other care providers. That's House Amendment No. 2. House Amendment No. 3 deletes -- incorporates everything else, but deletes the Criminal Code language, which we included in the Senate, establishing a crime of reckless shaking, which is a Class 3 felony. I'm sorry, a Class 2 felony. This was done after consultation with the State's Attorneys Association. They want more time to look at this, considering that it's somewhat unprecedented, so that we can approach this again with a trailer bill maybe in the fall.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, I understand there's two other motions. Would you please -- two others amendments. Would you please read those?

SECRETARY HAWKER:

Yes. We have separate motions on -- all with concurrence, on Senate Bill 251 {sic} (506). We have Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, you explained all three amendments. Is that accurate?

SENATOR HAINE:

Yes, Mr. President. I've explained all three.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR BURZYNSKI:

Thank you. Senator, I -- I think that on Amendment No. 2 - I just want to clarify - the hospitals report the total number of viewings of the video and the total number of births, but not by name, just numbers.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Thank you, Senator Burzynski. That is correct.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? This is final action. The question is, shall Senate concur in the House Amendments 1, 2 and 3 to Senate Bill 506. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate concurs in House Amendments 1, 2 and 3 to Senate Bill 506. The bill, having received the required constitutional majority, is declared passed. Senate Bill 1233. Senator Dillard, 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 1233.

Motion filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard, to explain your motion.

SENATOR DILLARD:

Thank you, Mr. President. I'm going to move to concur with the House Amendment No. 1 to Senate Bill 1233. The House amendment actually tightens up this bill. When it left here, this bill clarifies about the kind of equipment you have to pay Illinois gasoline tax on on your own property to move equipment

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around. It's really an initiative of the United Parcel Service, Senator Viverito's area, my area, Senator Radogno. UPS has a gigantic facility and you don't have to pay tax on the gas that you use to move things on your property, not on public roadways. The underlying bill clarified that. The House amendment kind of just tightens the bill up. The Department of Revenue is neutral on this bill, and I move this adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, this is final action. The question is, shall the Senate concur on House Amendment 1 to Senate Bill 1233. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate concurs in House Amendment 1 to Senate Bill 1233. The bill is -- having received the required constitutional majority, is declared passed. Senate Bill 1446. 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 Amendments 1 and 2 to Senate Bill 1446.

Motion filed by Senator Ronen.

PRESIDING OFFICER: (SENATOR LINK)

Senator Ronen, to explain your motion.

SENATOR RONEN:

Thank you, Mr. President. This has to do with the QILDRO issue. This is an agreed-to amendment. The changes here put us in line with federal law, with federal ERISA. The major change is that, at -- time of court case, the amount put into the QILDRO can be done by a formula, rather than by actual numbers. This is cost neutral. All the pensions systems are supportive of it and I would urge do pass.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, this is final action. The question is, shall the Senate concur on House Amendments 1 and 2 to Senate Bill 1446. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Aye, no Nays, none voting

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Present. The Senate concurs in House Amendments 1 and 2 to Senate Bill 1446. The bill, having received the required constitutional majority, is declared passed. Senate Bill 1832. Senator Harmon, 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 1832.

Motion filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, to explain your motion.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1832 is essentially a "do over" bill. We passed House Bill 1349 on the topic of the sale of trigger locks. During the debate on the bill, it became apparent that there was some ambiguity, where -- the ability to read the same words with different views. We've gone back and, with the agreement of all parties, have refined it. It is included in this bill. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Mr. President, I just rise in strong support of this bill. The Senator's done a good job to work with all sides.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, this is final action. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1832. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 6 Nays, none voting Present. The Senate concurs in House Amendment 1 to Senate Bill 1832. The bill, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you rise? Senate Bill 1853. Senator Lightford. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their

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Amendments 1 and 2 to Senate Bill 1853.

Motion filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, to explain your motion.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 removed the one-hundred-dollar stipend that the Finance Authority members would receive. And Amendment No. 2 addressed the concerns of one of the House Members to clarify the powers and duties of a Downstate School Finance Authority and its officers. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: I just rise in support of the bill. The sponsor took a couple recommendations and acted on them and we appreciate that.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, this is final action. The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1853. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The Senate concurs on House Amendments 1 and 2 to Senate Bill 1853. The bill, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you very much, Mr. President. On Senate Bill 1832, I would like the record to show that my intention was to vote Yes.

PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect. Senator Haine, on Senate Bill 1912. Do you wish to proceed? Out of the record. Senate Bill 2012. Senator Munoz, 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 Amendments 1 and 2 to Senate Bill 2012.

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Motion filed by Senator Munoz.

PRESIDING OFFICER: (SENATOR LINK)

Senator Munoz, to explain your motion.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment 1 to Senate Bill 2012 is an agreed amendment, the result of discussions between the Division of Professional Regulation and the Genetic Task Force of Illinois. The second House amendment was added at the request of the State Med Society pertaining to referrals. It simply changes genetic counseling services to information, circumstance referrals are not needed by family members.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, this is final action. The question is, shall Senate concur with House Amendments 1 and 2 to Senate Bill 2012. Those -- those voting in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate concurs with House Amendments 1 and 2 to Senate Bill 2012. The bill, having received the required constitutional majority, is declared passed. Senate Bill 2038. Senator Lauzen. Out of the record. We'll be going to page 75 to Secretary's Desk for Non-Concurrence. House Bill 350. Senator Collins. On the Order of Non-Concurrence is House Bill 350. Senator Collins, do you wish to proceed? Please read -- read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to recede from Senate Amendment No. 6 to House Bill 350.

Motion filed by Senator Collins.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. To bring it -- House Bill 350 back to your remembrance, basically was legislation to prevent more than one sex offender on parole, mandatory supervised release, or court supervision from residing at the same address or in the same building as

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another sex offender. There was a Floor Amendment No. 6 that, when it arrived in the House, there were some problems with it, as far as some of the House members. What Floor Amendment No. 6 tried to do was to grandfather in a reputable facility that had two sex offenders residing, but in the House, members were uncomfortable with that. And so, I think my colleague, Senator Cullerton, would like to make an editorial comment on that. But my motion is to recede from Floor Amendment No. 6.

PRESIDING OFFICER: (SENATOR LINK)

Senator -- or, Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. Thought I'd explained the background behind the Lady's motion. Representative Joyce is sponsor of this bill. I asked him if he would accept an amendment. He said yes, but he didn't want to jeopardize his bill. I said I understand. So, we put this amendment on. Senator Collins was kind enough to do that here in the Senate. It went back to the House and they rejected it. So, we're coming back here to take it off. So, it's not going to be in the law, but I just thought you'd find it interesting to see why I asked that the amendment be put in. I received a fax from St. Leonard's House, 2100 West Warren Boulevard - I believe it's in Senator Hendon's district - from the Executive Director of St. Leonard's Ministries, a fifty-year-old halfway house located on Chicago's west side. They house over three hundred ex-offenders to provide them with counseling, employment training, job training. In August of 2004, they were housing four child sex offenders who were receiving regular treatment, counseling and supervision from their staff, but they were then kicked out because, it turns out, they lived within three hundred and seventy feet of an after-school program. So, we kicked out the sex offenders onto the street from a counseling center because they were within five hundred feet of a school day-care center, which we have in our law. In the Lady's amendment, we even limited it to just that facility. No -- you know, no -- just -- just that one facility, and they rejected it. And it's not any one party's fault. Both parties over there said, "Ewww. That's a bad bill. Somebody will do a mailing on us." And so we are forced to keep this the law. So, I'm proud of the fact that the

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Senate passed this bill. Next year we'll try again. We'll have to sneak it in some other bill or something so they don't see it or maybe we just have a straight flat out vote here and air it out in public. But we -- this is the problem we have when we -- we find everybody voting against fee bills, or we find people voting against bills like this. 'Cause this is commonsense. I think it's easily -- justified. And -- so I'm -- I'm sorry that we can't pass it, but I did promise the Representative that we wouldn't jeopardize his bill. But it's kind of a sad commentary on ourselves.

PRESIDING OFFICER: (SENATOR LINK)

This is final action. The question is, shall the Senate recede from House -- from Senate Amendment 6 to House Bill 350. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, there 53 Ayes, 1 Nay, none voting Present. The Senate recedes from Senate Amendment 6 to House Bill 350. The bill, having received the required three-fifths constitutional majority, is declared passed. For the record, there -- it only -- only needed to receive the required constitutional majority. With the leave of the Body, we will come back to House Bill 1195. House Bill 1457. Senator Schoenberg, do you wish to proceed? Please read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to recede from Senate Amendment No. 1 to House Bill 1457.

Motion filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to move to recede from Senate Amendment No. 1 to House Bill 1457. Oooh! The House -- Senate Amendment No. 1 had some good ideas, which apparently are not ripe. And I've heeded the counsel of so many here in this Chamber, as well as across the Rotunda, that perhaps those ideas deserve a better hearing and a better place at a better time.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Schoenberg moves the Senate recede from Amendments {sic} 1 to House Bill 1457. Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR GEO-KARIS:

What was Senate Amendment No. 1?

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Senate Amendment No. 1 included two bills which had passed - - incorporated two -- the two underlying bills, which dealt with a variety of changes, to the Procurement Code, to the filing requirements for those who function as independent advisors, and lifted the threshold of sixty percent, which is set, requiring anyone with an economic interest to require the Executive Branch to file a waiver. It also had to do with several other things related to -- to procurement. There had been an issue raised about single-subject matter and -- on your side. There had been some other issues raised on the -- across the Chamber. So, I decided to reconsider and remove this amendment and pursue those other issues independently, as I already have.

PRESIDING OFFICER: (SENATOR LINK)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't quite understand. You talk about Procurement Code, Governmental Ethics Act. Was that the one that the Governor wanted?

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

No. This is all at my own initiative.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the motion. Thank you. Ladies and Gentlemen of the Senate, I think that this is probably

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the legislative version, if you will, of a little bit of I told you so. If you will recall earlier this week, this bill came before us when the sponsor was wanting to put this amendment - that he is now asking your permission to strip off - onto the bill. And a Member of our side of the aisle said, "Well, wait a second, there are serious single-subject concerns here." Those were -- those concerns were dismissed by the sponsor. And subsequently, they refused to concur in the amendment over in the House. And while I've not had a conversation with any of the House staffers over there, nor with the House sponsor, I'd be willing to bet all the money in my pocket against all the money in the -- the Senate President's pocket that the reason that they didn't concur on this was because of a single-subject concern. Now, this is a roll call vote and it's on an ethics provision. One, quite frankly, that I agree with. I think it's a good provision. It was a bad idea to try to put it on this bill, but nevertheless, it was a good idea. If you vote for this motion, you are voting to strip an ethics provision out of the law. And given the sensitivity, rightly so, of ethics and those kinds of issues these day, I would be very, very careful in casting that kind of vote and I would urge certainly the Members on my side of the aisle to vote No or Present on this motion. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I believe Senator Righter answered my question. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg, to close.

SENATOR SCHOENBERG:

Mr. President, to respond to Senator Righter. What transpired across the Rotunda had nothing to do with single-subject matter. So, I remain confident, as I was before, that the single-subject matter issue is -- is all kosher. However, all I was trying to do from the very start was to help with a reverse auction procedure. If you wish to slap me on the wrist, having voted -- having chosen to vote against this before, why don't we just take this out of the record and we'll wait a little longer for reverse auctions to save the State some money? Thank

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you.

PRESIDING OFFICER: (SENATOR LINK)

Out of the record. House Bill 2531. Senator Maloney, do you wish to proceed? Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to recede from Senate Amendment No. 2 to House Bill 2531.

Motion filed by Senator Maloney.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

Thank you -- thank you, Mr. President. I would like to recede Committee Amendment No. 2. Committee Amendment 3 contains the changes of both numbers 1 and 2. However, when the amendments were adopted, we needed number 3 adopted and both 2 and 3 were adopted. So it was simply a committee mistake. The -- I requested -- since 2 was not tabled, I requested that the House nonconcur with Amendment 2. And that's exactly what happened, and so we are asking to receive -- recede Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney moves that Senate recede from House -- from Senate Amendment 2 to House Bill 2531. Is there any discussion? Seeing none, this is final action. The question is, shall the Senate recede from Senate Amendment 2 to House Bill 2531. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. On the question -- the Senate recedes from Senate Amendment 2 to House Bill 2531. The bill, having received the required constitutional majority, is declared passed. Madam Secretary, Messages.

SECRETARY HAWKER:

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

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

Senate Bill 27, together with House Amendment No. 2.

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Passed the House, as amended, May 29, 2005.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Just point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR SYVERSON:

For many of us who are here today, we didn't get a chance to watch the Indianapolis 500. But as you know, we had Danica Patrick running in there, which was the first female ever to be leading in the Indy 500. In fact, if you watched it on TV, you saw up through the hundred and ninetieth lap she was leading. This young lady is from the Rockford area and we're very excited about her fourth-place finish. Just missed it really by a few seconds and did an -- did an excellent job. And so we're very proud of her. I did ask her -- you know, sometimes it's easy to be running around in an oval. I just wonder how well she could do racing against Senator Halvorson on Highway 55, speeding, talking on the phone and writing notes. That takes probably a lot more skill than -- than what she had. But we are excited about Danica and her great fourth-place finish. It's good for our area and it's certainly good for racing.

PRESIDING OFFICER: (SENATOR LINK)

I think we all congratulate her for her -- her high finish. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR GEO-KARIS:

Mr. President, we're here today to do the people's business. What is delaying everything?

PRESIDING OFFICER: (SENATOR LINK)

As you know, Senator Geo-Karis, things move very slowly in the Capitol sometimes, and today being Sunday, there's a lot of things at rest, including paperwork. So, it's taking a little bit longer, but we'll be moving as quick as possible. Senator Geo-Karis, for what purpose do you rise?

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SENATOR GEO-KARIS:

I'd -- to follow up on my personal privilege. Are we to understand then we'll be here tomorrow?

PRESIDING OFFICER: (SENATOR LINK)

All indications point to that. There will be a Rules Committee in the President's Anteroom immediately. Rules Committee in the President's Anteroom immediately. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Education Committee - Motion to Recede from Senate Amendments 2 and 3 to House Bill 3480; refer to Executive Committee - Motion to Concur with House Amendment 2 to Senate Bill 27, Floor Amendment 1 to House Bill 4050 and Floor Amendment 2 to House Bill 4053; refer to Judiciary Committee - Motion to Concur with House Amendment 1 to Senate Bill 251; refer to Local Government Committee - Motion to Recede from Senate Amendment 1 to House Bill 114, Motion to Recede from Senate Amendments 1 and 3 to House Bill 2500; refer to State Government Committee - Motion to Concur with House Amendments 1 and 2 to Senate Bill 13; refer to Transportation Committee - Motion to Recede from Senate Amendment No. 1 to House Bill 1316 and Motion to Concur with House Amendment 3 to Senate Bill 501.

PRESIDING OFFICER: (SENATOR LINK)

Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

At 6 o'clock, Local Government will be meeting in Stratton Building A-1. 6 o'clock.

PRESIDING OFFICER: (SENATOR LINK)

Senator Munoz, for what purpose do you rise?

SENATOR MUNOZ:

For the purpose of announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR MUNOZ:

Transportation will meet in Room 400 at 6:15.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, for what purpose do you rise?

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SENATOR LIGHTFORD:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR LIGHTFORD:

Education will meet in Room 212 at 6 p.m.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett, for what purpose do you rise?

SENATOR GARRETT:

Thank you, Mr. President. State Government will meet at 6:30 in A-1.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

I -- I rise for the purposes of an announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR CULLERTON:

I'm sorry. I rise for the purposes of two announcements.

PRESIDING OFFICER: (SENATOR LINK)

State both of your announcements.

SENATOR CULLERTON:

The Judiciary Committee will meet in Room 212 at 6:15 tonight. The Executive Committee will meet at 6:30 in Room 212. Executive Committee will meet in Room 212 at 6:30, immediately after the Judiciary Committee.

PRESIDING OFFICER: (SENATOR LINK)

The Senate will stand at recess to the call of the Chair. After committees, the Senate will reconvene approximately at 7 p.m. to receive Committee Reports and for further Floor action. The Senate stands at -- in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LINK)

Senate will come to order. Messages from the House, Madam Secretary.

SECRETARY HAWKER:

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

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

Senate Bill 1842, together with House Amendment 1. Passed the House, as amended, May 29, 2005.

Message from the House by Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

House Bill 655, with House -- pardon me, with Senate Amendments 1 and 2. Nonconcurrent in by the House, May 29, 2005.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 2065. Passed the House, May 29, 2005.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 34. Picked up by Senator Jacobs.

I have House Joint Resolution 54, offered by Senator Lightford.

And House Joint Resolution 29, offered by Senator Dillard. They're all substantive.

PRESIDING OFFICER: (SENATOR LINK)

Committee Reports, Madam Secretary.

SECRETARY HAWKER:

Senator Crotty, Chairperson of the Committee on Local Government, reports the Motion to Recede from Senate Amendment No. 1 to House Bill 114 and Senate Amendments 1 and 3 to House Bill 2500 recommended Do Adopt.

Senator Lightford, Chairperson of the Committee on

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Education, reports the Motion to Recede from Senate Amendments 2 and 3 to House Bill 3480 recommended Do Adopt.

Senator Munoz, Chairperson of the Committee on Transportation, reports the Motion to Concur with House Amendment 3 to Senate Bill 501 Be Adopted, and the Motion to Recede from Senate Amendment No. 1 to House Bill 1316 Be Adopted, and Senate Amendment No. 1 to House Bill -- pardon me, Senate Amendment No. 1 to Senate Bill 1127 recommended Do Adopt.

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, report the Motion to Concur with House Amendment 1 to Senate Bill 251 recommended Do Adopt.

Senator Garrett, Chairperson of the Committee on -- on State Government, reports the Motion to Concur with House Amendments 1, 2 -- 1 and 2 to Senate Bill 13 recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports the Motion to Concur with House Amendment 2 to Senate Bill 27, Senate Amendment 1 to House Bill 4050 and Senate Amendment 2 to House Bill 4053 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 2065, offered by Senator Forby.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. We would request a Republican Caucus immediately in Senator Watson's Office.

PRESIDING OFFICER: (SENATOR LINK)

For how long do you expect that to last?

SENATOR BURZYNSKI:

Thank you, Mr. President. Having watched the Chairman of Executive Committee facilitate that committee, I've learned a few things as the Caucus Chairman. I believe we can do that in thirty minutes, sir.

PRESIDING OFFICER: (SENATOR LINK)

So, if we resume at 8:20, that will be good for you. So, the Chair will -- the Senate will recess until the call of the

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Chair at 8:20. Senate -- Senate stands at recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. For the purposes of an announcement. For the purposes of an announcement. Would all Members within the sound of my voice please come to the Senate Floor? We will be doing final action. Would all Members within the sound of my voice please come to the Floor immediately? We will be doing final action. The Senate will come to order. Ladies and Gentlemen, on Supplemental Calendar No. 1 comes Senate Bill 13. On the Order of Concurrence is Senate Bill 13. Senator Collins, do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 13.

Motion filed by Senator Collins.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins, to explain the motion, ma'am.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 1 is incorporated in House Amendment No. 2, and so what it does, basically, is it changes the interest rate from four percent back to the current law interest rate of two percent if the contractor fails to pay the subcontractors and material suppliers within fifteen days after receipt of payment under the public construction contract. That was a concern over on this side of the aisle -- this side of the Chamber before it went to the House. So we made those adjustments. I think it was Senator Risinger who had mentioned -- that questioned the four percent. Now, House Amendment No. 2 restores it back to two percent. It also took into consideration some of the concerns of the Builders. It was referenced to the Builders -- Road Builders, in reference to requires administrative law judge, rather than the State agency, to convene and determine a hearing.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Senator Collins. Is there any discussion? Is there any discussion? Senator Risinger, for what purpose do you rise, sir?

SENATOR RISINGER:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RISINGER:

To the amendment. Thank you, Mr. President. The amendment does make the bill better. We adjusted the interest rate down. I appreciate the work that the Senator did on the bill. I think the bill is still a cumbersome bill. We want to get -- subcontractors paid on time. There are still a lot of things to be worked out. I -- I still think we could come up with -- with a better solution. But the bill is better than it was as originally presented.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Collins, to close, ma'am.

SENATOR COLLINS:

Just wish to make...

PRESIDING OFFICER: (SENATOR DeLEO)

Oh. I'm sorry. Just a -- just a minute. I'm sorry. Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, sir.

SENATOR BRADY:

Thank you, Mr. President. Earlier, Senator, there was opposition from this -- on this legislation from the General Contractors, the Illinois Association of Road and Transportation Builders and the Department of Human Services. Do they continue to oppose this legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Okay. The Department of Transportation is neutral, but the Illinois Builders -- Road Builders are -- now support the amendment. And what was the other group? And what was the other

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group?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Brady.

SENATOR BRADY:

The General Contractors and the were opposed. Are they still opposed? Is there any opposition?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

No, they're not opposed to the amendment. Matter of fact, they requested the amendment -- both of the changes of Amendment No. 1 and 2. They came from the Illinois Road Builders -- Road Builders.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Again, Senator, I don't mean to be duplicative, but it sounds like they're still opposed to the bill. They -- they supported the amendment, but they're still opposed to the bill. Is that what you're saying?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

I'm sorry. I was told by Robert -- I'm sorry, Richard Guidice that there's no opposition to the bill now from his group that he represents with the amendments. I can't speak for the other two.

PRESIDING OFFICER: (SENATOR DeLEO)

The Lady to close. Senator Collins.

SENATOR COLLINS:

I would just like a motion to concur with House Amendment No. 1 and 2 to Senate Bill 13.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. This is final action. The question is, shall Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 13. 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, please take the record. On that question, there are 37 Ayes, 21 Nays, 0 voting

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Present. The Senate concurs in House Amendment No. 1 and No. 2 to Senate Bill 13, and this bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on Supplemental Calendar No. 1, Motion to Concur, Senate Bill 27. Senate Bill 27. As stated earlier in committee, the chief sponsorship has -- been changed from Senator DeLeo to Senator Schoenberg. Senator Schoenberg, do you wish to proceed, sir? He 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. 2 to Senate Bill 27.

Motion filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg, to explain your motion, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 2 to Senate Bill 27 is the first meaningful reform of the State's pension systems in over forty years. It's a comprehensive proposal and I'd be happy to debate and go into further detail on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, for the purposes of an announcement. There's quite a few people -- seeking recognition. There's about fifteen to twenty people, just is my guesstimate here. There's -- there's three on the Democratic side and about four hundred on the other side. So, having seen the number of lights, Leader Watson and President Jones, we will, as we spoke a few minutes earlier, to give everybody an ample time -- everybody an opportunity to speak on this very important issue, we will be using the timer to allow everybody to have their opportunity to speak. Having said that, is there any discussion? Senator Rauschenberger, for what purpose do you rise, sir?

SENATOR RAUSCHENBERGER:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir. We're -- we're still on the motion to the amendment. We have not gone to the bill yet.

SENATOR RAUSCHENBERGER:

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Oh!

PRESIDING OFFICER: (SENATOR DeLEO)

We're just concurring in -- in the amendment at this...

SENATOR RAUSCHENBERGER:

And so, once we -- it's final action.

PRESIDING OFFICER: (SENATOR DeLEO)

That's correct.

SENATOR RAUSCHENBERGER:

All right. Well, then -- all right. To -- to the motion to concur then. Appreciate the opportunity to serve the last fourteen years in the Senate. And in a way, it's a shame tonight that we're going to debate this extraordinary policy action. There should be some people joining us here tonight and it's a shame they're not here. It's a shame that every director of the Department of -- every director of the Bureau of the Budget who ever misled a Governor into the -- about the size of the pension liabilities, it's a shame that -- that every Appropriations director that never told his chairman how big the problem could become - it's a shame that we're not joined by the people who passed and -- and -- and advocated for expansions in -- in pension benefits - aren't with us here tonight. It's a shame they're not here to see the kind of culmination of what I would call a twenty-year crisis in confidence in our pension system. Tonight we're going to debate the fate of the 1995 pension funding law which was an attempt to stop the -- the kind of collapse of the pension systems of the State of Illinois, where we buried our pensions during the '80s and the early '90s under piles of promises with no ability ever to pay 'em, arguing or hoping or praying or ignoring our responsibility to 'em. In 1995, we started to stop that. We made a stand against that and we made a commitment to a statutory payment program to make sure that we, over time, would set aside enough of our general revenue to meet the obligations of the promises we'd already made. When this Governor came into office, he was troubled by his revenue picture and first proposed a novel solution, his pension bonding program. And for the first time, we lost the discipline of setting aside the general revenue necessary to pay, because we allowed him to take proceeds from that bond and -- and count those as profits and pay his pension obligation. So, tonight,

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even though it shouldn't be, Don Harmon, your responsibility to face up to this abyss; in a way tonight it shouldn't be Senator Collins' responsibility to face up to this abyss - but tonight, in a lot of ways, the whole fundamental foundation of whether we can self-govern ourselves is at stake. We took an oath of office to uphold the Constitution and to pass balanced budgets. We took an oath of office to discharge our duties to the best of our ability. We know, as a General Assembly, we have certified costs. So we know what our pension obligation is. We can't simply brush that away with a statutory change. They could argue, perhaps, in the '70s and the '80s that we didn't understand the outcome of pension funding. You can't argue today that you don't know what happened to United Airlines. You can't argue today that you don't understand the effect of Enron. We have an opportunity tonight to tell the four Legislative Leaders and the Governor to start over, that we're not going to accept tonight, as our solution to this budget problem, a departure from our responsibility. We're uniquely lucky we're elected to a Body that's allowed to make our own rules.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger -- Senator Rauschenberger, please -- please bring your remarks to a close, sir.

SENATOR RAUSCHENBERGER:

Tonight we can make a decision to stick with our constitutional oath, to stick with our responsibilities, to stick with -- with a balanced budget and to stick with the commitment we have to the future of the State of Illinois. I urge everyone to ask the Legislative Leaders to start over. This is not a solution to a budget. It's the beginning of a much worse problem.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Syverson, for what purpose do you rise, sir?

SENATOR SYVERSON:

Just a comment, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the -- to the motion.

SENATOR SYVERSON:

Thank you. You know, tonight my children are quietly at

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home not realizing what is happening to them. I'm glad that the record of tonight's comments will be recorded and that the votes will be recorded in history so my children will know who is implementing probably the largest tax increase that this State has ever seen. All the experts from all the funds have said that what we are doing tonight is the worst possible financial solution to our State's financial problems. The part that shocks most of the financial experts and the bankers that I have talked to is not the fact that we didn't look at cutting back the record amount of spending this year first, but their comment is, "Why, in God's name would we go to eight-and-a-half-percent borrowing?" That is a higher rate than junk bonds. Two years ago we sat here, the Governor, his pension experts from around the world. Senator Harmon spent hours passionately telling us why we needed to borrow money so we wouldn't take money out of the Pension Fund, saying that borrowing money would save us money because we can borrow cheaper than paying eight and a half percent in the pension funds. Now, here we are two years later, in the ultimate of flip-flops, changing and now saying it's okay to borrow at eight-and-a-half-percent interest. We're talking about thirty billion dollars or more, I guess, is ultimately the payoff. That's over a billion dollars a year to pay back what we are stealing from the Pension Fund. How many citizens in Illinois will not be able to get health care because of the decisions we're passing tonight? How many seniors are not going to get prescription drug coverage because we're going to have to pay back that billion dollars a year for the next thirty years? And how many children will not get an adequate education because we're going to have to be spending a billion dollars a year paying back this massive pension raid? Unfortunately, Senator Meeks, we can forget about a tax increase for education. The tax increase that we're going to have to look at is going to have to go back to pay off this massive amount of borrowing. I would urge us to say no, let's do the right thing, get back to the table, come up with a plan that'll be the best for the people of Illinois and for our children. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Radogno, for what purpose do you rise?

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SENATOR RADOGNO:

Thank you, Mr. President. To the matter at hand. You know, when I listened...

PRESIDING OFFICER: (SENATOR DeLEO)

To the matter at hand.

SENATOR RADOGNO:

...this afternoon in committee to the discussion about this bill, it reminded me when I was a very young mother, and -- I wasn't a young mother. I had very young children, but at any rate, I was making chocolate chip cookies. So I made these cookies and they were out on the brown paper bag, you know, sort of cooling off and I left the kitchen for a minute and one of my girls came in and -- and I came back a few minutes later and there were three grease spots and crumbs all over the place. And I looked at her and I said, "Honey, did you steal some cookies?" "Nope." I absolutely -- "It wasn't me. Not me." And you know, no matter what the evidence was, the chocolate on the teeth and all down the front of her, she absolutely denied that those cookies had been stolen. And that night, you know, we kind of laughed, my husband and I, about the magical thinking of a three-year-old, that all you have to do is say something is a certain way and you really believe you can change reality. And the fact is, I think we're participating in a little bit of that same kind of magical thinking right here, because we all know this is a bad financial deal for the State. Unfortunately, the consequences are a lot more severe than just a few stolen cookies. We're looking at the -- at really decimating the financial health of our State for some time to come. But in addition to that, we're also being dishonest with the very people we represent by telling them that this is a good plan. Even Members of the Democratic side on a number of instances have said this is bad financial policy. So, the question is, why are we doing this exactly? What's the rush? Why do we need to do this? The real fear here is, of course, an overtime Session. As you know, last year when we went into overtime, we were able to get some significant reforms in debt responsibility. This year we're looking at some pretty significant reforms in the contracting business. As you all know, this Governor has a significant amount of problems in the State contracts, and if we go into overtime, we're going to

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be forced to address those, which may, in fact, impact his ability to continue to raise money. He wants to get out of this Legislative Session without any reforms. He wants to do it as fast as he can, and the fact of the matter is, he is using the Majority Party as a pawn in an effort to get that accomplished. I hope we don't allow him to do that. I want to go on record finally as saying, I am very definitely in favor of pension reforms. I'm in favor of a much broader package than what's contained in this legislation today and they ought to be separated from the funding scheme, which has been all packaged together. There are alternatives. We can do more comprehensive pension reforms. We can look at bonding portions of ERI or perhaps even a portion of the pension liability. But to simply borrow it by underfunding it at eight and a half percent is completely irresponsible. And I would certainly encourage all of you to vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The lady from McHenry, Senator Althoff, for what purpose are you seeking recognition?

SENATOR ALTHOFF:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the -- to the bill, ma'am.

SENATOR ALTHOFF:

Thank you, Mr. President and Members of the Senate. I'd like to take this opportunity to remind all of my Senate colleagues, probably in particular more my Republican colleagues, that if this action and this rhetoric seems a bit familiar, a bit like déjà vu, it's because it is. What we're witnessing here this evening is exactly what I witnessed two years ago as a freshman in 2003. This action is just really a continuation of the course that this administration set in 2003, when they pushed through millions of dollars in job killing taxes and added a billion dollars in new spending to the State budget during a time when they claimed we were in fiscal crisis. We said then, you can't pay for permanent spending increases with temporary revenues. We said then that increasing business taxes would only drive companies out of the State. We warned then that building massive welfare increases into the base budget would only make

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the hole grow deeper. Well, Ladies and Gentlemen, we were right. Even when you want to be wrong, you've got to admit it, we were right. This isn't George Ryan's deficit. This was completely created and is now owned by Rod Blagojevich. No matter how hard he tries to spin this deficit, we are in this shape today because Rod Blagojevich has a spending and borrowing problem. Mr. Governor, you were right when you said this is a crisis that we must solve and we'd better solve it now. Well, this legislation doesn't solve that problem. It really just continues the same old pattern of fiscal irresponsibility that has become the guiding philosophy of this administration. But you've got to give him points for consistency. Every year he's been Governor, he has patched together his budget with relief from the pension payments. For Rod Blagojevich, public employee pensions are nothing more than a piggy bank that he can raid every year. But unfortunately that piggy bank one day is going to be empty and then the inevitable will happen: We will be forced to raise taxes to pay for Rod Blagojevich's spending schemes. I would strongly urge that we take the fiscally responsible course and vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The gentle lady from Lake County, Senator Geo-Karis, for what purpose are you seeking recognition, ma'am?

SENATOR GEO-KARIS:

Well, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, ma'am.

SENATOR GEO-KARIS:

In your bill -- in your concurrence in Senate Bill 27, do you have General Obligation Bonds involved?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And your bill affects the -- the various pensions. Is that correct?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, then would you like to explain to us, the bill as it came over with the amendment from the House, just exactly what does it do?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you for that -- thank you for that question, because it -- what this bill does is provide an important initial step in solidifying the security of the State's pension systems. It reverses decades of -- neglect and bad decisions. There is plenty of red -- there is plenty of red ink on many people's hands from both sides of the aisle as the result of bad decisions which have been made. For example, from 1981 through 1990, the amount that the State contributed to pensions increased only seventeen percent though payrolls increased seventy-seven percent. There was an effort made in 1989 to reform that by setting aside money to pay off that debt, but the Legislature didn't approve that money either. So, in 1995, another step was taken to attempt to address this problem. In 1995, we were led to believe that by creating a fifty-year funding schedule the problem would be solved. Upon further review - the evidence is clear - it was not. What the bill does, specifically, is provide -- it preserves and provides, for the first time in forty years, meaningful reforms and changes to the State's retirement system. It preserves a higher -- retirement benefit, which is commonly known as the alternative formula, for people in hazardous high risk professions like police, fire, firefighters, prison guards and highway maintenance workers, but institutes a long overdue reform by removing newly hired personnel -- administrative personnel who work in agencies but are not in those hazardous frontline positions. It eliminates the money purchase calculation for the State University Retirement System and the

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Teachers' Retirement System for new hires. Current employees are still eligible and that's an important distinction to make, because, as we know, the 1970 Constitution precludes any reduction in benefits for anyone who is in the system. It standardizes the -- the interest rate paid on those participating in the money purchase calculation...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, excuse me. Time has expired. I'm sorry, Senator Geo-Karis. Senator Sieben, for what purpose do you seek recognition, sir? The clock has expired, ma'am. There's twenty people seeking recognition. We must give everybody ample time. Senator Sieben.

SENATOR SIEBEN:

Mr. President, to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR SIEBEN:

In view of the lengthy response that the sponsor gave to Senator Geo-Karis' question, I will not repeat the questions that were asked of the sponsor in the Executive Committee just a few hours ago. But during that time, we did have the opportunity to ask questions of the sponsor and we weren't on a timer at that time and he -- he did answer the questions at -- many of them at some length. We all know what this bill is all about. We know that it's all about restructuring the pension payment schedule established in 1995 under the Pension Funding Reform Act. We know it involves three components. First one are the reforms. Second one are the projected savings. And the third one -- the third component are the contributions necessary to support our system. Well, after listening to the responses of the sponsor in the committee this afternoon, I think anybody with a reasonable mind and reasonable intelligence would come in -- come to the conclusion that this proposal is, first of all, very short on reforms. Secondly, it's very, very short on savings. And third, it's very, very, very short on contributions to pay benefits to current retirees and secure the constitutionally required benefits to current employees, further weakening our already shaky pension system. We all know it's very fiscally responsible. We know that. You know that. Shame on anybody

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that votes Yes. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The gentleman from Cook County, Senator del Valle, for what purpose do you seek recognition, sir?

SENATOR DEL VALLE:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR DEL VALLE:

I'd like to state my strong support for the pension reform provisions in this bill, particularly those that address end of career salary increases for teachers and superintendents. I have conducted hearings across the State on the education funding reform issue. And certainly I think no one here has -- has worked harder than Senator Meeks and Senator Winkel on trying to come up with a compromise that we could bring to this Body for consideration, because I think most of us, whether we admit it publicly or not, recognize that the only way to reduce our reliance on local property taxes and increase the foundation level so that we are providing an adequate education for all the children of the State regardless of where they live and regardless of the property of the value of the neighborhoods they live in, the only way to do that is through a -- an income tax increase. And an income tax increase is a -- a -- a tough sell. We recognize that. But in hearings across the State, we had individuals who questioned the pension abuses, what they described as the pension abuse. And I said to people at those hearings, it's an issue that needs to be addressed. And if we are going to be able to gain the confidence of the voters in the State of Illinois so that they support our effort to reform how we fund public education, we're going to have to address these issues at the same time. Here we have a bill that finally, finally, will put a stop to those abuses. There's an article in the paper today you've all seen, "Sweet deal will give him annual pension of more than two hundred thousand dollars." Folks, I say to you that it's tough -- it's tough to win over support for proposal -- a proposal that is the right thing to do as long as we have these kinds of abuses taking place. And they are abuses. There are only a few people that are doing it, but it's enough to

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discourage lots of folks from even contemplating an income tax swap here to deal with education. And so, it's extremely important that we support this provision so that we could put education funding reform back on -- on track. I'm confident -- I am confident that many Members will do the right thing on this bill, because those who say there's no -- we should be doing this some other way, I would say, "Where is your proposal? Where is your proposal to deal with the budget?" I don't see one. I ask you to please support this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you, Senator. The gentleman from Livingston County, Senator Rutherford, for what purpose are you seeking recognition? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you. To the motion. Just very briefly. In 1995, Governor Edgar and the General Assembly fixed the pension problems. Ten years later, 2005, Rod Blagojevich and this General Assembly is about to break the pension plan again. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Thank you for your very brief remarks and staying to the bill. Senator Cronin, for what purpose do you rise, sir?

SENATOR CRONIN:

To the motion, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR CRONIN:

Ladies and Gentlemen, we're here tonight; I think we're all sort of pretending - we're all pretending that this is a thoughtful and deliberative proposal. We're pretending that we care about education. We're pretending that we care about our children. You know, we have some very serious problems here that require serious solutions, but no one in this Chamber tonight, not the Majority Party especially, believes that this is a serious solution. This is simply practical politics. Practical politics. Majority figures you can get away with it because nobody's going to really understand it. It's hard to explain pensions and future liabilities and stuff like that. So it

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occurred to me that maybe this practical political ploy here is sort of a plan. It's got to be maybe a plan. Maybe it's a plan, as Senator Syverson suggested. It's the plan. This is the way to get to the tax increase. We're setting ourselves up. Because deliberately underfunding this system that pays retirement benefits to the teachers that I represent, suburbs and downstate - we're using money -- that money to expand the welfare system - we are virtually -- or, you are virtually guaranteeing that there will be a future tax increase. The only problem with that future tax increase: It's going to have to be so monumental to cover the cost of the actions that you're taking on today to have anything left over for important things like education and kids with disabilities and -- and schools and... So, I think it's really -- we have to take a moment from time to time here, and I know this is a political Chamber and everybody has their role to play, but I think it is important for us to take a check and to say, you know, what it is that we're really engaged in here. And thanks to this Governor, you will be voting for a tax increase sooner or later, but unfortunately that tax increase will have to be huge if you want anything to go for the important priorities in government, education. We're saying to our children we want them and their children and their children's children to pay off the debt that you're taking on today or pushing us toward. So, in conclusion, here we are, this administration is maxed out on their credit cards. This administration is maxed out on their home equity loan. In fact, they can't even make payments on the credit cards or the home equity loans. You know, in any other realm, business or personal, this State -- this State government, under this Governor, would be on the verge of bankruptcy. You're breaking into our children's piggy banks, stealing from kids and schools and the disabled of tomorrow. You think you can get away with it because the public don't understand, but it's...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you -- Senator, your time has expired. Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

To the motion, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

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SENATOR RIGHTER:

Thank you very much. You know, Mr. President, Ladies and Gentlemen of the Chamber, it's late in the Session. We're all a little bit tired and we've all had our fair share of talking on the Floor, and when that time comes, we all start scratching a little bit about, "Well, what can I say that's new? What can I say that's different? What can I use that's not been used before?" And I had the same trouble when trying to think of what I was going to say about Senate Bill 27. Then it came upon me that I would just use some of the things that were said before about this issue. In February of 2005, Governor Rod Blagojevich told us that Illinois has the largest unfunded pension liability of any state in the nation. It's a huge problem; we need to fix it. In the same speech, the Governor told us that, you know what, this is a little bit like the State using a credit card and charging a little more and a little more and then making the absolute minimum payment. But while we're doing that, the debt grows larger and larger and larger. You know what? Governor was right. I have in my hand here the Governor's Pension Commission on which the -- of which the sponsor was a member. Page -- 10 of this lists the guiding principles for the Commission. I'm just going to list the first two, because the first two are the most important. One, "The State must fully honor its pension obligations." Two, "Under no circumstance should pension payments be deferred." And you know, Mr. President, one of the wonderful things about serving in the Illinois General Assembly is rarely a day goes by when you're not surprised by something, and it's a little bit after 9 o'clock and I thought maybe this day would get by without surprising me about anything, but then I heard something on this Floor from the Democrat side of the aisle that I thought no way would I hear and that was criticism of past General Assemblies and past Governors in not funding the system. I thought no way were the people who are thinking about voting for this possibly going to get up and say it was a mistake for them not to fund the system, because that's what -- you're about to do in huge magnitudes. The eye-popping magnitude of the hypocrisy in getting the power, in part because you criticize the actions of the past and then not only repeating them but -- by multiplying them, could stun a team of mules in its tracks. This

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is a bad thing, Ladies and Gentlemen. I don't know what people have been promised. I don't know what arms have been twisted. This is a bad thing and we're going to pay a lot more for it down the road, but you can stop it. On behalf of our constituents and the retired teachers and the taxpayers to come, you can stop it. Please vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The gentleman from Lake County, Senator Peterson, waives his privilege to speak. The gentleman from DuPage, Senator Dillard.

SENATOR DILLARD:

Good evening, Mr. President. I think last week I surprised a few people during Margaret Smith's death resolution, but I had been around here since 1977, and not only have been around the Legislature, but have been a top aide for both Governors Thompson and Edgar. So I took a little umbrage at the Governor's Spokeswoman the other day, when she said it's okay for the Democrats to rob the pension system because it had been done before under Republican Governors. But there's never been a raid of this magnitude ever in my lifetime around here, and a little history lesson is that during the Republican reign of Governors, Edgar, Thompson and Ryan, ninety percent of the time the Democrats effectively controlled the General Assembly. The first time the Republicans ever had control of both Chambers and the Governor was in 1995 and, lo and behold, that's the year that Jim Edgar actually had a plan that we implemented to put our pension system back in order over the next few decades. Governor Edgar did take money that first recessionary year to pay Medicaid bills - existing Medicaid bills, not an expansion in the Medicaid program - because he thought the State was a deadbeat and he didn't like it. So, Governor Blagojevich comes into office and what does he do? In the first year, he borrows two billion - two billion from pensions to pay for the budget. The next year, he underfunds or proposes to underfund pensions by a half a billion, and tonight we have this gigantic boondoggle. Let me tell you, we heard a lot last fall about moral values in America, and let me tell you, this outrageous raid is a moral value. The Daily Herald today, using a quote from Steve Brown, Speaker Madigan's Spokesperson, said that we're damning our grandkids. And, yes,

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we are. You know, it's been great. My kids were here. Senator Sullivan's kids were here. We had a great prayer this morning from Isaiah Lightford. Senator Raoul had kids here, and Bill Haine's granddaughter was here yesterday. Every one of those kids are going to have to pay thirteen bucks for what we're raiding tonight for every dollar we take out. And to me, that's a moral value issue. This is a payday loan for State government, due to the compounded interest of thirteen bucks for every dollar we take out tonight, for our children. You know, I know that there's an ethical cloud every day over Governor Blagojevich and I know that his plummeting polls make him not be able to politically accept another overtime Session. You know, they say he can't afford it politically to go overtime. Well, I'm going to say tonight, we cannot afford -- afford, our children cannot afford to pay for this tonight. This is an Enron type of budgeting. This is what led to the collapse of United Airlines employees' pension funds, and I just urge you to have a conscience tonight. This is a moral value issue. And vote No for our children and most importantly our grandchildren.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The gentleman from Cook County, Senator Hendon, for what purpose do you seek recognition, sir?

SENATOR HENDON:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR HENDON:

You know, the time is late and we've heard all of the yadda yadda yadda yadda yadda on the other side all night long. Speaker after speaker, you want to blame Blagojevich. Why don't you just get up and say you don't like him 'cause he's a Democrat? Why don't you just say that? Be honest for once in your life. You know that's the bottom line, don't you? Because when Ryan was Governor, when Edgar was Governor, everything they did was fine with you. It was hunky-dory. Everything. But now that the Governor is a Democrat - his name is Rod Blagojevich - everything he does is wrong and everything we do is wrong. Why can't you just say to the public that, "Hello. We're in the Minority. Oh, my God." Emil Jones is President. Oh, my God.

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Why don't you just say that? Be honest, because you know in your heart that if this was Edgar's budget or Ryan doing it, you would get up and find all kinds of glory and wonderful things to say about it. You know you would. To a person, this is not a raid on the Pension Fund. We are restructuring - restructuring - just like you'd do with a home loan. Restructuring. But since the Governor is a Democrat and the Governor's name is Blagojevich, you want to raise all kind of stink. You want to put all kinds of lies out there to the public, because it just came down to the fact that we're in control and you're not. Guess what? You lost the election. Now, the other day one of you got up, you said that I was the new Pat Welch of the Illinois Senate. Well, let me tell you something. I am proud to be affiliated and associated with a great Democrat like Pat Welch. Pat stood up, he told you what was on his mind. He told you the things that you'd done wrong and you didn't like it. Vince Demuzio used to do the same thing. I am proud to stand in the fine tradition of those fine Democrats who see through the hypocrisy that you want to put out here tonight. Well, we got the votes, Ladies and Gentlemen. We're going to call the doggone question. It's going to -- it's going to fly. What you want is for us to go into overtime. And guess what, Ladies and Gentlemen? If we go into overtime, these same people are going to stand up and rant and rave and say the Governor is so incompetent, he can't get it done on time. Now that he's getting it done on time, you talk about what's the rush. You can't have it both ways. Now, I didn't call anybody's name. So, you-all have no right to get up and speak a second time. You know who you are. You know what you've done. Live with it. Let's call the vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you very much, Senator. The gentleman from Cook County, Senator Wendell Jones, for what purpose are you seeking recognition?

SENATOR W. JONES:

Yes. Thank you, Mr. President. To the bill. And I will be brief and yield the balance of my time to Senator Hendon. Actually, I was given a report a couple weeks ago called a -- a Firm Footing -- a Firm Footing, a Fairer Way. And this was a framework for funding State pensions for 2006 and beyond. Now,

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granted, some of the funding was to be based on gaming, which I don't have a problem with. It would sure be better than this proposal. It is now not firm footing, a fairer way. It is now built on quicksand, red ink and an unfair way, because you do not have Members of the General Assembly in this plan. There are no Chicago teachers in this plan. There are no judges in this plan. There are no State employees in this plan. Only downstate teachers and university teachers are in this plan. We should build a firewall, a firewall to protect our teacher pensions in this State and our other public pensions. We should stop raiding them. When -- when I came down here in January, I thought sure we were going to smoke, drink and gamble our way out of Springfield. Instead, it's red ink, red ink, red ink. And I wore this tie for a reason, because I knew it would be deficits forever. Please vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The gentleman from Kane, Senator Lauzen, for what purpose are you seeking recognition?

SENATOR LAUZEN:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR LAUZEN:

Let me just comment before I go into prepared remarks that one of the previous speakers, that the Republicans did not lose the last election tonight. The people of Illinois, our children and grandchildren lost that election. This is what happens when there are no checks and balances on Chicago Democrat power in Illinois. We rob from the future to spend recklessly today. I had the privilege of being one of the lead cosponsors of the pension funding reform package in 1995. It had taken Steve Rauschenberger, Peter Fitzgerald, Dave Syverson and many other conscientious legislators in both the Senate and the House years to pass this measure of fiscal responsibility. Many of us have done our best to say no to benefit increases and for the past ten years, as Senator Rutherford pointed out, with the exception of the recalculation of the -- ERI, we have deposited the statutory amounts required in this fifty-year payment plan every year. Now, Governor Blagojevich and the ruling Democrat majorities in

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the Senate and the House want to change that law. They will forge and fashion a key to the Illinois Pension Fund's treasury to change that 1995 law tonight. They will walk in and rob more than two billion dollars that was committed to the future benefit of teachers and other State pensioners. According to the experts at the State's Retirement System, a 2.3-billion-dollar raid will cost our children and grandchildren more than thirty billion dollars by the time it's paid back. How can you look into the eyes of even the children who are here tonight and tell them that you don't have the self-discipline to control spending within your generation, but you're going to stick their generation with the bill? Thomas Jefferson wrote to James Madison in 1789, saying, quote, Then I say, the earth belongs to each of these generations during its course, fully and in its own right. The second generation receives it clear -- receives the future clear of the debts and incumbrances of the first, the third of the second, and so on. For if the first generation could charge the next with a debt, then the earth would belong to the dead and not the living generation. Then, no generation should contract debts in -- greater than may be paid during the course of its own existence. Pension reforms are good. This raid is bad. The -- the better approach and appropriate behavior for us to adopt tonight is three-pronged: We should lead by example, we should tell the truth, and we should apply reforms uniformly. Finally, Governor Rod Blagojevich said it best, imagine you have a credit card; in fact, sometimes you even skip a payment or two, but you keep using that card to buy new things. For the average family, that's a surefire...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you -- thank you, Senator. The gentleman from Washington County, Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. To the motion. You know, I've been here for ten years and for you people who've been here that long know that I don't really get up and -- and criticize very many things. But tonight something is happening that I think is the most wrong thing for the future of our government that we've done since I've been here. And I really kind of believe that many of you sitting on that side of the aisle realize that. You

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know, this can be a phony business. No matter what you do, you're going to defend it. That's politics, I guess. A person on the other side of the aisle said, for goodness sakes, let's be honest. You know, I guess I would like that at least somebody say, maybe the sponsor, this is a lousy way to solve our problem. You know, you are stuck with a Governor who has made terrible decisions for you and now you have to defend those decisions. I guess I would like to say -- see somebody, maybe even the sponsor, say, "Yes, this is bad, but this is what we decided on. We have the majority and we're going to do it." But I'm going to tell you, you're going to hear some defense. I -- I -- I've seen Senator Schoenberg defend other really bad bills. And you know what? He will have all kinds of -- of defense. He will throw a lot of stuff out there. He will muddy up the water. But he's a lawyer and if you were to set him on this side of the aisle, he would muddy up the water in the other direction and swear on a Bible that he was doing the right thing. This is really a lousy bill. I know it and you know it and let's just get on with it. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The gentleman from Peoria County, Senator Risinger, for what purpose you seek recognition?

SENATOR RISINGER:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR RISINGER:

You know, none of these pension reforms that are in the bill affect the CTA employees who have a very generous retirement formula and low employee contributions. I want to remind the downstate Senators that we will soon be voting on a -- bailout for the CTA in the budget. Would they need that bailout if their pay and pension benefits were responsible? Well, they certainly wouldn't need as much. As a condition of the CTA bailout, at minimum, we ought to be enacting the same changes that the downstate teachers are being forced to accept. Another point that hasn't been mentioned tonight, there's a hidden cost to this bill that may not be revealed for weeks or months and that's the two hundred to four hundred million dollars that's been -- been

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added in pork-barrel projects over the past few days to get votes. And who knows what the real cost is going to be? It's probably much more than four hundred million dollars. One thing for sure, this will go down as one of the biggest -- pork boondoggles in Illinois history. In the debate in the House, it was revealed that some of these critical projects included stained glass windows, dance studio equipment, equipment for sports teams and funding for parades. Now, isn't that something we can all be proud of? We're mortgaging the future of our children and our grandchildren so that we can buy some dance studio furniture or equipment and pay for some parades. This is an embarrassment to the State, and when the people back home find out what's happened, I can tell you, they're going to be outraged.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator from DeKalb County, Senator Burzynski, for what purpose are you seeking recognition, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BURZYNSKI:

Thank you. One of my colleagues on the other side said we all were interested in yadda yadda yadda. So I'll say yadda yadda yadda. However, it's more than just yadda yadda yadda. We've already heard how this administration has unfolded its attitude and its lack of respect for our State's pension plans. Fiscal Year 2004, borrowed money to make the pension payment providing two billion dollars in budget relief, stole from the pensions. Fiscal Year 2005, Governor proposed underfunding the pension systems by over five hundred million dollars. Fiscal Year 2006, this new proposal - pension -- contributions shorted by 1.2 billion. And in Fiscal Year 2007, shorted by 1.1 billion. A total of almost five billion dollars. Think we've heard that number before. What I'm going to suggest to you and I know that a lot of my colleagues enjoy going to plays and a -- a night out on the town. There's a play called the Pirates of Penzance. While this might not be the Pirates of Penzance, I would suggest to you it is the pirates of pensions. Thank you.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The gentleman from Rock Island, Senator Jacobs, for what purpose are you seeking recognition, sir?

SENATOR JACOBS:

To the bill, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR JACOBS:

Thank you, Mr. President. You know, somehow I've been here sixty days, as Senator A.J. Wilhelmi has also been here sixty days, so I'm able to stand here and say this is not my problem, but you know, it's not an Illinois problem. It's not -- or excuse me, it's not a Republican problem. It's not a Democrat problem. The fact is, it is an Illinois problem and it's up to us to fix this problem. You know, we have the largest -- unfunded mandate in -- in America and it's called the Illinois pension system. While this plan isn't the best plan, it's the only plan we're voting on tonight. To my Republican friends, I ask, where's your plan? Senate Bill 27 begins to reform, restructure and restore needed resources to children. Senate Bill 27 will reform the pension system. The significant reforms we pass this year for a total of thirty billion dollars in savings over the next forty years will restructure the debt as many people do when they refinance or mortgage their home. Will also apply to resources for schools. The bottom line, as we -- we will provide thirty million dollars for education and thirty million dollars for early childhood development. But the most important point here is, is that this is not our money. This money belongs to the teachers, the teachers of the IEA and the IFT. And I ask the people in this room, who helped write this bill? The teachers of the IFT and the teachers of the IEA. And if they think it's the right thing to do, then I certainly do too. In closing, I ask for a favorable vote on reform, restructuring and resources for our schools.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The gentleman from Jefferson County, Senator John Jones, for what purpose are you seeking recognition?

SENATOR J. JONES:

Thank you, Mr. President. To the motion.

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PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR J. JONES:

Let's -- let's do a quick comparison of how downstate's teachers are being treated in contrast to the Chicago teachers. And let me say a -- a couple of Members over on the other side of the aisle got up from Chicago and they spoke in favor of this. And you should, because you're not included in it. Your Chicago teachers aren't included in this. Downstate teachers are seeing their early retirement option reduced. They will be asked to pay more and are being forced to provide a mandatory interest-free loan to the State of Illinois. This is wrong, folks. Meanwhile, the Chicago teachers, they won't have their early retirement system touched. In fact, if their funding falls below ninety percent, who picks it up? The taxpayers of the State of Illinois to the tune of seventy-five million in this upcoming budget. You know, this is what I call a mattress program, because the downstate teachers are being asked to put more money in for their early retirement. So, they're going to put more money into the mattress over thirty or forty years, but if they choose not to take the early retirement, they can draw it out. They won't get any interest that it made, but they can draw it out. They're not -- you know, the Chicago teachers -- you know, I can see why the IFT might write this thing, and I can even understand why they IEA might help write it, because around here, over the last three years, we've seen that if you don't want to go along with us, we will come after you. And so they probably didn't have a whole lot of choice in this matter. You know, I -- I've heard all Session long from your side of the aisle and I've heard Members say this repeatedly, "We don't have a spending problem. We have a revenue problem." Folks, we look at it different over here on this side of the aisle. Because you have increased the budget -- when you pass this year, you have increased the budget a billion dollars a year for the last three years. That's a spending problem. That's not a revenue problem. This is wrong and I can tell you right now, downstaters over on that side of the aisle, you're going to have a hard time going back home and facing your constituents. Vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. The gentleman from Sangamon County, Senator Bomke, for what purpose are you seeking recognition?

SENATOR BOMKE:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR BOMKE:

By underfunding the -- the pension system, abrogating our responsibility, increasing the unfunded liability by billions of dollars, we'll seriously jeopardize our ability to meet future benefit needs of university employees, State employees, downstate teachers. In this bill, there's a provision to change the downstate teacher's pension plan, and I suspect those of you who are planning on voting on this tonight, plan on voting on the budget tomorrow. I think that'll probably happen. But keep in mind, downstate Members, in doing that, you're robbing the downstate teachers pension by seventy-five million, sending it to Chicago where the benefits will not be changed, where they have a ninety-percent funded pension system currently. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The gentleman from Champaign County, Senator Winkel, for what purpose are you seeking recognition?

SENATOR WINKEL:

Thank you, Mr. President. To the -- to the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR WINKEL:

Well, I've heard some complaints that, gosh, we're picking on Democrats tonight. Gee, whiz. The minority's picking on the majority. You know, you've been in control for going on three years now. I mean, some may say, even if you've only been here sixty days, gosh, it's not my problem. It is your problem. This is your proposal. You wrote it. You're underfunding the pensions. You're picking on the downstate teachers and the employees, the faculty and staff at our community colleges and our universities. It is your problem. You're in control, as the previous speaker said. Yes, indeed, you are. In fact, I woke up this morning and looked at the newspaper and saw my hometown

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newspaper proclaim Illinois Democrats put self-interest ahead of good government. That editorial goes on to say in the interest of political expediency and in order to protect their own hides, lawmakers are again looting hundreds of millions of dollars from the State's already gravely underfunded pension systems. They're taking the easy way out for them, but leaving a gigantic ever-growing pension obligations bill for future taxpayers. You're the majority. You're in control. You're writing this. Yeah, in a few minutes you're going to put the votes on it and you're going to put it to, not us in the minority, you're going to put it to the taxpayers of the State of Illinois. That's who you're putting it to. And while we're at it, since underfunding is such a terrific idea, gosh, you know, let's really underfund those pensions. That's what you're proposing tonight. And -- and while we're doing reforms, let's single out the downstate teachers. Let's -- let's really fix them. Let's single out the -- the universities and the community colleges, their faculty, their staff and employees. Now, that's fairness. That's fair. Thanks. And you know, for you downstaters who plan to vote for this, I'm shocked. Representative Jakobsson, my Rep, voted for this today. I'm shocked. I don't know how she goes home and explains to downstate retired teachers and to university employees, faculty and staff, to community college employees, why she voted to raid their pensions and fix their -- focus on their pensions and nobody else's. I don't know how she does that, and frankly, downstater friends, I don't know how you vote Yes and go home and explain that. There's constitutional problems with this as well. I mean, the whole notion of in the SRUS -- SURS, the SURS rate setting by the Comptroller, we can't do that.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you -- thank you, Senator. The gentleman from McLean County, Senator Brady, for what purpose you seeking recognition, sir?

SENATOR BRADY:

Speak to the motion, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR BRADY:

Well, first of all, let me address the monumental reforms,

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Senator. You know, we've all got an obligation to set an example. That's why we're elected. If you really wanted reforms, you'd set an example by starting with the richest system in all of the State of Illinois systems and that's the legislative system, the judicial system. But you left that out. We can't touch ourselves or our successors. But now let's get to the so-called pension holiday. Ladies and Gentlemen, if this is a holiday, it's the Titanic. And the skipper is Skipper Blagojevich. And I use that word for several reasons. And the iceberg, that's State debt. That's what we're on. We're on the Titanic with Skipper Blagojevich, running into the iceberg. The question is, who's going to be the casualties? The casualties. Are they going to be the pensioners? Because if you keep driving the system down, eventually the taxpayers of Illinois are going to pass an amendment that says we aren't going to fund the pensions. You're putting the pensioners of this State at risk by your irresponsible financial actions. Or, is it, in fact, the taxpayers? The way I calculate it, this is a 2.3-billion-dollar steal. TRS says it's thirteen bucks a dollar. That's a thirty-billion-dollar steal. Now, that's a tax increase whether you want to believe it or not. That's a nine-percent individual income tax. It's a fifteen-percent corporate income tax. If you vote for this, you're voting to increase taxes. If the Governor signs this, he is signing a bill to increase taxes. Individually, nine percent. Corporately, fifteen. That is wrong. Ladies and Gentlemen, this is worse than United. This is a real problem. But you know what? It's not going to be the pensioners. And it's not going to be us, the taxpayers. In fact, the Governor won't even have to pay for this, because his pension will be protected from tax increases. It's our children that we're robbing. It's our children. They're the ones who are going to have to pay for our mistakes, or rather your mistakes if you vote for this. And as the Senator said a minute ago, what a difference a decade makes. A decade ago we took responsible action and everyone here voted for that action to fund our pensions. Then Senator Molaro, now Representative Molaro, voted for that bill. If I look at the record, Senator Hendon voted for that bill. So you can speak again, Rickey, if you'd like. The sponsor, Senator Schoenberg, voted for that legislation. You

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know, you did the right thing a decade ago. Do the right thing now. Avoid the Titanic.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, for what purpose do you seek recognition, sir?

SENATOR HARMON:

To speak to the Senator's motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senator Schoenberg's motion and would like to take a moment just to correct some of the flaws in the logic used by the opponents here tonight. First, opponents claim that in restructuring the -- the contribution schedule we are somehow shorting the Pension Fund. This is a -- a very myopic view of what's really going on and could be a -- a way to describe any contribution to the Pension Fund that doesn't fully fund the fund immediately. Folks also forget that just two years ago, we made an extraordinary contribution of almost eight billion dollars above the expectations of the 1995 law. Using the logic of the opponents, that would support a full holiday. We choose not to do that. We are restructuring our contribution schedule. It's also illustrative to compare the record of the last two years with earlier administrations. In fourteen years, Governor Thompson put just 5.2 billion into the pension funds. Governor Edgar in eight years put in 5.5 billion. Governor Ryan, 5.8. Governor Blagojevich in just two years has put 11.8 billion dollars into the pension funds. Second, opponents fixate on the savings that can be recognized in the current year. This is a red herring. The -- the structure of the contribution schedule has nothing to do with the current year. We have assets far in excess of the current year's needs. By the logic employed by the opponents, we would not have to make another contribution until the fund is empty. That is fiscally irresponsible and we choose not to do that. Finally, opponents claim that the cost of restructuring the contribution is a billion dollars a year, thirty billion in total, thirteen dollars for every dollar, a nine percent tax -- income tax - whatever metric you may use.

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But that argument is predicated on a discount rate of 8.5 percent, the arbitrary rate set in the 1995 law, and the assumption that we won't make a single contribution until 2045, the last year. That is simply not a reasonable assumption. No matter how often it's said it doesn't make it true. This is nothing like Enron. This is simply the first step on a long road to full reform. I urge all my colleagues to support the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, at this time, there's last two people seeking recognition, the Minority Leader and the President. And Senator Schoenberg, to close. At this time, I'd like to recognize the Minority Leader, Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Once again, I want to thank you for the manner in which you've conducted business here this evening and -- and we appreciate that on this side. Everybody given the opportunity to express their concerns. You know, we walked into caucus a little over an hour ago now, and -- and I said to the people in the caucus how quiet it was. And I -- and -- and I didn't really recognize why that might have -- might been the case. And then I come on the Floor and I -- I see how quiet it is as we speak here. And I -- and you know why? Because it's a -- this is a bad irresponsible thing to do. Nobody feels very good about this. We're going to be voting No. You're going to be voting Yes. And you're going to be feeling real -- bad about this. You know you are. I can tell by the look on your face and you've even talked -- we've quoted from the paper. We've seen what you've said in the past. This is irresponsible what we're about to do, or what you're about to do yet this evening. This action is to raid the system. And let us make sure we understand, it is truly a raid - a total irresponsible raid of the system for this next coming year of 1.2 billion dollars. 1.2 billion dollars. It was a billion. But they had to buy off on the other side to get -- maybe you did, too. I doubt it. I doubt it. I hope you were down on the second floor in line like the House members were, because it's two hundred million more than what it was originally, because they had to buy your votes off. Because that's how bad a bill this is. The -- the Governor talks about making tough and

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responsible decisions. That's his -- that's his line when he gets out there. You know what, the problem with this is, we do 1.2 billion next year, this coming year, and we come right back next spring, next winter, we come back into Session, and we've already got built into the system 1.1 billion dollars next year in forgiveness in the raid. And oh, isn't it ironic, the election - the election will be then in November. And you know what? Somebody else -- somebody else will deal with this in the manner in which it will be responsible and the decision will be tough. Someone else. And I have a feeling there may be a few more over on that side that may not be here after the next election, because this is totally irresponsible and you know it. This started out, Mr. President, as you may recall, of seven hundred and fifty million dollars the Governor said we're going to save by -- by the draconian -- the total draconian pension reforms that he talked about in the beginning. Seven hundred and fifty million. Now, we have a watered-down -- total watered-down pension reform language and we -- now, we -- what do we do? Instead of going down, we go to 1.2 billion dollars. That is a - - going in the wrong direction.

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Watson, could you...

SENATOR WATSON:

We...

PRESIDING OFFICER: (SENATOR DeLEO)

Please bring your remarks to a close, sir. The time has expired. For the next speaker. Please bring your remarks to a close, sir.

SENATOR WATSON:

Thank you. I will. The Governor also talks about the fact that we haven't offered anything in response to the proposed changes and I want to just tell you, Mr. President, we offered several suggestions. One was to bring equity and fairness to the two systems, the Chicago Teachers Pension System, of which you're about to vote for, because it doesn't impact your teachers, and then the rest of 'em, the suburban and downstate teachers. We felt the two systems should be treated with equity. We're going to send seventy-four million dollars to the Chicago public school system pension. Seventy-four million. Nine million of it, which

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is required by the State, because the funding level has fallen below ninety percent. If it falls below ninety percent, it's an automatic contribution from the State of nine million dollars this next -- this coming year. We'll be voting on that shortly, probably next week -- the next day or two.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you -- thank you very... At this time, the gentleman from Cook, President Jones.

SENATOR E. JONES:

Thank you, Mr. President. You know, sitting here listening to...

PRESIDING OFFICER: (SENATOR DeLEO)

President Jones.

SENATOR E. JONES:

I did not interfere with you and I wish you'd give me the same courtesy. Sitting here listening to the -- the debate and listening to the Members on the other side of the aisle with their prepared scripts on this piece of legislation, which indicate they don't know what's in the bill. At least a broken clock will give you the correct time twice a day. This -- this -- this -- this bill to accept the motion on concurrence deals with three basic things: restructuring a law that we passed in 1995, which was a good idea, but it should have been tied to revenue. Had it been tied to revenue in 1995, instead of paying a mere five hundred million dollars, perhaps we would have paid a billion dollars. And in the -- in the subsequent fiscal year, we will have paid much more. So, we are restructuring. We are not robbing anything. Let's tell the truth. I sat there hour after hour over the last two months waiting for something positive to come from your Leader on the other side of the aisle. They found fault with everything. We are restructuring. We are reforming part of the pension systems in State of Illinois and we are putting more resources into the classroom. It is a disgrace that you stand there and support some superintendents around this State getting a two-hundred-and-fifty- to three-hundred-thousand-dollars-a-year pension. And this bill put a cap on that, so we can put more money into the classroom. In some school districts, they cut the classroom teaching hours of students while the superintendent is getting paid two seventy-five, three hundred

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thousand dollars a year. You support that, but you don't have the courage to stand up to them. So this bill put a cap on it. If the local school district want to pay or give a raise in excess of six percent, let them pay for it. It don't happen in Chicago's system, because management will not give it because they pay a property tax toward that school system. Doesn't happen across the State of Illinois. All but nine hundred school districts do not pay into this pension system. So you want the State to continue to pay for all those abuses. If you are interested in the children as you proclaim that you are, then you will support this bill. You must admit that that 1995 law and I probably voted for it equally as well, but it was ill -- ill-conceived. It was not structured properly. So what we are doing is reforming the retirement system. We are reconstructing that 1995 law. And it should have been spread out over many years and on the front -- on the front end. Had former Governor James Thompson, former Governor Jim Edgar, former Governor George Ryan had they put that right -- put the right amount of dollars into the pension system, we would not be faced with this problem right now. It is a cold hard fact. And I know many homeowners across the State of Illinois have problems meeting the mortgage payments which they signed for. They go in and have a refinancing of that -- of that -- of that mortgage. That's all that we are doing. We are not robbing the future. But if you don't vote for this bill, you are robbing the -- every student in the public school system, because you have to pay the high pension cost at the same time you're cutting programs to educate the children across the State of Illinois. This bill should receive a unanimous vote from each -- each and every one of us on this Floor. But let's -- let's quit playing games. For once, tell the truth. Tell the truth. The clock is ticking. You have a chance to get on board. The train is moving.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you, Mr. President. Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

Parliamentary inquiry of the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry, sir.

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SENATOR RAUSCHENBERGER:

Since this is a recognized debt of the State of Illinois, clearly in the 1995 law we're restructuring the payment of an obligation of the State, it would seem to me that this qualifies -- will need thirty-six votes. I'd like a ruling from the Chair whether we're incurring State debt since we're recognizing additional pension liability by not paying our scheduled payment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger, the inquiry, we've been -- does -- does not include a General Obligation Bond, therefore it requires thirty votes, sir. Senator Schoenberg, to close.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I must admit that I have found many of the comments made over the past hour to be a sad exercise in seeking plausible deniability. The 1995 law is not being scrapped. It's being improved, because it does not work. I'm saddened that the same principles that kept us here over the course of much of the summer this -- last year, namely in having -- in not having balloon payments on debt, that that certainly didn't apply and it certainly doesn't correspond with the payment schedule that was established in the '95 law, when for ten years the payments were relatively flat and then, like an -- a -- a jet taking off, an aircraft carrier, went up to two billion, then 2.6 scheduled for this year and scheduled for four billion. None of that was indexed to economic realities. It was all ballooned. It was all back-loaded. The same criticism that has been made time and time again by the other side of the aisle, regrettably that principle can't be evenly applied here today. We're not restarting the clock. We're restructuring the payment schedule. And there are no false promises like that which we received on the early retirement initiative under former Governor Ryan, when we were all deceived in believing that seven thousand State employees at a particular cost were going to provide us with a savings and then all these subsequent sweeteners were added to the package, driving the cost to the point where we now face a 1.8-billion-dollar obligation associated with that, that we weren't told the truth about. This is the first time in forty years that we are realizing reform. The ERO, which is so critical to changing the

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behavior of how the end of -- the end-of-career salary increases are funded, are more equitable in requiring more contribution from the teachers, requiring the school districts to pay more of their fair share, and in turn easing the burden upon us as well. In closing, I wish to say this: We can do more in the area of reform. The Governor's Pension Commission outlined a series of reforms - many, but not all of which, are in this -- are in this concurrence motion. All the Republican business people on the Governor's Commission voted for it. Under the harsher, more severe reform version, the Republican legislators declined. Under a scaled-back version that takes a more incremental approach, not trying to solve a twenty-five-year problem overnight but to make significant progress, even the scaled-back version does not receive any support. Just saying no isn't an alternative. We can do better. We will do better. This is a giant step forward. And let me add that since the '95 law, I indicated that there was plenty of red ink on everyone's hands at the State Capitol. Since the '95 law, the Legislature has passed six pension bills that added 5.8 billion dollars in unfunded liability. I see a lot of familiar faces on those roll calls. Let's take that significant first step. Let's take that responsible first step. Let's improve the 1995 law. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

I'd like -- I'd like to appeal the ruling of the Chair that this is not the assumption of State debt.

PRESIDING OFFICER: (SENATOR DeLEO)

Sir, it's not in a timely fashion. The gentleman has already closed. I apologize for that. Okay. Ladies and Gentlemen, this is final action. The question is, shall Senate Bill -- concur in Amendment No. 2 -- House Amendment No. 2 to Senate Bill 27. 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, please take the record. On that question, there are 32 Ayes, 26 Nays, 0 voting Present. The Senate concurs in House Amendment No. 2 to Senate Bill 27. And the bill, having received the required constitutional majority, is declared passed. Ladies and

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Gentlemen, for purposes of an announcement. Purposes of announcement. The Rules Committee will meet immediately in the President's Anteroom. The -- all members of the Rules Committee please report to the Anteroom immediately. Thank you. Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee -- Refer to Executive Committee - Motion to Concur with House Amendments 1 and 2 to Senate Bill 157.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein, for what purpose are you seeking recognition, sir?

SENATOR SILVERSTEIN:

For the purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SILVERSTEIN:

The ever-fair nonpartisan Executive Committee will meet tomorrow at 10:30 in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Executive Committee tomorrow, Monday, May 30th, at 10:30. Thank you, sir. Ladies and Gentlemen, there being no further business to come before the Senate, the Senate stands adjourned until the hour of 11 a.m. on Monday, May 30th, the year 2005, Memorial Day. The Senate stands adjourned.