

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

HB1918	Recalled	8
HB1918	Third Reading	13
HB1918	Vote Intention	101
HB4342	Recalled	28
HB4342	Third Reading	28
HB4451	Third Reading	33
HB4729	Recalled	30
HB4729	Third Reading	31
SB0014	Concurrence	65
SB0176	Concurrence	36
SB0230	Concurrence	41
SB0230	Vote Intention	43
SB0613	Concurrence	104
SB0627	Concurrence	83
SB0789	Concurrence	99
SB0931	Concurrence	84
SB0998	Concurrence	89
SB1279	Concurrence	91
SB1497	Concurrence	108
SB1520	Concurrence	124
SB1520	Vote Intention	145
SB1625	Concurrence	43
SB1863	Concurrence	44
SB1892	Concurrence	119
SB1977	Concurrence	47
SB2030	Concurrence	94
SB2225	Concurrence	120
SB2339	Concurrence	64
SB2436	Concurrence	96
SB2445	Concurrence	98
SB3186	First Reading	27
SR0664	Adopted	145
SR0740	Adopted	103
SR0750	Resolution Offered	2
SR0751	Resolution Offered	27
SR0752	Resolution Offered	7
SR0753	Resolution Offered	27
HJR0105	Resolution Offered	2
HJR0118	Resolution Offered	7
HJR0119	Resolution Offered	26
HJR0127	Adopted	102
HJR0127	Resolution Offered	2
HJR0130	Resolution Offered	27
HJR0136	Adopted	147
HJR0136	Resolution Offered	147
Senate to Order-Senator DeLeo		1
Prayer-Pastor Ron Moorman		1
Pledge of Allegiance		1
Journal-Postponed		1
Messages from the House		2
Messages from the House		2
Committee Reports		3
Senate Stands in Recess/Reconvenes		5
Committee Reports		6
Messages from the House		6
Committee Reports		7
Senate Stands in Recess/Reconvenes		26
Messages from the House		26

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Committee Reports	100
Resolutions Consent Calendar-Adopted	146
Messages from the House	147
Adjournment	147

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 94th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Pastor Ron Moorman of the Luther Memorial Lutheran Church here in Springfield, Illinois. Pastor.

PASTOR RON MOORMAN:

(Prayer by Pastor Ron Moorman)

PRESIDING OFFICER: (SENATOR DeLEO)

Please remain standing for the Pledge of Allegiance. Senator Maloney, to lead in the Pledge.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DeLEO)

There is several medias' outlets -- leave -- looking -- seeking leave to video or record today's proceedings. We have Channel News 20 here in Springfield, Chicago Tribune, the staff photographer, Illinois Information Service and WCIA, here in Springfield, all seeking leave to videotape the proceedings. Seeing no objection, leave is granted. Senator Hunter. Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal of Wednesday, May 3rd, 2006, pending arrival of the printed transcripts.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter moves to -- postpone the reading and approval of the Journal, pending the arrival of the printed transcripts. There being no objection, so ordered. Leader Watson, for what reason do you seek recognition, sir?

SENATOR WATSON:

Yes, thank you, Mr. President. As we begin our deliberations today, I think most of us know that we were informed this morning of the passing of one of our former Members and good friend, Bob Madigan, of Lincoln, Illinois. Senator Madigan had been fighting cancer for quite some time and -- and unfortunately did not survive it. And we all want to keep his family; his wife, Connie, and their children in our prayers. And I think that I'd like to ask, if you don't mind, for a moment of silence for former Member Bob Madigan and -- and the work that he

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

did for a long period of time -- people of his district and people of Illinois, representing 'em here on this Senate Floor.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. At this time, we'd ask the Body -- all Members please rise and stand in a moment of silence for our deceased colleague, Senator Madigan. Thank you. Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 750, offered by Senator Don Harmon and all Members.

It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. Madam Secretary, Messages from the House, please.

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 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 105.

Adopted by the House, May 3rd, 2006.

I have a like Message on House Joint Resolution 127, which also passed the House, May 3rd.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. Just would like the record to reflect that Senator Dillard will be absent today. He's having a -- minor medical procedure performed in district. It's been scheduled for quite some time. So, like the record to reflect that, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The record will so reflect that. Madam Secretary, Messages from the House, please.

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

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

passage of a bill of the following title, to wit:

Senate Bill 613, together with House Amendment 3.

I have like Messages on Senate Bill 627 with House Amendments 1 and 2, Senate Bill 789 with House Amendment 1, Senate Bill 858 with House Amendment 1, Senate Bill 931 with House Amendments 1 and 3, Senate Bill 1832 {sic} (1892) with House Amendment 2, Senate Bill 2185 with House Amendments 1 and 2, Senate Bill 2436 with House Amendment 1, Senate Bill 2664 with House Amendment 5, Senate Bill 2796 with House Amendments 1 and 2.

Passed the House, as amended, May 4, 2006.

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 -- pardon me, 4977.

Nonconcurrent in - that was with Senate Amendment No. 1 to House Bill 4977 - was nonconcurrent in by the House, May 4, 2006.

PRESIDING OFFICER: (SENATOR DeLEO)

For purposes of an announcement. For purposes of an announcement. I ask all Members of the Rules Committee, please report to the President's Anteroom immediately. Rules -- Rules Committee will be meeting immediately. So all Members of the Rules Committee, please come to the President's Anteroom. Thank you. Senator Viverito. Senator Viverito. 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 - Motion to Concur with House Amendments 1 and 2 to Senate Bill 14, Motion to Concur with House Amendment 1 to Senate Bill 789, Motion to Concur with House Amendment 1 to Senate Bill 1279, Motion to Concur with House Amendments 1 and 3 to Senate Bill 2030 and Motion to Concur with House Amendment 1 to Senate Bill 2445; refer to State Government Committee - Motion to Concur with House Amendments 1 and 2 to Senate Bill 627, Motion to Concur with House Amendments 1 and 3 to Senate Bill 931, Motion to Concur with House Amendments 1, 3

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

and 4 to Senate Bill 998 and Motion to Concur with House Amendment 1 to Senate Bill 2436; Be Approved for Consideration - House Joint Resolution 121, House Joint Resolution 127, Floor Amendment No. 2 to House Bill 1918 and Floor Amendment 3 to House Bill 4442.

PRESIDING OFFICER: (SENATOR DeLEO)

My colleague and friend, Senator Garrett, for what purpose do you rise, ma'am?

SENATOR GARRETT:

Thank you, Mr. President. For purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR GARRETT:

My announcement is that State Government will meet one more time, hopefully, today at 1 p.m. in A-1 in the Stratton Building.

PRESIDING OFFICER: (SENATOR DeLEO)

The lady mentioned that State Government will meet at 1 p.m. in A-1. State Government will be in A-1 at 1 p.m. today. Senator Silverstein, good afternoon, sir. Nice to see you. For what purpose do you rise, sir?

SENATOR SILVERSTEIN:

Just wanted to say hello. Purpose for announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR SILVERSTEIN:

The -- the nonpartisan -- partisan -- the nonpartisan Executive Committee will meet at 1 o'clock today in 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Executive Committee will meet in Room -- 212 at 1 p.m. Room 212 at 1 p.m., the Executive Committee will meet. Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

Well, thank you, Mr. President. Just a point of order. We in the Rules Committee have been learning to interpret colors. Some people read tea leaves and we've come to the conclusion that while Senator Hendon wears colors that don't actually exist in nature, you do. And one of the things that you have on is a red tie and the question that is around us today is, what is the symbolism of the red tie? Is it provoking the bulls, like a

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

bullfighter, or is the ribbon that's tied on the end of a Session? Can you interpret that for us, Mr. -- Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, if you turn to page 45 of the Rules of the Senate, the -- it says, like as you -- being an attorney, the scales of justice, lady justice, has the blindfold on, we are colorblind in this Chamber. We see no colors. We just see an end in -- in sight. Senator Silverstein, for what purpose you seek recognition, sir?

SENATOR SILVERSTEIN:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SILVERSTEIN:

If the Senate could welcome in the gallery Senate -- Jerry Acciari from the Lincolnwood Police Department, Lieutenant Jerry Acciari. I would appreciate it.

PRESIDING OFFICER: (SENATOR DeLEO)

Lieutenant Acciari, welcome to Springfield, sir. Thank you for being here today at the police memorial. Ladies and Gentlemen, we just announced the committee announcements, so the Senate will stand in recess to the call of the Chair till after committees. The Senate will reconvene for final action -- for Floor action. The Senate will stand in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. Will all Members within the sound of my voice please come to the Senate Floor? We will be doing Senate final action. The Rules Committee -- for purposes of an announcement. The Rules Committee will be meeting very, very shortly - within a couple minutes. So we'd ask all members of the Rules Committee, please report to the Senate Floor. WCFN Television is -- seeking leave of the Body to videotape the proceedings. Seeing no objection, leave is granted. For purposes of an announcement, a correction. For purposes of an announcement, a correction please. Rules Committee will be

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

meeting immediately. Rules Committee will be meeting immediately in the President's Anteroom. So I'd ask all members of the Rules Committee, please report to the President's Anteroom. Thank you. Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Silverstein, Chairperson of the Committee on Executive, reports Motions to Concur with House Amendments 1 and 2 to Senate Bill 14, House Amendment 1 to Senate Bill 789, House Amendment 1 to Senate Bill 1279, House Amendments 1 and 3 to Senate Bill 2030 and House Amendment 1 to Senate Bill 2445 recommended Do Adopt.

Senator Garrett, Chairperson of the Committee on State Government, reports the Motion to Concur with House Amendments 1 and 2 to Senate Bill 627, House Amendments 1 and 3 to Senate Bill 931, and House Amendments 1, 3 and 4 to Senate Bill 998 and House Amendment 1 to Senate Bill 2436 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages from the House, please.

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 1684, together with House Amendment 2. Passed the House, as amended, May 4, 2006.

I have like Messages on Senate Bill 2295 with House Amendments 1 and 3, Senate Bill 2762 with House Amendments 2 and 3, and Senate Bill 3088 with House Amendment 1.

Passed the House, as amended, May 4, 2006.

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 with the -- to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 4173, together with House {sic} (Senate) Amendments 1 and 2.

Nonconcurrent in by the House, May 4, 2006.

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

Mr. President - I am directed to inform the Senate that



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

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 118.

Adopted by the House, May 3rd, 2006.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 752, offered by Senator Hunter and all Members.

It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. If I could have your attention, please. Can I have your attention, please? Purposes of an announcement. We'd ask all Members, please come to the Floor immediately. We're going to be doing final action. Please come to the Senate Floor immediately. All Members within the sound of my voice, please come to the Senate Floor. Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment No. 3 to House Bill 1918.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, for what purpose you seeking recognition, sir?

SENATOR HAINE:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR HAINE:

Mr. President, Ladies and Gentlemen of the Senate, I would like to take a moment on this beautiful spring day and introduce the woman that I've been married to for almost thirty-five years, who came here to watch the budget be wrapped up last night and today. Thank you. My wife, Anna, Ladies and Gentlemen of the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

I'm sorry, you said your daughter? Ladies and Gentlemen, all Members, may I have your attention, please? We're now going to be proceeding to House Bills 3rd Reading, on page 8 of your Calendar, for final action. For purposes of an announcement. We're -- we will be going through the Calendar, but not by individual bill. We'll only be going to the bills that we've had committee action amendments reported to the Floor on. So once again, we'll be going to House Bills 3rd Reading, page 8 of your Calendar, and only bills that we'll be going to on the Calendar, those who will need to adopt amendments for final action. Okay. Ladies and Gentlemen, House Bills 3rd Reading, final action. We'll go to House Bill 1918. Senator Clayborne, do -- Senator Clayborne, wish to proceed? He indicates he wishes to proceed. Senator Clayborne seeks leave of the Body to return Senate {sic} Bill 1918. Just a minute, we'll have to put it up on the board. House Bill 1918. Okay. Senator Clayborne seeks leave of the Body to return House Bill 1918 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 1918. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Hendon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I'd like to table Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The gentleman requests to table Amendment No. 2. That is so ordered. Madam Secretary, are there any other amendments approved for consideration?

SECRETARY HAWKER:

Yes, Floor Amendment No. 3, offered by Senator Hendon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, to explain the amendment, sir.

SENATOR HENDON:

Thank -- thank you, Mr. President. The amendment retains the underlying bill. It sunsets the Horse Racing Equity Trust

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Fund Section and related licensing provisions to two years, two-year sunset after the effective date, and it reinstates the Horse Racing Equity Fund and it has the severability clause.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Cullerton, what purpose you seek recognition?

SENATOR CULLERTON:

Yes, thank you, Mr. President. I rise in opposition to this amendment and I would ask for a roll call when we call for it. My opposition is based on the fact that this amendment actually makes what I think is a bad bill even worse. The -- back in 1999, we passed a bill dealing with the tenth -- license. In addition to that, we passed some legislation dealing with riverboats and -- as well as the racing industry. And what we said in that bill was that when we get the tenth license, we will give a fifteen-percent ownership interest. After the adjusted gross revenue, fifteen percent of that is going to go to the horse racing industry for nothing; they just get that. If the tenth license was up and operating today, that would be seventy million dollars that we would write a check from the State from the Common School Fund and send it off to the horse racing industry, an industry, by the way, which would otherwise be illegal if we didn't give an exemption to it in the Criminal Code and an industry which we now break even on. We don't make any money on it in direct revenues. Now, we're -- we never had the tenth license created, so we haven't had to write that check for seventy million dollars. What the bill did, the bill that passed the House, was to say, "Okay, you guys can have thirty-seven million dollars from the riverboats, but we're going to abolish, we're going to rescind that agreement that we had back in 1999; you don't get the seventy million dollars." Unbelievably, this amendment says we're going to take the money from the riverboats for two years, give it to you, and at the end of that two years, you still get to get the seventy million dollars from the Common School Fund when the tenth license is up and running. It's unbelievable that we would have an amendment like this that would even go backwards even more than the original bill. So, I hope the amendment doesn't pass. The original bill is bad enough, but

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

this makes it really, really worse. And what -- and Senator -- former Senator Molaro who passed this bill in the House, he was bragging the good thing about this bill is this eliminates that -- that fifteen-percent skim off of the tenth license that comes out of the Common School Fund and it goes -- goes to the horse racing industry, we're getting rid of that, that was -- that's what he was bragging about. This amendment puts it back in. It's -- it's unbelievable, that's how bad it is. I'd ask for an -- a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Any further discussion? Senator Wilhelmi, for what purpose do you rise, sir?  
SENATOR WILHELMI:

Thank you, Mr. President. I, too, rise in strong opposition to this Floor amendment and I also ask for a roll call. I'm from Joliet, many of you know that. I have two casinos in my district, two of the four that will be affected by this underlying bill. I agree with my colleague, Senator Cullerton. I have great respect for the sponsor, but I feel that this just makes a -- a bad bill worse. And we see now we're going to have the three percent on top of the fifty percent, and at the end of the two years, the ability to get back to that fifteen percent of -- adjusted gross revenues from the boats that would be affected -- the four casinos -- and basically handing this money over to the horse racing industry. I hope that you'll all take a strong look at this. I hope that you will join in opposition to this and that this Floor amendment will not be given the thirty votes needed. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further discussion?  
Senator Wendell Jones.

SENATOR W. JONES:

Yeah. Thank you, Mr. President, Members of the Senate. It seems like we were debating the basic bill rather than the amendment. The amendment only calls for a two-year sunset, which means the General Assembly will get a chance to come back and review the whole horse racing casino issue. And so this amendment is only on the two-year sunset as I understand it. Is that correct assumption from the sponsor?

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

That is correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. So just to be clear, this amendment is a two-year sunset so this General Assembly can come back and review the issue. We can debate the merits of the three-percent set-aside for horse racing industry and the merits of the bill on 3rd Reading, but clearly this amendment is only a sunset. Thank you for the clarification.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further discussion? Any further discussion? Senator -- Leader Watson, for what purpose you rise, sir?

SENATOR WATSON:

Yes, thank you very much, Mr. President. Truly, there's some -- some people getting really jerked around here. I mean this is unbelievable. You talk about outrageous. I mean, I don't have any idea what's happening here. The very people who don't want this bill are being protected by this amendment. So why wouldn't they be for it? And the reason is, they want to kill it. They want to kill it, because we understand, we've been told that the -- the President will not call this -- this bill without this amendment on it. So, you know, what is this all about? We've got an industry in this State that is in trouble, and I've been -- I've been supportive of the horse racing industry since I walked through the door in 1979 in the Illinois House. I've been supportive of this industry, because it's good for Illinois. We have Fairmount Race Track in my area. They're having a difficult time. There's no doubt about it, but they're still racing. They cut the number of days. They're still racing. And the reason they're having problems is what we did back when we passed the casinos in the first place. They were just little paddleboats going up and down the river, no big threat to anybody. Well, look what they've become today. There's just so many dollars out there that people have available to them to -- to gamble in this State. People just have so much

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

-- spendable income and the casinos are taking a good portion of this and they're hurting an industry that is important to Illinois and that's the horse racing industry. I really don't understand what this is all about. I do support the amendment, because from what we understand if it doesn't have the amendment on, the bill dies. So with that goes any kind of help the industry might get. So let's all support the amendment, put it on, send it back to the House, let them concur and get it to the Governor, who also supports this, I understand, and has worked hard for it. So I don't understand what this is all about other than some people, primarily the industry -- horse racing industry, are truly getting jerked around.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Righter, what purpose you seek recognition, sir?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Hendon, there's been some talk about the Common School Fund here on the Floor, so I guess I want to ask you, the sponsor of the amendment, directly, is the function of Amendment 3 if it's passed, attached to the bill and becomes law, to take money out of the Common School Fund?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

No -- no, it is not. Because the tenth license is not on-line, that fund has never -- that seventy to ninety million dollars has never even been made available to the industry.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no further discussion, Senator Hendon, to close.

SENATOR HENDON:

Well, I'd just like to, first of all, say, Senator Cullerton, I understand his -- his concerns. I appreciate Leader Watson for standing up for the farmers and the agricultural business here in the State of Illinois. The purpose of the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

sunset -- and no one said anything against the sunset, so I just wanted to make that clear. It was the problem with the tenth license. But the -- the purpose of the sunset is so we can look -- go -- come back and look at this thing in a couple years, and if we need to make an adjustment, we will -- I will certainly be a -- a sponsor to make sure that we do that to make sure it's fair. I appreciate an -- Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, we're on Floor Amendment No. 3. There's been a request for a roll call. The question is, shall Amendment -- Floor Amendment No. 3 to House Bill 1918 be adopted. All those in favor, vote Aye. All 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 40 Ayes, 16 Nays, 1 voting Present. The amendment is adopted. Madam Secretary, are there any further Floor amendments approved for our consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading comes House Bill 1918. Senator Clayborne, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill. While there's a short break in the action here, Squires Photography seeks leave of the Body to photograph the Session. Seeing no objection, leave is granted.

SECRETARY HAWKER:

House Bill 1918.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. House Bill 1918, as amended, came about as a result of findings indicating that the riverboat gaming has had a negative impact on horse racing, specifically on on-track wagering, purse racing and the breeding industry. If riverboats pay three percent of their

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

gross into the Horse Race {sic} (Racing) Equity Trust Fund, which we have changed -- this -- this amendment changed it from the -- the Horse Race Equity Fund to the Horse Race -- Racing Equity Trust Fund, then this will reverse the decline and create jobs, benefit farmers, breeders and horse racing fans. It is estimated that this bill will help about forty thousand that are involved some way or another in the -- in the horse racing industry. The Horse Racing Equity Fund -- Trust Fund is exempted from chargebacks. The Fund's split will be 60/40 instead of the 50/50 currently. Sixty will go to the purses and forty percent will go to the tracks for advertising, operations, as well as improving the backstretch. The tracks' split goes for -- eleven percent going to Fairmount and eighty-nine percent going to the other tracks. Again, this track split is limited to improve, maintain and market and other operations of the facilities. This only applies to those boats that have an AGR greater than two hundred million dollars in 2004. Also, as previously mentioned, there's a two-year sunset and the Horse Race Equity Fund would go back on-line as it relates to the tenth license. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Petka, what purpose you seek recognition, sir?

SENATOR PETKA:

Well, thank you, Mr. President, Members of the Senate. I rise in opposition to this legislation. To ask the casino industry to subsidize a competitor is analogous in my mind to asking General Motors to subsidize Ford. They're still looking for -- we have industries which are natural competitors that are set up by the State of Illinois and then controlled by the General Assembly. As a matter of State public policy, what we are being asked to do here makes absolutely no sense. By requiring an industry which has flourished over the last sixteen or seventeen years to subsidize an industry that is a competitor of theirs that is not -- that is simply not done very well, in my mind brings -- brings out something that former President Ronald Reagan once said, that if something is -- is flourishing in America, unfortunately we have a tendency to begin overtaxing it, then we begin to overregulate it. And after both of those things



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

impact upon any industry, then we look to subsidize it. In this instance, by requiring not only a subsidy to be paid, but having that subsidy collected from only four of the nine casinos in this State, in my mind brings out a very substantial question of equal protection under the federal Constitution. We are -- treating similar -- similarly situated ventures very, very differently and very, very disparate. I also echo the remarks made so eloquently and passionately by Senator Cullerton in connection with his opposition. This is a bad piece of legislation. This is a very bad idea, incredibly bad public policy and it should be resoundingly defeated.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Righter, what purpose you -- you seeking recognition, sir?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Like on the amendment I guess, Senator Clayborne, there's been a comment here now -- now about the constitutionality and I want to ask you that question directly. It is my understanding in the legislation that the bill only applies to four of the nine riverboat casino licenses.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Clayborne. Senator Righter, I'm -- I'm sorry, I thought you were completed.

SENATOR RIGHTER:

It -- do you believe that the bill as it's currently drafted is constitutional, Senator, and if you do believe that, can you tell us why? Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

I certainly do, Senator Righter. As you know, the Illinois reviewing courts permits us in the Legislature to make -- distinctions in legislation, whether stated or not, as long as there is the rational basis for the distinction. House Bill 1918 makes the distinction it does based upon a very powerful and

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

compelling rationale. This bill is intended to help the State -- State's live horse racing industry survive the onslaught of financial competition from nearby riverboat casinos. The majority of the live horse racing is conducted in the Chicagoland metropolitan area. This bill simply reallocates a small amount of adjusted gross revenues only from riverboat licenses which are directly threatening the financial viability of the remaining live horse racing facilities in the Chicago metroland area.

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Watson, for what purpose you seek recognition, sir?

SENATOR WATSON:

Yes, to the bill and thank you for -- and I've just played the tape back of what I said on the amendment and -- 'cause I am for this, I think it's the right thing to do. I understand what Senator Petka said, that this isn't a perfect bill. We'd rather be doing something else also. We don't disagree with that and I think the industry would say the same thing, but this is the only game in town right now and this is what needs to be done. What I don't want to see happen, Mr. President, is -- is games being played with this legislation. As soon as it passes, it's very important that it gets to the House so they can act on this. So I'm hopeful that Secretary will make sure that that Message gets delivered immediately to the House so they can deal with this and it's important they do obviously. And if they concur, wonderful. If they -- if they don't, then we may have to do something else here. So I -- I appreciate the support on the amendment. Hopefully we'll have the same vote on the bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further discussion? Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Members of the Senate. I've -- I've been here about fifteen or sixteen months now and I've heard Senator Roskam say very -- very eloquently that at times we have a good sponsor, a good bill; a good sponsor, bad bill; and so on and so forth. Obviously, this is one of those examples where we have a very good sponsor, who I have a great deal of respect for, but I hate to say or I -- I have to say, it's a -- it's a very bad bill. There are a lot of reasons. Sometimes there's only one or two reasons why a bill is bad. This -- this has four or

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

five or even more reasons why it's bad. And first, just to echo Senator Petka, this is bad public policy. This is taking a tax on one industry to help a struggling industry, and -- and the fact is, the market should take care of those things. The market should be able to be free and work freely and let competition do what it does. And -- and businesses will survive and some won't, and that's just the way it works. And I have all the sympathy and -- and respect for the horse racing industry, but I don't think that the way to solve their issue is to take from the bottom line of our good casinos and -- and just hand it over to the -- to the race -- race industry -- horse racing industry. That's the first reason, the bad public policy. But secondly, I think this kind of legislation sends a real bad message to business and I don't think we need to send any more bad messages to business. We said to the casinos long ago, come into Illinois, invest millions of dollars, we will support you and we will appreciate the tax revenue that you send back to -- to the State of Illinois. They've done that. They've invested millions of dollars. They've hired thousands of employees, not only in -- in Joliet, but in Elgin and in Aurora and in other parts of the State. This sends a message that after you do that, we're going to change the rules in the middle of the game. We're not going to stand behind what we told you. Come in, invest your money, and then, oh, by the way, we'll raise your taxes to seventy percent, which we did a few years ago. And -- and then the third reason, and probably the most important reason this is bad, is because a deal was struck last year with the casino industry. And the deal was, we'll -- we'll reduce that top tax from seventy to fifty percent and -- and we'll -- we'll expect a hold harmless from you, which is in place, and we'll leave it at that. Well, a year later, we're coming back now and we're saying, we're not going to hold up to that deal. We're now going to add another three percent on top of the fifty percent of the -- top tax rate. And I think that we also need to be careful that when we give our word and when we make a deal, that we stand by that word and by that deal. And that's not what's happening here. We're going back on our word, and we're going back on the deal, and now we're saying an extra three percent to one industry and, in fact, to just four casinos in that industry. And I echo another reason,

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

the constitutionality. I don't think there's a rational reason or basis for taking the four out of the nine. I think the reason is they're the best producers; they make the most money in the State of Illinois. Well I'm saying today, if you look at all these reasons, that's more than enough reason to vote No on this legislation. Let's send a message that when we invite business to come to Illinois, we stand behind 'em and we're not going to tax 'em out of business, or at least tax 'em to another business -- excuse me, another state across the borders. We've already lost market share in Illinois to Indiana and other states. Let's stop the bleeding and let's stop doing this kind of thing in -- in -- in Springfield. Let's support the industries that we invite into our State and let's try to find another way, if there is another way, to -- to help an industry that's struggling. And I ask for a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

For further discussion, Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to House Bill 1918. I chaired the -- I'm the Senate Co-Chair of the Commission on Government Forecasting and Accountability and perhaps the only objective analysis that I've ever heard in this Capitol Building about the impact that our -- that our taxation policies have on -- on gambling as a whole occurred last year, where we invited financial experts from Wall Street to provide us with an independent analysis of how our tax policies were impacting the gaming industry. And aside from the fact that we are really comparing apples and oranges between the horse racing industry and the casino industry, the very reason, according to Deutsche Bank, which provided the analysis for us, that there has been successful casino gambling receipts and revenues coming into jurisdictions has been less a function of the gambling itself and more a function of the nongambling revenues. In other words, it's the hotels, the restaurant, the entertainment complexes associated with those venues, more so than the actual action that's being offered at those venues. And there -- and that investors won't put their money into those entertainment complexes so that those revenues can increase for nongambling at

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

these venues without a stable tax policy. So it's for that reason which it was a prudent idea for us to stabilize the tax policy, so that those -- those investments would not be made in neighboring states. Those nongambling related investments are what's ultimately creating the new jobs in these related industries. So we need to have a secure and stable tax climate so as to encourage more investment so that we derive the benefit of that nongambling related revenue that can be used to achieve public goals throughout -- throughout the State. There's another reason why we should oppose this bill and that is, and this touches upon something that Senator Cullerton alluded to earlier with the 1999 bill, in 1999 we -- the Legislature perpetuated the symbiotic relationship, the Siamese twin relationship, between the horse racing industry and the casino industry through the subsidies that went to places like Arlington International Race Course. At that time, we essentially provided a subsidy to artificially boost the stock of Arlington so that it could ultimately be acquired at a greater profit in a stock deal by -- for Churchill Downs. In other words, we inflated, by virtue of the Legislature's action - and I opposed it at the time and I would oppose it today - by virtue of the Legislature's action, we artificially boosted up the value of the stock so it could be swapped and therefore people would make more money as a result of the actions that we took. At the time, I said those discussions had been going on and started long before the actual deal came down between Arlington and Churchill Downs. I -- I was criticized harshly, publicly, for saying so, and then the Securities Exchange Commission said that that indeed was the case. This is a bad idea and I urge that we vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. For further discussion, Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. I rise in strong support of this legislation. I -- I'm listening to the rhetoric that's -- that's flying on both sides of the aisle with regard to this issue, and it goes back to promises that were made to this horse racing industry back in 1999, when they came before this august Body and said, "You know, you approve the boats, our industry is going to be affected negatively." And we said, "Don't worry, we'll take

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

care of you." And all this legislation does is fulfill that promise, which has a higher place than promises that were made last year. And I'm listening to discussions with regard to affected businesses. Let's not forget the thirty-nine thousand jobs that this industry produces today and all the ancillary businesses that it also supports. McHenry County has over forty-five thoroughbred and standardbred race farms in my district. Those farms not only provide jobs, but they also keep my open space, which we all know we're very concerned with. My fear is if this industry dies, so do those farms and now I'm going to have another issue with more houses, more development and more of the same things that we discuss on a regular basis. This industry has been good for the State of Illinois and we need to do everything we can to support it. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. My distinguished Senate colleague, Senator Petka, from Plainfield, is correct. For over many, many years we gradually overtaxed an industry. For eighty years we overtaxed and overregulated a very important industry in agriculture to this State, and that's the horse racing industry. We overregulated it; we overtaxed it. In fact, over the years, going back eighty years in Illinois, it became a cash horse. Yes, it became a cash horse for Illinois because it's a forty-nine-billion-dollar industry. It's a forty-nine-billion-dollar industry, not just the horses that run around the track, but all the people that take care of the horses, that feed the horses, that breed the horses, that raise the horses. In 1999, we had the highest pari-mutuel tax in the United States of America - the highest pari-mutuel tax. We lowered that tax from four percent to one and a half percent because we were losing horse racing to other states - to California, to Kentucky, to New York. We repealed it in 1999 and we created the tenth license and we said some of this revenue from the tenth license will go to all of the tracks in Illinois, to our Horse Racing Equity Fund, which we had had for years and years and years and years. In 1988, Ladies and Gentlemen, Arlington Park tragically burned to the ground. It's three miles east of my house. It was

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

a sad day for the northwest suburbs. But the State of Illinois made a promise on that day to the owner of Arlington Park. He said if you -- they said if you build -- rebuild Arlington Park, we really need it for the horse racing industry in Illinois, that we will not have any casinos in Illinois. At that time, there were zero casinos in Illinois. Ladies and Gentlemen, in 1988 there were no casinos in Illinois. The owner of Arlington Park was told there would be no new casinos. He spent two hundred and fifty million dollars of his own money, not subsidized like Sox Park, not subsidized like Soldier Field, not subsidized like everything else we do around here, but out of his own pocket to build this finest racing facility in the nation. And three years later there were nine casinos in Illinois. Ladies and Gentlemen, this bill simply -- this bill simply levels the playing field, or in this case, the horse race track. This is a good bill. It's not as good as slot machines, perhaps, at -- at race tracks, it's not as good as some of the other ideas that have come forward, but it's a whole lot better to save an industry that is vital to the State of Illinois. I urge you all to vote Yes. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter, for what purpose you seek recognition, sir?

SENATOR TROTTER:

Thank you very much, Mr. President. I apologize for breaking in in -- in such compelling debate that's going on, but I'd like to welcome the Speaker of the Illinois House, Speaker Madigan, to the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Speaker Madigan, welcome. Continuing on debate, Senator Link.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

Well, a couple questions, then a comment. Senator Clayborne, did we this spring, a little bit earlier, give a over-one-million-dollar subsidy for Fairmount through the State tax break?

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

We did -- we did pass a bill trying to help Fairmount by reducing their tax, yes. I don't think it's been signed yet, so...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

In this piece of legislation, no matter how we slice it, dice it, put it in any form or whatever, this is a tax increase we're doing. We're doing a three-percent tax increase, correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

You can look at it like that. It's -- I look at it as a way to help support an industry that employs many people, provides for vendors, provides sales tax, utility taxes, income taxes. So, you can look at it like that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

To comment on this: We're doing -- we -- we've -- we've sat here and I've listened as comments have been made about people saying rhetoric is being said here and rhetoric is being there. Well there's been a lot of rhetoric been said all spring about that we're stealing from the pensions, we're not funding education, we're not taking care of social services, but we're today going to be doing a tax increase and no matter how you slice it, dice it, change it, twist it, get the spin doctors out, do whatever you want to do, it's a tax increase. That's the way it's going to be sent out. That's the way it's going to be spelled. It's going to be a tax increase, and then that money is not going to go to education, it's not going to be going to pension funds, it's not going to be going to social services, it's going to be going to an industry that was stated as a forty-nine-billion-dollar industry. It's an industry that's got thirty-nine thousand people working in it, supposedly. All these figures that cannot be substantiated, but we're going to take it from an industry that obviously is going to be laying off people



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

because they're going to be hit with another tax. So we don't care if they lay off people. We don't care if they have people that are going to be on unemployment. We don't care about people losing jobs there. So we're going to shift jobs from one to another. We've already given one track a subsidy this year by lowering their tax that's doing bad and we -- doing something that's totally unconstitutional. So, you know, I -- I don't know about you, but this doesn't sound in equity or fairness to me at all, and especially when we divided the question as far as who we're taking it from. It -- it's surprising that we're -- where we're taking it from. And -- and -- and I commend the House sponsor, who was a former colleague in here, how he was able to switch this around so that this bill on the third try passed in the House. I give him credit for that. He -- he -- he did a great job, but it should not pass in this Chamber on the first try, because we should be smarter to see that this is nothing but a blatant tax increase, that that's what it is, a tax increase, and it's not going in the right direction where it should be going. And I think every one of these should be a red light. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and -- Gentlemen, our last Member seeking recognition on this issue, Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. I just wanted to point out that the reason why I'm -- I -- I have such an interest in this field is -- goes back to 1985. I was in the House. The Speaker was kind enough to ask me to negotiate a off-track betting piece of legislation, which I sponsored, which helped tremendously the horse racing industry. I got to know the owners of the race tracks, for whom I have great respect, and representatives of the horsemen. I'm not an enemy of these guys. In fact, ironically enough, in the 1999 bill, because it had dockside gaming, I ended up voting for that bill, even though I didn't agree obviously with the part that dealt with horse racing. It's just that we have to look at this from the point of view of the State. We're -- we're here to effect public policy. What's the best thing for the State? And -- I know this might sound cruel, but, you know, this is gambling - it's otherwise illegal. Literally in the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Criminal Code, there's an exemption under the gambling statute for horse racing. The reason why we did that was to allow horse racing to operate so that we can make money, which is what we did for years and years. And then, because of the -- a different form of gambling and perhaps it's just people not being as interested as they once were, we made less money. And then in 1999 we gave 'em everything back, so that now the total taxes that we get are twelve million, our cost to operate it is twelve million and we don't make any money. The riverboats, however, we make a lot of money - seven hundred million, something like that. Okay. So what's the best public policy? This bill does not create any new jobs. It takes thirty-seven million dollars from one employer and gives it to -- to another employer. It can't -- it doesn't create any new jobs and it doesn't give us any more money. So why would we do it? The -- the other thing that's kind of ironic the more I talk to the Racing Board about this, you know, the only way that the purses end up going back to our downstate farmers or horse farmers, they have to win. They have -- they have to win. They have to come in first, second or third to win the purse. And you know what? Forth -- forth gets some money, too. Over half of the horses that win the purses are not even from Illinois. The purses are going out of state. So, let's get back to the issues that were just briefly raised by some other sponsors concerning the constitutionality. Listen to this, in the Constitution, believe it or not, it says you can't use public funds for private purposes. What do you think they were thinking about when they wrote that part? Let's pass a law that takes money from one private entity and gives it to another private entity. That's what this bill does. There has to be a benefit to the public. There's no benefit to the public here. It's just taking money from one industry and giving it to the other. That's why it's unconstitutional. There's a uniformity clause in the Constitution. You know, when you -- when you impose a tax on somebody, it's supposed to benefit the one that you're taxing. We'll give you an example, McCormick Place tax, there's -- we tax restaurants around McCormick Place and they filed a lawsuit, went to the Supreme Court. Supreme Court said, you know what, we're taxing you because we're going to build McCormick Place, we're going to get convention business and

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

you're going to benefit because you're a restaurant. And they upheld that. I can understand that logic. In this case, the people that are being taxed, the money's going to their competitor. It's incredible it's so unconstitutional. And the last thing is it's special legislation. Special legislation cannot confer a benefit on a particular private group without a reasonable basis to promote the general welfare. Again, there's no benefit to the general welfare. We're just shifting money from one private group to another. So, the two years that we put in the sunset are going to be taken up by a lawsuit, the Attorney General is going to have to defend it, if she doesn't want to, we'll have some private counsel come in and we'll spend State dollars, once again, to -- trying to defend an unconstitutional law. It's a bad idea. Please vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Clayborne, to close, sir.

SENATOR CLAYBORNE:

Thank you, Mr. President. Just to address some of the -- the -- the issues that have been raised. Actually, if you look at the law, we've actually reduced the tax on the State from thirty-six million to about sixty million that was estimated to be received from the tenth license. So actually, we are saving the State some money, so there's actually a reduction in taxes. The other thing is, when it -- when every state passed casino racing -- I mean casino -- casinos, they introduced in the gaming that would help the horse industry by giving them slots, three percent, or head tax. We did not do any of those. This bill is to help an industry that is struggling, and when you look at it, there are choices to be made. Do we continue to receive income taxes or do we play {sic} unemployment benefits? Do we continue to get private healthcare insurance or do we increase our Medicaid costs and expenditures for paying healthcare for those who are unemployed? Do we continue to improve our infrastructure or do we have a choice of having abandoned structures that will sit there and decay? Do we continue to get utility taxes and sales taxes or do we eliminate those and place even more of a burden on our already burdened budget and revenue resources? Based upon those and based upon the many people who -- who depend on this industry, I would ask for your favorable vote.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 1918 pass. All those in favor, vote Aye. All 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 40 Ayes, 16 Nays, 1 voting Present. House Bill 1918, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, first, WAND-TV, Channel 17 in Decatur, seeks leave of the Body to videotape the proceedings. Having no objection, leave is granted. Channel 2, CBS Chicago, also requesting permission to videotape the proceedings today. Seeing no objection, so ordered. Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. In light of the topics we have on the agenda today, we would request a Republican Caucus immediately in Senator Watson's Office.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. That -- okay. That request is in order. The -- the Senate will stand in -- the Senate will stand in recess to call of the Chair to 4:15. 4:15. The Senate stands in recess till 4:15.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

The Senate will reconvene. Senate will come to order. Members please be at their desks. Madam Secretary, Messages from the House, please.

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 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 119.

Adopted by the House, May 4, 2006.

I have a like Message -- pardon me, that was substantive.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

I have a similar Message on House Joint Resolution 130, which also passed the House, May 4th.

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 1497, together with House Amendment 3. Passed the House, as amended, May 4, 2006.

I have like Messages on Senate Bill 2049 with House Amendments 1 and 5, and Senate Bill 2225 with House Amendments 1 and 3.

A Message from the House by Mr. -- 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 4572.

Passed the House, May 4, 2006.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 751, offered by Senator Don Harmon and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 753, offered by Senator Link and all Members.

It, too, Mr. President, is a death resolution.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolution Consent Calendar. Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 3186, offered by Senators Roskam and Dillard.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, we'll be going back to House

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Bills 3rd Reading, page 9 of your Calendar. This is final action. House Bills 3rd Reading. House Bill 4342. Senator Martinez. Senator Martinez. She seeks leave of the Body to return House Bill 4342 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4342. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 4, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez, to explain your amendment, ma'am.

SENATOR MARTINEZ:

Thank you, Mr. President. Floor Amendment No. 4 to House Bill 4342 replaces the underlying bill. It strengthens the fire safety standards for mobile home parks and creates mechanisms for enforcing these new standards. And I'll be happy to discuss the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, Senator Martinez moves the adoption of Floor Amendment No. 4 to House Bill 4342. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the -- now on the Order of 3rd Reading is House Bill 4342. Senator Martinez, do you wish to proceed? Madam -- she indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 4342.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Martinez.

SENATOR MARTINEZ:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Thank you, Mr. President. Members of the Senate, Senate Amendment No. 4 to House Bill 4342 is an agreed bill as a result of several weeks of negotiation between the fire service, mobile home park owners, mobile home park residents and local government officials. The bill will ensure that there is an adequate water supply and working hydrant in mobile home park communities. Inspections of hydrants will be done by local fire officials. Enforcement for the home rule communities will be done by units of local government, and for non-home rule communities without a county ordinance -- ordinance on mobile park safety, enforcement will be done through the Illinois Department of Public Health. I would just like to clarify the legislative intent for the record. The Office of the State Fire Marshal will adopt the rules for water supply systems and hydrants for fire safety purposes. These State rules would apply to non-rural communities with no county ordinances and in areas where no local ordinances exist. Senator Halvorson and I have worked very hard on this bill. We've been able to bring everyone together for weeks and weeks and weeks. And this -- everyone involved in this has been the Illinois Fire Inspectors Association, the Illinois Firefighter's Association, the Illinois Fire Chiefs Association, the Illinois Association of Fire Protection District, the Illinois Housing Institute, Cook County, West Central Municipal Conference, and Mobile -- Mobile Home Owners of Illinois. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ALTHOFF:

Thank you, Mr. President. I actually was going to stand and make sure that the legislative intent was read into the record, which you did already. And I, too, would just like to compliment the bill's sponsor on the job that you did. We gave you several recommendations and suggestions in committee; you followed through on every single one of 'em, kept your word. We appreciate it. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, the question is, shall House Bill 4342 pass. Those in favor, vote Aye. Those opposed

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 54 Ayes, 0 voting Nay, 0 voting Present. House Bill 4342, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill 4442. Senator Link. Senator Terry Link. Out of the record. Excuse me, we'll go back to -- Madam Secretary, please post House Bill 4442. Okay. Out of the record. Continuing on House Bills 3rd Reading is House Bill 4451. Senator Lightford. Senator Lightford. Senator Lightford. Out of the record. Okay. Continuing on House Bills 3rd Reading is House Bill 4729. Senator Demuzio, do -- do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4729.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I'd like to move...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, could you hold on just one second, please? Just for a clarification.

SENATOR DEMUZIO:

Yes. Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Demuzio, I believe you're seeking leave of the Body to return this bill to 2nd Reading -- the Order of 2nd Reading. So House Bill 4729 will be returned to the Order of 2nd -- Reading for the purposes of a motion. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4729. Madam Secretary, is there a motion -- Senator Demuzio, to make the motion.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President. I'd like to move to table Senate Amendment No. 1 to House Bill 4729.

PRESIDING OFFICER: (SENATOR DeLEO)



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Thank you. The lady seeks to table Committee Amendment No. 1 to House Bill 4729. All those -- that motion is always in order. All those in favor will say Aye. All those opposed, say Nay. The Ayes have it, and the motion carries. Are there any further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading comes House Bill 4729. Senator Demuzio, you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 4729.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, thank you for your patience. Senator Demuzio, to the bill.

SENATOR DEMUZIO:

Thank you, Mr. President. House Bill 4729 amends the Military Code of Illinois regarding the Adjutant -- the Assistant Adjutant Generals. And the intent of this bill is to promote and to retain the active officers of the Illinois National Guard. Presently under the current law, the Assistant Adjutant General for the Army and also for the -- the Assistant Adjutant General for the Air may be appointed with a grade of Brigadier General, which is a lower appointment level than the Major General. House Bill 4729 appoints the Assistant Adjutant General for the Army, also the -- the Assistant Adjutant General for the Air, with a grade up to the Major General, authorizing the Commander-in-Chief to appoint an Assistant Adjutant General for the Army and also to appoint an Assistant Adjutant General for the Air, each with a grade not to exceed the Major General. It allows the Illinois National Guard to promote and to retain active officers. There is really no State funding that is used for this purpose. Federal funding has already been appropriated for this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Roskam.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator Demuzio, through kind of a strange procedural quirk, this is the first time that anybody has seen this language in the Senate. It's my understanding that it -- it came over, the bill was shelled in committee with the intention of using it for the budget implementation. It was discovered that it wasn't needed for that, that the underlying language was really important and mattered, came over and you just tabled the amendment. So it hasn't had a committee hearing. So just -- and since we got nothing but time today apparently, can you just tell us, is this a -- a mandate that's coming from the federal government or there's a requirement that we do this? Or just give us a little bit more background like we would in committee maybe.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Actually, the Adjutant General came to -- to the office early in January, right after -- and -- and indicated that there was this -- basically this kind of procedure here that had not ever been initiated and that they -- he wanted to see if I could go ahead and sponsor it. Since he comes from my hometown, Gillespie, Illinois, he came to talk to me. He also went to Representative Hannig in the House. The House Bill 4729, Representative Hannig sponsored that. Senate Bill 2702 was sponsored by me here. We never -- it just kind of was in Rules and -- and eventually we discovered that here we are, we got to the end and it had not been brought forth. Representative Hannig passed it out of the House, that's why I'm carrying it over here.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Roskam.

SENATOR ROSKAM:

Thank you, Senator. So are we creating some new generalships within the... We're not. We're -- are we -- that -- what are we doing? Maybe you could just give us a quick paragraph...

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Demuzio.

SENATOR ROSKAM:

...on what we're actually doing.

SENATOR DEMUZIO:

Basically, this has always been in place and it's just a matter of -- the ranks have always been there. It's just moving these individuals up to that rank not to exceed the -- the Adjutant General, or the Major General. And so it's a federal ladder, I guess, that they've always had in place and this is just taking the -- these individuals and moving them up.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no further discussion, the question is, shall House Bill 4729 pass. 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 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 4729, having received the required constitutional majority, is declared passed. With leave of the Body, we will -- be returning to House Bills 3rd Reading, going back to House Bill 4451. Senator Lightford, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 4451.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4451 amends the Litter Control Act and the Illinois Adopt-A-Highway Act regarding public highways. It provides that an individual convicted of highway littering, in addition to other penalties, may be required to clean a certain portion of the highway. The violator may also be required to adopt a certain portion of the highway, including the site where the offense happened, in a thirty-day period. I'd be happy to answer questions. I ask for an Aye vote.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

Senator, I appreciate what you're trying to do here. The question of safety comes up whenever you require somebody to be out on the right-of-way working, clearing right-of-way, picking up litter, and so forth. Has that issue been addressed in this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

The Illinois Department of Transportation will be able to implement safety guards.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

So will the Illinois Department of Transportation be responsible for this person when they're out on the right-of-way?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

The legislation reads that the Secretary of Transportation shall adopt rules to implement the Illinois Adopt-A-Highway Act provisions, so he will make that discretion.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RIGHTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RISINGER:

I understand the intent of this bill and -- and -- and I really like the reasoning behind it. I really have some real questions about putting somebody out there on the right-of-way

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

that -- might not necessarily want to be out on the right-of-way. It's a dangerous place to be out there whenever you want to be out there and you're taking precautions and so forth. So I just -- offer up some precautions to people if they vote for this bill, because there are some safety issues at -- at play here. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HAINE:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR HAINE:

I would ask for an Aye vote, Ladies and Gentlemen of the Senate. This bill grew out of a -- a -- a contest among high school students in my district. My -- one of my Representatives, Dan Beiser, has brought this bill forward based on a -- this high school contest. He did it after consulting the mayor who has an extensive program of litter pickup with supervision. The sheriff has also a program of litter pickup - a very excellent program in Madison County, also with strict supervision. And the presumption is these programs will monitor these pickup very well. And I appreciate Senator Risinger's comments, 'cause that -- they will be taken care of.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Lightford, to close, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President. Senator Risinger, I just want to -- you to be mindful that there is some area here that they are convicted of a crime, and so I don't know that we share such similar compassions on whether or not they want to be out there. But if they've committed a crime and part of the offense is to clean the actual highway up where they were actually convicted of being a litterbug, then I think that's beneficial. And just to bring our attention even more so to Senator Haine's point, in that students go out -- you know, we have a lot of programs, sheriff programs for first offenders, boot camp offenders, that's

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

what they do. They go along the side of highways and they pick up litter. So I don't know that this is something totally different, unheard of, but I think as -- as much as money as we put into our roads, I think they should be safe and clean roads. So, I do ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Lightford. Okay. Ladies and Gentlemen, the question is, shall House Bill 4451 pass. 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, 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 4451, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, on the bottom of page 9, there's House Bill 4974. Senator Lightford. Senator Lightford. Out of the record. Ladies and Gentlemen, House Bills 3rd Reading, page 10 of your Calendar comes House Bill 5370. Senator Lightford. Senator Lightford, on 5370, ma'am. Out of the record. Okay. Ladies and Gentlemen, once again for purposes of announcement, we'll be going to page 12 on Concurrences. Senate Bill Concurrences. We will not be going through the entire Calendar, we're just going to ones that have concurrences -- concurrence motions pending. So, Ladies and Gentlemen, on the top of page 12 of your Calendar is Senate Bill 176. Senate Bill 176. Senator Schoenberg. On the Order of Concurrence now comes Senate Bill 176. 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 Amendments 1 and 2 to Senate Bill 176.

Motion filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg, to explain the motion, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 -- House Amendment No. 1 to Senate Bill 176 creates a vehicle bill for the underlying bill. House Amendment No. 2 provides the substance of the Budget

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Implementation Act relative to education funding for the Fiscal Year 2007. Very briefly, the Amendment 2 features four key elements. The first is, it increases the foundation level of per pupil support from five thousand one hundred and sixty-four dollars to five thousand three hundred and thirty-four dollars, which represents a one-hundred-and-seventy-dollar increase from one year to the next. Secondly, it maintains the transitional assistance grants to ensure that no school districts receive any -- any less State aid than it had the prior year before; however, it does make them subject to appropriation. Third, maintains the poverty grant hold harmless provisions at the current level. And fourth, it establishes a grant program in statute, essentially institutionalizing that program and it's processes for arts education and foreign language education. This is done collaboratively between the State Board of Education and the Illinois Arts Council. Finally, it does delete -- it does make a correction to a reference in a fund that receives resources from the U.S. Department of Agriculture. I'd be happy to answer any questions and I urge your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Burzynski. Senator Burzynski. Senator Burzynski. Okay. Senator Cronin, for what purpose you rise, sir?

SENATOR CRONIN:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CRONIN:

Senator Schoenberg, the BIMP, of course, is -- is important and it's only as important as the budget and the appropriation that's provided for it. It's kind of hard to piece both of 'em together in some respects. Would you be kind enough to shed some light a little bit on a portion of -- of a program that's always been in the BIMP in the past and that is categorical funding? I mean, is -- is there any discussion about categorical funding in this BIMP bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

SENATOR SCHOENBERG:

Thank you. Senator Cronin, that provision is not in this particular bill, but can -- will be found in a subsequent -- will be found in a subsequent bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin.

SENATOR CRONIN:

Yes, thank you. I just have a -- couple more quick questions and then we can move on here. With regard to the new program that's created, the arts and foreign language education grant program, how you going to distribute that money? Is there any -- is there any rules? Is there any guidelines? Is there an appropriation? If so, how much? Please.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. As you will see in the -- subsequent -- subsequently in the appropriation when we address the budget itself, it will double last year's appropriation from two million dollars for this current fiscal year to four million dollars. You -- what this -- provision essentially does is, institutionalize a -- what was an add-on to this current year's State Board of Education budget and therefore ensure ongoing support so that it becomes something that we're committed to on a longer term basis, and not on an ad hoc basis.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. To close: I -- I'd just like to offer a couple of thoughts if I may, please. This is the education budget implementation legislation and, you know, in -- in -- you know, in fairness, you take a look at it and it -- it's -- it's -- it's not complete. There are other pieces to the puzzle. We have the categorical pieces somewhere else that we'll see later. I know there's an ADA block grant, there's a special separate piece of legislation that deals with the preschool - forty-five million dollars. So this is an -- this is a -- a -- a piece in a larger puzzle and it's incomplete, and yet at the same time, all of it is, of course, predicated on something that has



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

offended everybody on our side of the aisle and I know that people are offended in general, and that is that it's predicated on pension borrowing. And so, because this is incomplete, because there's not a clear policy here, and because it's all predicated on something that we think is a really, really bad act that we will all rue the day that we stood by and let this happen, I have to urge my side of the aisle and my friends and colleagues to vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Any -- Senator Luechtefeld, for what purpose you rise?

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. I -- I -- I guess I -- I really don't have a question. I think there -- I think there's some good things about this particular bill. I -- I just want to reiterate what -- what Senator Cronin said, it -- it does seem to be ironic that we would brag about putting four hundred and some million dollars into education and then when you look where the money comes from, it basically comes from teachers' pensions and raids of different funds. That to me is unacceptable, and -- and again, I think that is a very good reason to vote against this particular BIMP bill. But, again, I don't have any questions; I -- I just find it very hard and -- and -- and -- to reconcile those two -- those two thoughts. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR J. JONES:

You know, I've learned my lesson, Senator Schoenberg. Senator Luechtefeld mentioned that where the funding is coming from to pay for this education funding. It's my understanding there's about four hundred and thirty-eight million dollars in the -- in the education funding for elementary and secondary education and we're deferring payments to the retired teachers' pension fund of four hundred and ninety-five million dollars in

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

the proposed budget that's out there. I don't know about you, but I know a lot of schoolteachers. I know a lot of retired schoolteachers. In fact, I'm married to a retired schoolteacher, have been for forty-one years, and I can remember her and many, many other teachers - and Coach probably did the same thing whenever he was teaching; I know his wife probably did - but they always seem to have to run to -- to the stores and buy school supplies for the children in their classrooms because there wasn't enough money. And they've done that for years and years and years. Now not only are we asking the teachers to take money out of their pocket to buy school supplies, but now we're asking the teachers and the retired teachers to take money out of their pension funds to fund education. There's a better way of doing things, folks, and in -- I'll tell you right now, this is the wrong way and I would encourage a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no further discussion, Senator Schoenberg, to close, sir.

SENATOR SCHOENBERG:

I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 176. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 32 Ayes, 26 Nays, 0 voting Present. Senate Bill 176 -- the Senate concurs in House Amendment No. 1 and 2 to Senate Bill 176, and the bill having received the required constitutional majority, is declared passed. Just a minute. We'll get to you. Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Thank you, Mr. President. I request a verification of that roll call, please.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman requests a verification. Would all Members please be in their seats? Senator Righter has requested a verification. Madam Secretary, will you read the affirmative

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

votes, please?

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Demuzio, Forby, Garrett, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Raoul, Ronen, Sandoval, Schoenberg, Shadid, Silverstein, Sullivan, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Righter, do you question the presence of any Member voting in the affirmative, sir?

SENATOR RIGHTER:

Senator Sandoval.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval. Senator Marty Sandoval. Is the gentleman in the Chamber? Senator Sandoval is at the Well, sir. Senator Righter, do you question any other Member presence voting in the affirmative, sir?

SENATOR RIGHTER:

I do not, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, on a verified roll call there are 32 Ayes, 26 Nays, 0 voting Present. Senate Bill 176, having received the required constitutional majority, is declared passed. Okay. Continuing on the Secretary's Desk, Concurrence is Senate Bill 230. Senator Harmon. On the Order of Concurrence is Senate Bill 230. Senator Harmon, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the gentleman's motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 230.

Motion filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to explain your motion, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 230, as amended by the House, creates the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Fiscal Year 2007 Budget Implementation Act in relation to revenue. Substantively it does two things: First, it amends the Income Tax Act to conform certain provisions of the net operating loss carryover. It would standardize the period in time during which the Department of Revenue has to assess the validity of the -- the loss being carried forward to the period during which the taxpayer may claim the loss. Second, it amends the Public Utilities Act with respect to the Qualified Solid Waste Energy Facilities Program, the QSWEF Program. It would essentially place a moratorium on -- on new QSWEFs being created and would make a variety of changes relating to the -- the tax credits that are currently available to ensure that the State is repaid. I'm happy to take any questions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Lauzen, for what purpose you rise?

SENATOR LAUZEN:

Thank you, Mr. President. Just to address the bill: The revenue BIMP bill had several questions regarding the revenue estimates. There was a concern about affecting businesses that are operating at a loss and having their carryforward, but probably the main reason why the Republican Members of the Revenue Committee voted No was that it takes away a tax credit on the alternate energy generation. So if we're for alternate fuels and if you believe that tax credits encourage those alternative fuels, this reduces that, so I recommend a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Harmon, to close, sir.

SENATOR HARMON:

I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, once again, this is final action. The question is, shall Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 230. All those in favor will vote Aye. All 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 33 Ayes, 25 Nays, 0 voting Present. The Senate concurs in House Amendment No. 1 and No. 2 to Senate Bill

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

230. This bill, having received the required constitutional majority, is declared passed. Continuing on House Bills on Concurrence -- Senate Bills on Concurrence is Senate Bill 1520. On the Order of Concurrence, Senator Trotter, do you wish to proceed, sir? He indicates he wishes to proceed. Out of the record. Senator Bomke, for what purpose you seeking recognition, sir?

SENATOR BOMKE:

Thank you, Mr. President. On the previous bill, I believe it was Senate Bill 230, I intended to vote No. Would you let the record reflect that, please?

PRESIDING OFFICER: (SENATOR DeLEO)

The record will certainly reflect that, Senator Bomke. Thank you. Okay. Continuing on Concurrence is Senate Bill 1625. On the Order of Concurrence, Senator Schoenberg, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the gentleman's motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 4 to Senate Bill 1625.

Motion filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg, to explain your motion.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1625 is the -- raising the bond cap for the Illinois Finance Authority. Specifically, Amendment No. 1 is deleted by Amendment No. 4. Amendment No. 1 had created the Southern Illinois Economic Development Authority Act and had raised the bond cap from -- it's current twenty-four-billion-dollar level to twenty-nine billion. You may recall that Senator Forby yesterday sent to the Governor's Desk legislation which addresses that Southern Illinois Economic Development Authority series of issues. Amendment No. 4 deletes Amendment No. 1 and it is only exclusively relating to the bond cap and that bond cap is lower, it is now just -- the bond cap is set at 25.2 billion versus its current twenty-four billion and that's a reduction from the original amendment. Be happy to answer any questions. I urge your support.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Roskam, for what purpose you rise?

SENATOR ROSKAM:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR ROSKAM:

We discussed this in the Senate Executive Committee and we're basically informed over here that this is a measure that's not necessary at this time. There's enough bonding authority currently to last well into '07 and probably the appropriate time to revisit this would be in the fall. So if you're tempted to -- to deal with this now, I think it's premature and best wait until the Veto Session. So for current purposes, I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Schoenberg, to close, sir.

SENATOR SCHOENBERG:

I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, this is final action. The question is, shall Senate concur in House Amendment No. 1 and No. 4 to Senate Bill 1625. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 32 Ayes, 26 Nays, 0 voting Present. The Senate concurs in House Amendment No. 1 and No. 4 to Senate Bill 1625, and the bill, having received the required constitutional majority, is declared passed. On the top of page 13 of your Calendar comes Senate Bill 1863. Senator Hunter, do you wish to proceed, ma'am? Okay. On the Order of Concurrence comes Senate Bill 1863. Madam Secretary, please read the lady's motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1863.

Motion filed by Senator Hunter.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter, to explain your motion, ma'am.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment 2 establishes the Fiscal Year 2007 Budget Implementation Act for human services. It contains five components: Item number one, under the Illinois Administrative Procedure Act, while in negotiations with the federal CMS, it -- it -- it permits the Department to adopt rules essential to implement changes emerging from the amendment to the hospital access improvement plans. And it gives the Department authority to adopt those rules implementing those changes by emergency rulemaking to enhance payments to hospitals for Fiscal Years '06, '07, and '08. This bill would essentially provide the Department the authority to comply and make adjustments for final approval of the assessments. And item number two, under the Medicaid reimbursement to nursing homes, the Medicaid nursing home reimbursement rates are frozen for geriatric and -- and long-term care DD facilities for '07. And item number three, under the Hospital Assessment Program, the Department of -- Healthcare and Family Services is given the authority to adopt certain rules during Fiscal Year -- the 94th General Assembly concerning the fiscal year Hospital Assessment Program. And under -- item number four, nursing home inspections of care, it removes the authority of nursing homes. And item number five, under the pilot program for individuals who are medically fragile and technology-dependent, it basically amends the Public Aid Code to create a three-year pilot program. And all of these items will take effect immediately.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

Just a -- a couple of comments and thoughts and -- and maybe a question about the bill, but I'll try to be brief. I know...

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, it's very, very loud in here. Could we please give the speaker your attention? Senator Rauschenberger.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

SENATOR RAUSCHENBERGER:

Thank you, Senator DeLeo. I appreciate that. Just wanted Members on both sides to be aware, this is the budget implementation bill, and I know Senator Hunter and Senator Schoenberg have worked hard on the details. But included in this bill are provisions which allows the administration, by emergency rule, to restructure the Hospital Assessment Program without calling the Legislature back. Now on its face that doesn't seem like too bad an idea since the federal government appears to be unwilling to accept the Hospital Assessment Program that we've sent them. But you need to understand that fundamentally the reason that the federal government is not accepting our hospital assessment plan is it's not sufficiently redistributive, which means we're not taxing hospitals in some areas high enough and delivering additional monies in other areas redistributive. It was very controversial in the early 1990s when we had a truly redistributive hospital assessment program. Historically, when we were in the Majority and -- and at other times, most Members have argued that if you're going to change the hospital assessment, if you're going to redistribute those funds, that it ought to be the General Assembly ought to have some say in the process. So I would just caution the -- the -- the Majority, that you are ceding to the administration - Barry Maram, well-intended - the ability to completely -- restructure the hospital assessment tax and the outcome of almost nine hundred million dollars of appropriation. It's unprecedented to do it by emergency rule. That would even take JCAR out of the process. So, you know, I -- I know we're in a hurry and I know -- maybe you can come back and fix this in Veto, but I would take a hard look at this even if you decide to pass it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any further discussion?  
Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. I'd like to clarify something that the prior -- the -- a -- clarify a point that the prior speaker made and the reason why I'm indulging the Body in doing so is that this -- the hospital assessment is something that passed overwhelmingly with strong bipartisan support from both -- within this Chamber and in



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

the House. And the reason why this measure is necessary is because there is a ninety-day extension clock to make those technical corrections. The problem is not that we are -- the problems as I understand it is not that we are inadequately taxing some, but then on the redistribution that there are some institutions which are actually exceeding a -- one hundred percent of their Medicaid reimbursement. So in order to make -- in order -- in short, to give Speaker Hastert, who has been a wonderful advocate for the State of Illinois, for all of us, and our congressional delegation the tools to do their work and achieve something that will be a one-billion-dollar infusion of federal healthcare dollars over the next three years, that's why we're seeking this. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Hunter, to close, ma'am.

SENATOR HUNTER:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you. Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1863. 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 1863, and the bill, having received the required constitutional majority, is declared passed. On Senate Bill 1977, Senator Schoenberg, on the Order of Concurrence, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the gentleman's motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1977.

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

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Senate. House Amendment No. 1 originally pertained to the Quad Cities Regional Economic Development Authority and -- and the issuance of moral obligation bonds. It was subsequently -- that amendment is subsequently deleted by House Amendment No. 2, which becomes the bill. House Amendment No. 2 is a -- an omnibus budget implementation bill that has many disparate elements. Just a few of the highlights and then I'd be happy to attempt to answer any questions you might have. The first is that it incorporates the language of House Bill 1815 which set -- establishes a Pension Stabilization Fund on the same principle of the Rainy Day Fund so that when certain thresholds are -- are met and revenues are better, that we set aside dollars which ultimately are transferred in to helping retire the State's unfunded pension liabilities in addition to the regularly scheduled pension contribution. This omnibus bill also impacts the Community Mental Health Medicaid Trust Fund, the Professional Services Fund, the Workers' Compensation Revolving Fund. It maintains the current State Police Road Fund cap at 97.3 million dollars. It contains a number of reversals of fund sweeps from fiscal year -- from the current fiscal year. It has a number of fund transfers. It addresses -- it has a provision for a grant program expanding the employment of targeted populations in eligible areas for the purposes of expanding the potential pool of participants in building trade apprenticeship programs, so that they could achieve journey level status within building trade unions. There is an -- increase in the amount of grants awarded by DCEO for renewable fuels. There's a transfer of funds from OSLAD to the Conservation Fund. I indicated before the number of fund sweeps. Those are just some of the details. I'd be happy to answer questions on any of the other points. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you. Senator Althoff. Senator Althoff, before I ask you to rise, I just got a phone call that my son, little Jim DeLeo is home sick with the flu. And I'd just like to say hello to him and hope he's feeling better. He's watching our proceedings this evening. And I hope his sister, Alexa, is taking care of him. Senator Althoff, for what purpose do you rise?

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

SENATOR ALTHOFF:

Thank you, Mr. President. And I, too, would like to hope that little Jimmy is feeling better very, very soon. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman will yield for a question.

SENATOR ALTHOFF:

Thank you. The -- the word that you used is -- is fund transfers. On this side of the aisle, would we probably refer to that as fund sweeps?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

I -- I think we're talking about the same thing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

And the amount of those transfers, sweeps, raids, whichever word we like to use?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Approximately two hundred million dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. And am -- am I to assume these funds are those funds that are designated funds that typically are utilized for a specific purpose? When we put money into those funds, we're telling our taxpayers that these funds will be used for a specific purpose?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

That is correct in theory. In practice, as you're well aware, over these past few years, we have sought to utilize those dollars from this off-budget budget - the six hundred plus dedicated funds that handcuff our ability to make wise spending choices that reflect the priorities of those in our communities,

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

to have more money for education, additional access to quality healthcare, greater public safety, -- acquiring public lands. We have, indeed, used the tool of transferring fund -- fund transfers so that we can in turn leverage that to access additional federal funds to meet our spending priorities.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

So, it's my understanding that we're taking monies from designated funds for Medicaid, for open-space land, for the purchase of police cars and utilizing it for similar purposes, but giving that authority to another body, and I -- I won't even have you answer that. I -- I think we're again talking about the same situation and the same subject I come back to every single time. We talk about transparency in government, we talk about letting the taxpayer understand what it is that we do here in these Chambers, and now we're saying we're going to take these monies out of these designated funds and utilize them for another purpose. Once again, we're raiding the Open Space Land Acquisition/Development Fund, our Natural Areas Acquisition Fund, our Illinois historic sites, our tourism promotions, both international as well as local, in the tune of about five million dollars. We're dumping again on local governments, taking away funds that directly or indirectly affect them. I think it's irresponsible for us to continue to follow this process and I would urge an absolute No vote on this bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Brady, what purpose are you seeking recognition, sir?

SENATOR BRADY:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Senator, you indicated that part of this bill includes the Pension Stabilization Fund. What -- what do you call that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

It's the Pension Stabilization Act. It is patterned -- it's modeled on the -- the Rainy Day Fund that we -- that we currently have. Essentially, as you know because you were a member of the Governor's Pension Reform Commission, this is actually an idea that I put forward during those commission proceedings that we -- attempt to alter the behavior that has occurred at this Capitol for many years and set aside -- set in place, in statute, a mechanism for when times are better we set aside money so that we can put them -- put that into the unfunded liability in addition to our -- our scheduled contribution.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Senator, I did sit in those committee meetings and I got to tell you, this is -- this is brilliant. I mean, you guys are really getting slick. This is probably something the Governor dreamt up. It's all your idea. Well, you're even slicker than the Governor. I mean, let's face it, we've got a 38.5-billion-dollar shortfall and they're -- you're not putting any money in here from what I can tell, and yet, you want to claim that maybe next year you'll put twenty-five million dollars into a fund that you have been part and parcel to robbing over 2.3 billion dollars from in the last two years, including this budget. I mean, how long do you think you can pull the wool over the people of Illinois' eyes? You know, the emperor has no clothes, Ladies and Gentlemen, and Jeff Schoenberg is just trying to prove here with this legislation that the people of Illinois are to be taken as stooges. Let's speak out against this. Senator Schoenberg, if you want to raid from the pension fund, fine, but be honest with the people of Illinois. Don't try to mask it with some ridiculous fund that's got no money and act like you're out there for the pensioners or the people of Illinois. You know, the hypocrisy of this is so absurd. You really ought to be more honest with the people of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. To the bill: Just want to make a couple of comments

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

regarding this whole concept of sweeping funds from dedicated funds or rerouting those funds for other purposes. And I'll just quote from the letter that we all received from the Illinois Association of Park Districts, when Mr. Flickinger says, to spend OSLAD and the Natural Areas Acquisition Fund for other than their intended purpose is poor public policy. It is also not consistent with the purpose for which these funds were collected. And I think that's what bothers a lot of people all across the State, when we take these funds and use 'em for purposes other than for which they were collected. Now the answer we get from the administration about doing this is that these funds have surplus funds, that these are surplus funds that exist in these various dedicated accounts. Well, on the back of Mr. Flickinger's letter from the Illinois Association of Park Districts, he gives us the -- the statistics about the funds that are used to make the OSLAD grants. In Fiscal Year 2004, there were a hundred and fifteen thousand project requests, but they only had enough money to fund seventy-four of those projects. The demand, 33.7 million dollars; DNR awarded twenty million dollars. Same type of figures in '05, hundred and five projects requested, sixty-nine funded; 22.2 funds disbursed by DNR out of a demand for thirty-one. In '06, they disbursed twenty million dollars for fifty-eight projects. They had requests for ninety-one million -- or ninety-one projects for twenty-eight four million dollars. I think that refutes the argument of the Bureau of the Budget that says we have surpluses in the OSLAD Fund that we can take and redirect and reuse for other purposes. I certainly just -- this is just one example. I think the same thing exists in the rest of these funds and I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Winkel, for what purpose you seek recognition, sir?

SENATOR WINKEL:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR WINKEL:

I look at the -- the bill, page 86, line 19 and the following lines. I -- I see in there that you've got a transfer

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

from the Illinois Student Assistance Commission, the loan portfolio, and you've taken it from the Student Loan Operating Fund and transferring her to the General Revenue Fund. Could you explain that to me, briefly?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

First of all, Senator Winkel, I want to thank you for posing that to me in the form of a question instead of a statement. Secondly, I -- to directly answer your question, this is thirty-eight million dollars designated from the anticipated proceeds later on this fiscal year of the ISAC loan portfolio. You may recall, that that mark had be set -- had been set earlier in the Governor's budget at one hundred million. Based on the performance -- in other markets for sale of their -- portions of their loan portfolios, this was actually a very conservative number. Now we have taken it one step even further to add belts and suspenders in putting a very relatively modest amount of the anticipated proceeds into the fund.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Winkel.

SENATOR WINKEL:

Thank you. The loan portfolio is there for this -- for the benefit of ISAC, as I understand it, and by ISAC, it's assistance -- it's student assistance, need-based scholarships for students - university students, community college students. And what you're proposing then, is you're assuming that this sale's going to occur. And by this, you're asking us to, in a sense, ratify that -- that sale by voting for this, by saying it's okay, by going into ISAC's loan portfolio and selling that, liquidating their loan portfolio to put into GRF. Now once it's in GRF, how will students in higher education benefit from that transfer?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Senator Winkel, this will enable us to increase the appropriation in Senate Bill 1520 for colleges and universities throughout the State, reversing a trend that I know you've been critical of in recent years.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Winkel.

SENATOR WINKEL:

Thank you. You know, okay. So it's -- it's again this strategy, the -- strategy that's been -- been developed for -- for funding K through twelve. We go into the teachers' pensions and we -- we take the money there to pay for operations. And what you're suggesting to me now is that we go into ISAC, to their loan portfolio, liquidate that loan portfolio that's there to sustain ISAC, in the name of putting money into operations of higher education. So once again, it's -- it's -- it's taking from one pocket to the other. Look, I'd much rather see you leave that money alone, there for the sake of ISAC, which is a terrific -- it's a terrific agency that provides needed financial aid to our students in higher education. To the bill: Our activity, or lack of activity -- lack of funding for higher education, is taking its toll in higher education. Our lack of funding for the last several fiscal years has resulted in a great decrease in funding to higher education. It's also resulted in the need, the necessity for higher education, in order to maintain the quality of higher education, to reach in and ask students and their families to pay more in tuition. A thousand dollars per student, per year for the last several years at the University of Illinois, I can tell you that. That's a real impact on students and their families. And you're attacking, by taking this money out and selling it, as if it's somehow you're burning the furniture to pay your mortgage, your spending spree, you're endangering the very agency that's there to provide the financial aid to the students who we've put in jeopardy by not funding higher education at the level it needs to be funded. I mean, look at the budget that's being proposed this year, it's a far cry from the two to one ratio we used to enjoy - two dollars for K/twelve, a dollar for higher education - adequate State funding of our State institutions of higher learning. Instead, what I understand is being proposed is four hundred and thirty-eight million in K/twelve - terrific, that's nice, good - but higher education gets twenty-one million. That's one dollar to higher education, nineteen dollars to K/twelve. That ratio is gone and now you're asking us to vote for a bill that sells the



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

loan portfolio of the agency that we need to have in place and to survive and do its work to provide financial need to our students in higher education. This robbing Peter to pay Paul has gone on long enough and higher education suffers and so do the students and so do their families. I say vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Winkel. Senator Roskam, for what purpose you seeking recognition, sir?

SENATOR ROSKAM:

Well, Mr. President, will you wish me luck? I'm going in and I'm going to ask Senator Schoenberg to yield for a question. Will you wish me luck?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, the gentleman will always yield to you for a question, sir.

SENATOR ROSKAM:

Senator Schoenberg, just to go back to the committee hearing and to talk about something that we really haven't talked much about, and that is the -- the apprenticeship program. My memory was that in the committee hearing, and correct me if I'm wrong, the -- those programs that would be eligible would be programs that are defined under the U.S. Department of Labor program. Is that -- is that correct? Is that my memory?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Thank you. Then to the bill, Mr. President, on a couple of other issues. You know, one is to follow-up on what Senator Winkel had to say. One of the things that the Senate sponsor used, the language that he used, the reason for going after the loan portfolio -- not going after -- selling the proceeds, and so forth, was to replace anticipated proceeds and I thought that was an interesting use of language - anticipated proceeds. In other words, proceeds that aren't here already. I mean, that is sort of betting on the come. That's saying we're going to take money

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

out in anticipation of money coming in that by its very definition isn't here yet, is anticipated. As we know, there's all kinds of things that can happen. There's all kinds of legal situations that can happen. So that's one word of caution. Some of those legal situations have been reflected in legal challenges to the various fund sweeps that we've seen. There is currently litigation in place in Cook County that has challenged the constitutionality of some of the fund sweeps. Some of the -- the earlier speakers articulated with passion, really, about the idea of going to the -- the fee payer or taxpayer saying, yes, this is the purpose for which you're being taxed and then using that for a different purpose. That's being challenged. It's being challenged in the Circuit Court of Cook County. The Circuit Court -- the lower court said, hey, that's unconstitutional. It went up to the -- the Supreme Court, they've remanded it back. But it is a -- it is an open question, at least, as the nature of the constitutionality of these measures. And I pose a question to you that's rhetorical and the question is, what in the world happens to the past three years of budgets if the courts strike this down? Can you imagine? This is not a specious challenge. This is not something that is just theoretical. This is something that is being entertained and litigated. And you know what the responsible thing to do? The responsible thing to do when there's a question like that is to set the money in escrow and not spend it when there's a question about the constitutionality that's a real question. Another area that I think is -- is ironic, Senator Brady mentioned the whole notion of creating a pension stabilization fund, which is ironic. I mean, it's really rich in its irony, but you know what's even richer? is the idea of mandating to the CTA and the RTA that they have to entertain certain funding levels for their pension obligation. Why? Because it's unstable and the trajectory that they're placed on is essentially the same type of trajectory that was defeated last year when you all decided to redirect the downstate and suburban Teacher Pension Fund. In other words, there is a certain level of duplicity when you say, well, you-all, you-all, CTA, RTA, you figure out your pension system and we know it's a train wreck, but the train wreck that we're on, we're just going to keep the locomotive going right into the station.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

That -- I mean, that's great stuff for the Comedy Channel. That's great stuff for late-night TV. In the same bill, the same night, the same day, the same week to do that is absolutely inconsistent. Not the least of which is a continuing discussion that I hear in my district office about going in and taking money out of a fund that is very, very important and it's the OSLAD Fund that has helped suburban parks in particular, suburban park districts in particular to develop programs. And the difficulty is and what the sponsor said in the Senate Executive Committee was, well, listen, the funds, they're -- they're -- there's too much money at the end of the year, and by definition, they're surplus funds. And you know what? That makes a certain amount of sense until you really stop and think about it, that the very people who are in charge of making the decision to release money are the people that want to hold the funds back. And that's why the definition of OSLAD, for example, of being overfunded I think is a mischaracterization. There's a lot of reasons to vote No. Several predecessors have articulated them well and I join them, and ask for a No vote tonight.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Righter, for what purpose you seek recognition, sir?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Schoenberg, on pages 68 and 69 of Senate Bill 1977, there's language that allows the -- the Governor's Office to reverse certain sweeps that you passed as a part of last year's -- or the current year's budget last year. Because of perhaps questions with regards to -- legalities, whether or not you should have done that in the first place, can you tell me what distinguishes those funds that you've put on that list from the funds that you are sweeping now and the other funds that you swept in last year's budget?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

There were -- as I understand it, there were either statutory -- explicit statutory prohibitions or other circumstances which required the reversal of the prior year sweeps.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator Schoenberg, can you give me an example of a fund that you voted to sweep last year that you were -- expressly prohibited from sweeping by statute that you've now decided to reverse that sweep?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg. Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. For example, there -- there were certain funds that were federal trust funds which receive dollars from other sources beside general revenues, and therefore, better judgment would dictate that those funds not be swept and that corrective measure be taken.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Schoenberg, I think I asked could you give me an example of a specific fund that you are statutorily prohibited from sweeping that you chose to sweep last year anyway?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

One example of the federal trust funds that I mentioned is a relatively small fund. It was the Kaskaskia Commons Fund. It was a federal trust fund. It -- better judgment would dictate that that fund not having been swept, and therefore we've taken that corrective measure.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, to the bill, sir.

SENATOR RIGHTER:

To the bill, please, Mr. President. Thank you very much. Ladies and Gentlemen, there are almost fifteen funds in Senate

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Bill 1977. After you passed the bill to take the money out of them, that now there's been a -- well, a revisiting, a thought that, you know what? perhaps law prohibited us from taking money out of those in the first place and so now you're changing your mind. And I wonder how many of you who are considering voting for Senate Bill 1977 shouldn't ask yourselves, how many funds are there in 1977 that are going to be subject to legal challenge? Because there most certainly will be. But even if there aren't, even if there isn't one lawsuit generated from the fund raids that are in the bill that we are currently debating, I think that you need to ask yourself whether or not you think it's right to take money out of the Tobacco Settlement Recovery Fund - almost twenty million dollars. Now don't worry too much about that because that only pays for part of Illinois Cares Rx, the prescription drug program that we all laud that helps seniors, or the State Police DUI Fund, or the State Police Vehicle Fund for those of you who are concerned about law enforcement. For those of you concerned about bringing new jobs and economic commerce to your districts and you depend upon tourism, how about the Tourism Promotion Fund at four million dollars? And perhaps the most offensive at all, in a building where the State's leaders crow about their concern of people who don't have health insurance - twenty-two million dollars from health insurance reserve funds. Ladies and Gentlemen, if you think it's right to vote for this because it's okay to take that money, you understand that money doesn't really belong to you, but you think it's okay to take it, then stand up and vote Yes. But if you're thinking about voting Yes because you think that your constituents won't notice that you took money out of the Tourism Promotion Fund or their health insurance funds, then I think that you are making a big, big mistake. Please vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. A -- a comment or two and a question. I -- I'm kind of glad I didn't go first, I would have a lot more to cover. But then -- just -- I mean, Jeff and I have had the pleasure of working together with bills back when he was in the House. That one time we did some work on procurement

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

reform and -- and I know he was a big solid promoter of the Rainy Day Fund. And -- and I think, as a matter of fact, he was the sponsor of the Rainy Day Fund legislation and, you know, had it not already been well covered, I guess I was going to ask him how much money was in the Rainy Day Fund and whether the Pension Recovery Fund was anywhere near it. But just a couple of things that I just want to make sure Members know. In the sweep of the funds, Jeff, I'm not sure you realize or that John Filan shared with you, that we are raiding the Illinois Historic Sites Fund. And for Members that don't know how funds get into that, if you've been to the Vandalia Old Capitol or if you've been to the Old Capitol here or the Herndon Law Offices, there's a glass box that we encourage grade school children and visitors to put dollars and quarters in to maintain our historic sites. I mean, some of us were a little stunned a -- a decade or so ago and argued that a sovereign state had no business putting out a -- a collection pan in front of their historic sites. Well, tonight in this -- in this authorization, John Filan makes us raiders, makes the -- the -- the Senate of the State of Illinois raiders of those quarters and nickels and dimes that the schoolkids and the visitors from other states put in at our Vandalia Court House or our Cahokia Mounds. So I -- I hope we -- with real pride we can look at this. But I -- I wanted to really ask Jeff whether he realized that there are fifty million dollars being taken from funds, being swept out, that actually pay Medicaid bills? And I guess I'm a little confused, because there's been a lot of rhetoric about the -- the Treasurer of the State of Illinois holding up the release of funds, which she believes legally she's entitled to do, and -- and -- and some argument somehow that that's preventing the payment of Medicaid bills. But there are - - I'm going to read the five funds for you and I'll give you some totals: The Drug Rebate Fund pays Medicaid -- we use that to pay Medicaid bills it's authorized to pay, the Long Term Care Provider Fund pays Medicaid bills, the Public Aid Recoveries Trust Fund is used to pay Medicaid bills, the Tobacco Settlement Fund is authorized for use to pay Medicaid bills and the Health Insurance Reserve Fund is used. In the -- '04 and '05 budgets we swept a hundred and twenty-four million dollars out of those. Had they been spent on Medicaid and matched, that'd be two

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

hundred and fifty million dollars worth of Medicaid bills. In '06 we took twenty-eight million dollars. That would have been another fifty million. We'd be up to maybe about three hundred and ten million in Medicaid. And if we didn't sweep this year's amount and spent it on Medicaid as we claim we have to do, we need to do, there'd be another fifty million dollars of general revenue available and -- or revenue available amounting to another hundred million. So just as you vote on this, you're continuing a process that takes cash out of Medicaid. So when you get up to talk about, I think it's number 14 -- Senate Bill 14, or whatever it is, and -- and you're going to try to pin it on the lady that's the Treasurer, just remember who's emptying the piggy banks that are supposed to play {sic} and just remember who's taking the quarters out of the -- the high school kids' pockets to pay for the programs that they don't want to tax for.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you, Senator. Our last Member seeking recognition to speak on this issue, Leader Watson, and then Senator Schoenberg to close. Leader Watson.

SENATOR WATSON:

Well, thank you. I will be brief, because I think a lot has been said and I think you can obviously tell that there's major, major problems with this legislation. The fact that not many people on that side of the aisle has spoken in behalf of it is an indication that you also understand that there's some major, major problems. When you talk about the Rainy Day Fund for the pensions, this is just laughable and I have to just bring this up and I brought it up in committee. I think it's like twenty-five million dollars that's going to be made available, if available, to put into this Rainy Day Fund for the pension system. Well, what -- let me just think about that for a second - twenty-five million in, 2.3 billion out. Now if I'm a retired teacher or a State employee or a university employee, I don't think I'd want Senator Schoenberg negotiating anything for me. Twenty-five million in, 2.3 billion out. This is laughable. This is a -- this -- they're just trying to cover themselves. They're just trying to cover themselves for the total irresponsible, outrageous raid of the pension funds. The other issue I want to ask Senator Schoenberg about, if I could, a question for Senator

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Schoenberg.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, Leader.

SENATOR WATSON:

This -- the training -- new training process by which we're going to train new workers in this State, how much is involved in this grant program, Senator? How much is going to be made available in the appropriation side to start this new program?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

There's six million dollars in Senate Bill 1520 in the DCEO budget for the same type of training that we already have. This grant program is to expand the potential pool in communities that have historically had few participants, primarily in minority communities, to try to add, attract to the talent pool to participate in this training program at the same federal standards that we currently have.

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Watson.

SENATOR WATSON:

You're wanting to expand an existing program that is working. It's under the federal guidelines and requirements. The system's not broken, so why fix it? To me this is a waste of six million dollars. We have no idea what community colleges will benefit from this. We don't know where these training programs will exist. There are training programs that are available now and they're doing a wonderful job of educating and training people in apprentice programs to go into the labor force and they are under the federal guidelines and requirements. So there's no need for this whatsoever. So my point is, if it's not broken, let's don't fix it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Schoenberg, to close, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. For those of you who live in the collar counties and are -- or in outlying downstate areas where you have felt in the past that the acquisition of open space has been neglected at the



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

expense of baseball fields and soccer fields in the OSLAD Program, and we all know how popular that is, what -- the mischaracterization that has taken place previously demands a response, namely that we are taking one million dollars a month for a total of twelve million dollars from the OSLAD Fund towards the acquisition of open space. It wasn't that long ago I remember the Nature Conservancy telling me how wonderful it was that former Senate President Pate Philip was actually endorsing their drive for a tax increase in DuPage County to acquire open space, because there were not adequate funds in Conservation 2000 to buy open space in the collar counties and outer -- other outlying areas. So that argument doesn't wash that we're taking money away. We -- what -- what a great irony. We should eliminate the ability to acquire more open space so that collar counties can have more development, and therefore have more park district facilities to only have more competition for the OSLAD money, rather than preserve open space, which if we give it up once, we'll never have it again. Secondly, for those of you seeking to raise false hopes and fears about the ISAC portfolio, specifically the language in the bill, it is contingent upon the sale of the portfolio and we're not robbing Peter to pay Paul as one prior speaker suggested, rather these are -- these are -- this is a portion -- a modest portion of a multibillion-dollar portfolio that's being sold on the secondary market. Finally, on the issue of -- finally, on the issue of pensions, I only wish that the Pension Stabilization Fund, which was copied off of the Rainy Day Fund, I only wish that that had been in the 1995 law, because then when the economy and State revenues were doing so wonderfully well at the end of the 1990s during the Clinton administration and during -- and at the turn of the century when the economy was doing so well that we didn't know how and where to spend all the money that was coming in the door, we should have had it in place then to save the money, and I'm just sorry that my friends who were involved in putting that bill together didn't think of it then. And finally, on the issue overall of fund sweeps, it was only two years ago that the other side of the aisle, as part of the coalition of the unwilling, participated in a budget and supported a budget that swept countless funds in order to help meet the basic needs of the State. I don't know

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

why it was bad then -- why it's bad now and it wasn't bad then, but in short, this will help us meet our spending priorities and I urge your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you very much, Senator. Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 1977. All those in favor, vote Aye. All those in favor -- opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 30 voting Yes, 27 voted Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 and No. 2 to Senate Bill 1977. The bill, having received the required constitutional majority, is declared passed. Continuing on the Secretary's Desk, Concurrence, Senate Bills, on page 13 of your Calendar, is Senate Bill 2339. Senator del Valle. Senator del Valle, do you wish to proceed, sir? He indicates he wishes to proceed on the Order of Concurrence. Madam Secretary, please read the gentleman's motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2339.

Motion filed by Senator del Valle.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator del Valle, to explain your motion, sir.

SENATOR DEL VALLE:

Thank you, Mr. President. This was a bill that passed the Senate 56 to nothing. The House made a couple of changes in two amendments. It retained -- Amendment No. 1 retained the underlying bill and added language to clarify that workers can collect two-percent damages by either private action or through the Department of Labor, but not both. And the second amendment provides that a court may compel obedience for a subpoena of records by the Department of Labor with regard to minimum wage violations. And I move the -- to concur with both House Amendment No. 1 and No. 2.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Thank you, Senator. Is there any discussion? Seeing no discussion, Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 2339. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 55 voting Yes, 3 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 and No. 2 to Senate Bill 2339. This bill, having received the required constitutional majority, is declared passed. On the bottom of page 13 of your Calendar comes Senate Bills {sic} 2986 on Motion to Concur. Senator Wilhelmi. Senator Wilhelmi, do you wish to proceed on that bill, sir? Out of the record. Okay. Ladies and Gentlemen, we'll be going to Senate Calendar -- Supplemental Calendar No. 1. It's been printed and distributed. It should be on all Members' desks. We'll be going to the Order of Concurrences. Secretary's Desk, Concurrence, Senate Bills. At this time, we'll be -- have Senate Bill 14. Senate Bill 14. Senator Trotter, on the Order of Concurrence, sir. He 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 14.

Motion filed by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, to explain your motion, sir.

SENATOR TROTTER:

Thank you very much, Mr. President, and Members of the Senate. House Amendment No. 1 created the Illinois Opportunity Fund Act. That amendment has -- has -- now deletes all the language from that bill and becomes a shell and the bill becomes House Amendment No. 2. House Amendment No. 2 amends the State Finance Act regarding fund transfers. Pending chargeback transfers and transfers authorized by Public Act 93-89 {sic} directed prior to 2/28/06 must be redirected within seven days after the effective date as follows: Of the first two hundred and fifty million, one-third to -- is to go to the Drug Rebate Fund, one-third to the Hospital Provider Fund, one-third to the -

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

- Long Term Care Provider Fund. Any excesses over two hundred and fifty million dollars will be directed to GRF which will go into pay directly to address the payment cycle issues that we have. Transfers and related duties pursuant to Public Act 93-839 are to be directed by the Governor.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. I'd just like to get a couple things on the record with Senator Trotter if he'll yield for a couple of quick questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Gentleman will yield for a question, sir.

SENATOR RAUSCHENBERGER:

I -- I -- I know there's been a lot of discussion that we need to pass Senate Bill 14 so that we can pay our Medicaid bills. I just want to -- for the record get some things on the record. Senator Trotter, we've worked a lot together during thick and thin on Appropriation, but in your recollection do you ever recall the Senate Republican Caucus not supporting or -- not supporting short-term borrowing to help us keep our Medicaid cycle up to date?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

We've always supported short-term borrowing 'cause we -- we agree that that's a problem. In the years that we've worked together on budgets, do you ever remember me not supporting working hard to pay our Medicaid bills on time?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

You're certainly one of the hardest workers down here, sir, and you will be sorely missed.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I just want to make sure Senator Trotter and -- and all Members of the Senate are aware, according to the most -- recent Commission on Government Forecast and Accounting revenue briefing, the Governor anticipates that we're going to close this fiscal year much more robustly than we expected. Our -- he's actually revising his revenue estimate up by five hundred and seventy-five million dollars over the introduced bill, the introduced budget that you passed. While we know that of that five seventy-five, you -- you were going to use a hundred million for your supplemental, that means there's four hundred and seventy-five million of unrecognized general revenue that the Governor says he will receive in 2006, and I just want the Majority to know that although we may not support the continued raids on special funds, I stand here ready to today to help now or in the Veto Session or whenever Senator Trotter calls us to help, I -- I will support a supplemental appropriation to turn that four hundred and seventy-five million of surplus revenue that the Governor's declared into nine hundred and fifty million dollars' worth of Medicaid appropriation, because all that's lacking is the -- appropriation authority not the resources. But, you know, as we kind of debate how you ought to spend money and what you ought to do, I just want it on the record, Senate Republicans have always supported paying our Medicaid bills as close to on time as possible, we've always supported short-term responsible borrowing to do it, but we can't support the continued raiding of, you know, dedicated funds. You know, it's one thing to take dedicated funds in a year of emergency, claiming a surplus. It's another to do it serially over four years. What that amounts to is misleading the taxpaying public. You -- you can't let the nurses pay into their disciplinary fund and then turn it into general revenue, not in an emergency year, but on a consistent basis. So, Senator, I -- I appreciate your cooperation. I just want everybody to know, we'll support more Medicaid spending to help close the budget cycle. We cannot support -- I would argue we will not support the continued raid of special funds and we will not -- we will not stand by and see

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

that you're -- the Second Floor here try to somehow blame the Treasurer for the problems that are of his own creation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Jacobs, what purpose you seeking recognition?

SENATOR JACOBS:

Mr. President, I move the -- the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. There's six people seeking recognition. Thank you, sir. Senator Geo-Karis, for what purpose you seeking recognition, ma'am?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR GEO-KARIS:

This bill raids pension funds, teachers' pension funds. I have always been against pension funds being used for any other purpose than for which they were designated. I think this is wrong, wrong, wrong. The teachers' funds have been emasculated. We have taken too much money out of the teachers' funds and we have to account for it. I think it's, as I said, very wrong. I would suggest to the -- the Governor - 'cause I certainly want to work with him - that he take two or three percent of all the agencies, all the State agencies, all the personnel, take that money and add it to his pension -- to -- to -- to his budget and I think he'll have enough money to make the budget without raiding specified funds. I -- I am horribly opposed, opposed. And I repeat, I oppose the use of pension funds for any other purpose than for which they were designated. That is wrong, wrong, wrong. We are lying to the public when we are not using those funds the way they were specified and I ask for a -- a No vote on this bill because of that.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. We have a request from The State Journal-Register. The photographer requests permission to photograph the proceedings. Hearing no objection, leave is granted. Is there any further discussion? Any further

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Trotter, the -- the premise of Senate Bill 14 is that a Constitutional Officer who is entitled by State statute currently to block the chargebacks now is going to be overruled by the General Assembly, and unfortunately I think that this has kind of devolved into more of a political discussion and it's really not. It's a legal discussion. As -- I'm sure you're aware, Senator Trotter, there's been litigation on this issue and the reason the State Treasurer has decided to not sign off on these transfers is because there's a case pending in court. In fact, the Circuit Court has already ruled that these transfers are unconstitutional. Now it's true, the Supreme Court reversed that, saying that the Circuit Court made its ruling premature, but nevertheless, we're -- still talking about active litigation. Does not the Treasurer regardless of party and regardless of what she's running for, does she not deserve a measure of respect that her opinion matters in this process? And obviously you believe it matters otherwise you wouldn't have voted for the chargeback law in the first place that required her signoff. Doesn't her opinion matter enough for us not to overrule her when she's got a legitimate question like this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

I -- I certainly respect the opinions of the Treasurer. However, we do not agree with her decision at this time. We believe that we have done our due diligence. There were some errors made when we first did the -- the fund transfers. We have looked at them and believe now that with full scrutiny that they can hold muster and we can sweep 'em. In July of 2004, when -- when fifty-six of us voted for the fund transfers to do this, there was no problem. These dollars and -- and now for last year, we said that we were going to do another fund transfer and we have two hundred and fifty million dollars -- two hundred and

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

forty-five million dollars sitting there. That can help generate an additional two hundred and thirty million dollars which will go to the payment cycle, which will ensure that those people who are out there providing services - the pharmacists and the doctors - can get paid in a timely manner so they can buy supplies, so they can pay for -- for staffing, meet payroll. And that's important. So these dollars that are essentially just sitting there can go directly to that payment cycle to make them whole and ensure that our constituents get the services that they need. So -- and that's where it is. And -- and -- and I appreciate, also, Senator Geo-Karis' one being at least consistent. She was just one of two who did not vote for those fund transfers back in -- excuse me, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen, the sponsor of Senate Bill 14 is not a legal expert on these matters. I'm sure he'd be -- he would readily admit that, as would I. But the bottom line is this, is that there has been a legitimate court challenge to these chargebacks and that is under active litigation right now. And if you wish to -- and -- and once again, as I talked about before, if you want to ignore that, if you want to ignore the fact that this is something in question, that's fine. But when you go back home -- if you vote for this bill and when you go back home, you need to be prepared - and I'm speaking now specifically to the downstaters - you need to be prepared to defend that you voted for a bill to pilfer out of the Downstate Public Transportation Fund over ten million dollars. So over the course of the year when your constituents are complaining about transportation issues, you need to think in your mind whether or not you'll be ready to tell them, "Well, I'm sorry, but I voted for Senate Bill 14 -- and took another ten million dollars out of the issues that you're concerned about." And, by the way, you would have done that while leaving alone the Public



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Transportation Services Fund which is much larger which serves the Chicagoland area. I don't want to have to explain that to my downstate constituents. For those of you, and in particular Senator Forby, concerned about mine safety, you're taking money out of the Coal Mining Regulatory Fund. We read in the newspapers and we passed a bill this year because there was a disaster in West Virginia, but now you're going to vote to take money out of the fund that we use to pay for inspections of the mines and the safeties -- safety of the workers. And perhaps one of the richest ironies of all is that you are voting to put money back into a fund that you raided just earlier today, the Drug Rebate Fund. You're pulling money out of one fund and you're spreading it into GRF and you're putting a little more money back into a fund that you took money out of. Ladies and Gentlemen, as I mentioned before, don't vote for this because you think the constituents that you represent aren't paying attention to this and you won't be held to answer for taking this money, because I believe you will be. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Radogno, for what purpose you seek recognition, ma'am?

SENATOR RADOGNO:

Thank you, Mr. President. First a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RADOGNO:

Senator Trotter, the money that's being swept out of these funds, is it going specifically to Medicaid payment?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Yes, it's going to the providers. A third of it by formula will be going to the Drug Rebate Fund, another third to the Hospital Provider Fund, the Long Term Care Provider Fund, and the remaining dollars of -- and that's 83.3 million dollars will be going specifically to those funds. And two hundred and thirty million dollars will be going -- directly to pharmacists, hospitals and nursing homes to bring down -- bring down that

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

payment cycle. And this is just one piece of the -- of -- of -- one component that we are using to bring down the payment cycle to make our providers whole.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Thank you. I just want to comment on the -- the practice that's going on here right now. We've talked already a lot about whether or not fund sweeps are a good idea, whether or not they're even legal, but what's emerging here is a pattern I think on the part of this General Assembly, led by the Democratic side of the aisle, that I think is engaging in, sort of, desperate behavior at the end of Session to change laws that were put into place not at the end -- on this Session, but whether when we're being thoughtful and deliberative, and this isn't the only example. Here we are saying we need some more money so, what the heck, let's just change the law that's been in place for a long time that provides a check and a balance that serves taxpayers well, and that is to have someone else signing off on these fund transfers. It's the same thing with the pension raid. We get desperate and we say, what the heck, that 1995 law is just too tough to keep, so let's go ahead and change the law. Again, that was a bipartisan effort. It was put in place after a lot of thought and deliberation and here we're kind of desperate so we're saying, what the heck, throw it all out the window. It's kind of like if you're taking good care of yourself, and you're watching what you eat and you drink and you exercise, and you get to a weekend and you go, oh, I just really need a few drinks and a good meal, and you get really hung over. And that hung -- hangover hurts for a little while, but if you keep doing that every single week, then it becomes a real problem and you start to really ruin your health and that's what's going on right here. All this desperate spending and all the finagling going on and changing good policy is ruining the financial health of this State and we should not be participating in it. And I urge a No vote on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Dahl.

SENATOR DAHL:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Thank you, Mr. President. To the bill: Last Friday on the front page of the Chicago Tribune was an article with regards to Starved Rock State Park, which happens to be one of the finest State parks, not only in the State of Illinois, but in the country. Starved Rock State Park, as you probably all know or if you didn't know, in the -- October of every year is in the top ten places in the country to go for color. This article in the Chicago Tribune last Friday, I'm just going to read one -- one short sentence, here it says, "Budget cuts are starving Starved Rock," and the Tribune states that this is compromising safety, shortchanging visitors, stretching staff to the breaking point and making it hard to protect the fragile landscape from the Park's own popularity, regular patrols are a thing of the past, guided hikes have been eliminated. And the scary part of this is we're taking money out of the State Park Fund to the tune of -- with this bill and the previous bill to the tune of two million seven hundred and forty thousand dollars. And just last Sunday, Ladies and Gentlemen, a fourteen-year-old boy from Will County lost his life in Starved Rock State Park and it's only April. Starved Rock State Park will have two million visitors going through it this summer. As a businessperson, every morning when I wake up, one of the first things I think about is what's my liability today. The State of Illinois needs to think about if they sweep these funds, what's my liability today when something else happens in one of these State parks when we're not doing our job. I urge a No vote on these funds and put the money where it belongs.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you, Senator. Senator Sieben.

SENATOR SIEBEN:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR SIEBEN:

Thank you very much. I certainly support the notion that we need to start paying our providers on time and that we are balancing the State budget on the back of providers. I took a call today from Dick Hartig. Dick Hartig is a pharmacist in Stockton, Illinois and he's -- he's the only pharmacist in

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Stockton, Illinois. He's also one of only two pharmacists in Galena, serving the -- the people up there, and they do take the Medicaid people. According to Dick today, the last time he was paid was a hundred and forty-two days ago. Been a hundred and forty-two days since he was paid for his Medicaid bills, so I certainly support the notion that we need to find a way to pay our providers on time. However, I rise in opposition to this bill, because this is not the way to do it. And I rise in opposition to this bill on -- on behalf of the veterans of the State of Illinois. There was an article in the Quad-City Times just a few months ago that talked about the quality of care veterans in our veterans home, and we've done a lot of legislation this Session, everybody signs onto the bill to help the veterans. Well what are we doing in -- for veterans in this State? This article talks about patients not being adequately bathed, being left unsupervised, not receiving timely therapy, being given cold meals and rooms not being cleaned. That's because of the lack of care for the veterans. Okay? And with nearly a thousand veterans on the waiting list to get into our veterans home, we have two hundred and sixty empty beds in our veterans home. What do you have in Senate Bill 14 that affects veterans? You got a sweep here of four hundred thousand dollars from the Veterans Rehabilitation Fund. That's not the way to take care of the veterans in the State of Illinois. That's wrong, wrong, wrong, no way to treat a -- veterans. Urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, once again, our last Member seeking recognition on this issue is Leader Watson and then Senator Trotter to close. Leader Watson.

SENATOR WATSON:

Well, thank you, Mr. President, you don't necessarily have to save me to last every time. I'm -- I'm -- go whenever you'd like for me to go.

PRESIDING OFFICER: (SENATOR DeLEO)

Always the best for last, Senator.

SENATOR WATSON:

That's -- yeah. We got the -- the sponsor coming up next. I know a lot of you've gotten calls, as I have, letters from your

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Medicaid providers that they support this concept and are, of course, being squeezed, as many of the previous speakers have said, with the massive days of delay of payments. But once I explained, at least to the providers who have called me, that this is actually a raid of these dedicated funds, many of which these very providers opposed -- when we previously -- or when you previously raided these funds in -- in previous years. So, once I explained that, that this is not necessarily just a pot of money that's sitting there, they have a different attitude about this whole issue, and I think that rightfully so. And many of them are saying that, yes, indeed, this money has been set aside and is now waiting action by the Governor, the Comptroller and the Treasurer, and this money is sitting in a certain pot and it will be then distributed to these three funds, as mentioned by Senator Trotter. Well, that is not accurate. The providers, at least that have called me, are being totally misinformed. And I'm not sure who's doing this, but I have a feeling I have an idea and it's down on the second floor. These monies are not in a separate fund - they're not in a separate fund. We have a letter right here from John Webb, Director of the Legislative Affairs to Treasurer Topinka's Office, says these monies continue to sit within a designated State fund, not the GRF. So they are not separated out at this point in time. That's what this legislation is going to do, and it is totally outrageous what we're about to do here, or what you are about to do. The whole issue of delay of payment and what's happening when we balance the budget of this State on the back of Medicaid providers - hospitals, nursing homes, drug stores, doctors - those who -- who supply the services to the less fortunate of this State who -- who -- who just -- who depend on Medicaid. We are literally backing -- balancing the budget on the backs of those providers. There is a provision out there that was explained by Senator Schoenberg earlier - the Rainy Day Fund. The Rainy Day Fund today, Ladies and Gentlemen, has two hundred and seventy-six million dollars in the Rainy Day Fund. If it isn't raining on Medicaid providers in this State, then it's pouring on Medicaid providers. We ought to be going into the Rainy Day Fund, taking that two hundred and seventy-six million dollars and turning that into five hundred and fifty-two million dollars to help bring

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

down some reasonable delay of payment. We should not be raiding dedicated funds that are there for a specific purpose. This is a bad idea. It was a bad idea from the previous sponsor, from Senator Schoenberg, and I'm sorry, Senator Trotter, it's a bad idea that you're presenting here tonight. This is a definite No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. I apologize, Senator Trotter. Before you close, President Jones, for what purpose you seeking recognition, sir?

SENATOR E. JONES:

Yeah. Thank you, Mr. -- Mr. President. Just briefly, I was here ten years ago -- I mean, two years ago, we were in overtime Session and the funds that we are talking about that's contained in this bill was something that was negotiated, which had the strong support by the Minority Leader and nearly everyone, except maybe one or two, on the other side of the aisle to use the fund sweep from these -- these funds that are sitting there - surpluses - to deal with the critical issue of State government when -- when the previous Governor had left this State in such a financial mess. The legislation that many speakers - I mean many speakers on your side of the aisle - who stand up and talk about what has happened, they are the ones that gladly put their vote on Yes, because you agreed, you negotiated and this is something that you said you wanted to do. Also, we could use those funds, as -- as had been stated, to pay down the bills - the Medicaid bills - to use those to help those providers of the State of Illinois. You were all right with it then, but just because the Treasurer feels she can hold the funds, you don't think that's wrong. I haven't heard a single one of you stand on this Floor and say, "Well, maybe I was wrong in doing it." You believe you were right then, stand up and say this legislation's right because I stood up and I supported it two years ago and we were part of the process. It was not just this side of the aisle. You talk about the pensions - people talk about the pensions - the pension was raided by the previous three Republican Governors. They did not put the money in and you supported them not putting the money in. The '95 law, I believe we were at a funding level of maybe at forty-eight percent. This

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

administration over the past three years has poured more money into the pension systems than the previous three administrations. It's a fact and -- it is a fact and the reason why we had a pension problem, because Governor Edgar, Governor Ryan and Governor Thompson did not put the adequate amount of money in the pension -- systems. We are over sixty-percent funded now thanks to this Governor - thanks to this Governor - but I didn't hear you stand up and complain when Governor Edgar, Governor Ryan and the previous Governors did not put the adequate funding in the pension systems. So let's not talk about what this administration is doing. Anytime the State is faced with a five-billion-dollar deficit, you on that side of the aisle never complained when the previous administration ran us into debt and left the new Governor that came into office with that deficit, but I know you voted - I was in the room - I know you negotiated it. And you went into the caucus and said, this is what we must do, and we voted for it. It was agreed. You were part of the agreement to use these funds to help pay the providers. So let's tell the truth as to what's really happening here. I haven't heard you say, as I previous stated, that maybe I should not have done it. So this is to correct and support what you did two years ago. You should be voting for this. You want to pay down the Medicaid, then vote for the bill. Don't complain about the pension systems unless you complain about Governor Ryan, complain about Governor Edgar, complain about former Governor Thompson, 'cause they did not put the money in the system. They presented the budget and they balanced the budget on the back of all those systems. That's why we had the problem with the system. Tell the truth. Tell them that the pensions are better funded today than they were several years ago. When we passed that law in '95, we -- it should have been indexed to revenue. We should have made sure that the revenue growth kept pace with the wrap-up scale as it relate to the State contribution. That did not happen. That was a mistake - a major, major mistake. So we are correcting that, but even though we are correcting it, it is far better than what the previous administration contributed to the pension system. Senate Bill 14 deserves your support, but if you're going to complain, you going to complain about the pensions, you're going to complain about these dedicated funds,

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

tell the truth, and say, yes, I was part of -- I agreed that we should sweep the funds so we could pay down on our Medicaid debt. That's what you should really be saying.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Trotter, to close, sir. Leader Watson.

SENATOR WATSON:

Thank you and I appreciate that. When I came into this process in -- in 1979, I walked into the House Chambers and I sat next to a fine gentleman from -- former -- I think he was the former Mayor of Elmwood Park, I believe. His name was Elmer Conti. Maybe some of you remember Elmer - great guy, good man. Used to play with the Chicago football Cardinals, as a matter of fact, so that tells you how old the gentleman was, but he was a great guy. And he told me, he said, you know, "Frank, just a little piece of advice for you," he said, "when you get up and you talk about issues, you get just as passionate as you want to talk. You -- you -- you -- what you believe in, that's what you tell the people. That's what you tell the Members of the -- this House. That's what you tell the Members of the -- of the Senate. You tell them as much as you passionately believe in an issue, but never, never get personal." And you know what? I'm restraining right now, because this could be that one time when I get personal because what -- as I said once before on this Floor, when people make outrageous statements as we just heard, there needs to be a response and I think people have to understand that we -- we, too -- we -- we were -- the key word that the Senator used, he said negotiate and we did. We sat down and negotiated in that second year. We didn't push for this. We didn't ask for this. This was demanded on us by you and the administration, but we negotiated and we worked out and tried to come up with those funds that were not impacting the services that were directly involved with the people of this State. And we did, we agreed for that and we also agreed, and I think the Senator probably has forgotten, that we were the caucus who said, "Well, you know what? This is wrong. This whole chargeback process is wrong and we want to sunset that process." We were the caucus that pushed for that. With -- this is wrong what's being done. We recognized it then and we certainly recognize it now. The key



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

word, though, that you mentioned -- and -- and when you talk about the previous Governor, and what we did when we came back, and I remember specifically, it was June 9th and 10th of the year of the election in which the current Governor was elected. Governor Ryan cut, I believe, five hundred and eighty million dollars out of the budget. He cut five hundred and eighty million dollars out of that budget and this caucus, and this caucus only, stood with that Governor who was being fiscally responsible and voted to support those cuts. Did we get any help from the other side who are -- who is now blaming that former Governor for a five-billion-dollar deficit? Did we get any help from you on the other side? Did we get any help from the President of the Senate at that particular time, Senator Jones? No, you did not give us any help, none whatsoever. We stood for fiscal responsibility on this side of the aisle. I remember very well that process and to talk about what happened in -- the Governor at that point in time, he didn't spend us into oblivion, that happened because of the economy. It wasn't the fault of the Governor on the second floor. I've told him that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Watson, we ask...

SENATOR WATSON:

Governor, it wasn't...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Watson, we recognized you for a second time because your name was brought up in the debate. Could you please bring your remarks to a close, please? Thank you very much. Senator Watson, to close.

SENATOR WATSON:

Thank -- thank you, Mr. President. The point is, we had an opportunity during the first year of this administration to do something right and I -- that's what I told the Governor-elect at that time. I said, "Governor, I -- I want to work with you. I'm in the minority. We've got a problem. You didn't create this problem. It was created by the economy. It was created by 9-11." Forty-eight other states was in the same situation that this State was in and, "Governor, I want to work with you and all I ask is we don't spend any new money and we don't create new programs and I'll be there for you and this caucus will be there

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

for you and we'll make those tough decisions. We'll make the tough decisions that has to be made." And the people of this State would have bought it, but, no, no, that first year, once again, President of the Senate, you and your colleagues on the -- this -- the other side of the Chamber and here -- one billion dollars in new spending - almost a hundred million dollars in new programs. You've taken this State in a direction that I think is -- is totally wrong. We've seen jobs exit this State because of all the taxes and fees that you've put on the -- the business community. The climate in this State for businesses to expand and grow is -- is abysmal and -- and the business community will tell you that and the people that look to come to Illinois or to some other state will tell you the same thing. So don't give us this lecture about what we did and what we believe in, Mr. President. Don't -- don't even try it because it's outrageous that you even make that kind of a comment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. President Jones, I -- I see you're seeking recognition for the second time.

SENATOR E. JONES:

Yes. Thank you, Mr. President. I rarely do this. I -- I didn't mention the gentleman's name in debate and it's not personal. All I do is deal with the actual facts and the actual figures. In the year 2003, we were funded at forty-eight percent. Our pension debt was forty-three billion dollars. We were funded at forty-eight percent in -- in the year 2003, now we are funded at sixty percent in the year 2005. In three years -- in three years -- in three years this Governor has contributed thirteen billion dollars to the pension system. It took the previous three Governors twenty-six years to contribute just sixteen billion dollars. That's why we are in this mess. The figures speak for itself. And when you said you negotiated this - the funds sweep - I do not recall -- listening to the Floor debate on this, you stood up proudly and said, this is what we negotiated. And to the person, you voted for it. And now Senate Bill 14 is before us to support what you stood on this Floor and said what we must do. It's not personal. It's business. It's the truth and we should vote for the truth and you should be voting Yes on Senate Bill 14.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Trotter, to close, sir.

SENATOR TROTTER:

Thank you. I'm going to be very, very succinct. I believe the President has touched on many of the -- the questions that were asked on that side. What I'm very happy to see is that we are all passionate about this issue, that we are very -- all conscientious, that we have to do something about our payment cycle to help those individuals who essentially help our most feeble and our sickest members of this State - those providers - the pharmacists, the hospitals and the nursing homes. With passage of this bill, we can put 475.5 million dollars back into their hands - 475.5 million dollars - which will bring down the payment cycle from those as -- as mentioned by one of our esteemed Senators on the other side of saying they have a hundred and fourteen days. What this will do with the other components that we have in place to address the -- the cycle will bring down the payment cycle to a average of fifty-five days. That's a big jump. We can do business. Another one of our Senators talked about that had -- we need more monies -- we need more monies for our parks and -- and that's a good thing. I'm glad he brought that up because then maybe we can get a vote on our budget, because in our budget, our budget 1520, we do have another 2.9 million dollars which will be going into park maintenance for permanent improvements. It's an increase of seven hundred and fifty thousand dollars above '06 appropriations. So, we do have a plan. This is one of the plans to help our people, our constituents and our providers. And -- and just in the final on the pension, just a -- a little further back history - thank you, Mr. President, for sharing with us what's happened in recent years - but if we go back, what was the impetus behind us passing this -- this -- this wonderful bill in '95, what brought us to that point, is because under the Edgar administration, in 1991, 1992 and in 1994, we were downgraded for our bond rating. At that time, we had over two billion dollars in Medicaid payments due. And so we, who took it, made a law - and I was here in '95 as many of you - said we had to do something about that and we passed a law to ensure that we could fund our pensions in a responsible manner. Well, a couple years ago, we had an

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

opportunity to restructure our debt. We didn't raid nothing. Restructured our debt and made some -- some necessary pension reforms, and because of that, as pointed out, at that time we were forty-eight percent funding our pensions. If we would have kept the plan that we passed in '95, we would only be fifty-two percent funding our pensions today, but because of those changes, it is now funded at sixty percent. So there's been no raid. No one's lost any money. We're doing the right thing, and you can help us continue to do the right thing if you vote for Senate Bill 14.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 1 and No. 2 in Senate Bill 14. Those in favor, vote Aye. Those opposed will vote -- vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Let's try that again. Let's try that once again. Mr. -- Mr. Secretary. Okay, let's try it again. Ladies and Gentlemen, this is final action. The question is, shall Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 14. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 32 Ayes, 26 Nays, 0 voting Present. The Senate concurs in House Amendment No. 1 and No. 2 to Senate Bill 14. This bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on Secretary's Desk on Supplemental Calendar No. 1 is Senate Bill 627. Senator Halvorson. Before we go to that order, Ladies and Gentlemen, let me just remind you, for the lateness of the hour, we spent a little over sixty-some minutes on that -- on that bill and it's not the length of the time, it's the rules that govern this Body. And rules on debate must be confined to the merits of the pending question. Members may criticize the nature or consequences of the proposed legislation, but at all costs they must avoid personalities. Under no circumstances should a Member attack or question the motives of another Member. So the Chair is asking you to avoid context that breaches this order of Body and let's maintain the august Body of this Chamber. So please

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

let's keep some decorum when we're having debate. Thank you. Senator Halvorson, on the Order of Concurrence is Senate Bill 627. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Mr. Secretary, please -- read the lady's motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 627.

Signed by Senator Halvorson.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson, to explain your motion, ma'am.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. As the federal government continues to drop the ball on our veterans, we have an unique opportunity to pick that ball up and do something with regards to veterans' healthcare. We unanimously passed a bill out of here. They made some changes over in the House to make it a better bill. It is back here and I encourage everybody to concur in what was done and the few changes that were made.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you, Senator. Is there any discussion? Is there any discussion? Senator Righter, for what purpose you rise, sir?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Senator Halvorson, can you give us a little detail on the changes that were made over in the House, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Absolutely, Senator. Basically, we added additional legislative intent establishing that the program is to provide access to affordable health insurance to veterans residing in Illinois who are unable to afford such coverage. Basically, what we're doing is we are reaching out to those veterans who fall between the cracks. We've set a level with regards to the income threshold. We have -- tightened up who is eligible and how we

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

deal with the fact that -- with those who are not.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you. Last question. Senator Halvorson, you mentioned you tightened -- tightened up who's eligible. I mean, can you -- can you give me a little detail on when the bill left the Chamber who was eligible; now that it's back here, how has that number been reduced or that been tightened up?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

We -- we have defined "military service", which is serving greater than a hundred and eighty consecutive days. We have taken out those who may have been dishonorably discharged. We now charge a premium, where before we didn't, and we also have co-pays.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Any further discussion? Seeing no further discussion, the lady to close.

SENATOR HALVORSON:

Favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, this is final action. The question is, shall Senate Bill 627 -- concur in House Amendment No. 1 and No. 2 to Senate Bill 627. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 627, the Senate concurs in House Amendment 1 and 2 to Senate Bill 627. This bill, having received the required constitutional majority, is declared passed. Leave of the Body, we'll come back to Senate Bill 789. We'll -- continuing on Motions to Concur is Senate Bill 931. Senator Crotty, do you wish to proceed, ma'am, on the Order of Concurrence? She indicates she does. Mr. Secretary, please read the lady's motion.

ACTING SECRETARY KAISER:

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

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Amendments 1 and 3 to Senate Bill 931.

Signed by Senator Crotty.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, explain your motion, ma'am.

SENATOR CROTTY:

Thank you -- thank you very -- much. Senate Bill 931 is the nursing bill that went through the Senate and -- and the House has added an Amendment No. 3, which still keeps the bill intact, but it just adds a few additions and some changes. It adds a Section that would grant members of the Illinois Naval Militia the same scholarship eligibility as members of the Illinois National Guard. It also establishes a Forensic Science Grant Program to encourage graduate students to enter the field of forensic science. And it sunsets the Nurse Educator Scholarship Program and the Forensic Science Grant Program July 1st, 2010.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Crotty. Is there any discussion? Any discussion? Seeing no discussion -- my friend and colleague, Senator Burzynski, for what purpose are you seeking recognition, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. Question of the sponsor, and I do apologize for seeking your attention so loudly.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The lady indicates she'll yield for a question, sir.

SENATOR BURZYNSKI:

Thank you. I -- I know that there's a -- a sunset on the nursing aspect of this. Where are the funds coming for the -- for the scholarships or the grants for the others? Because I -- I don't know if -- if the funds are included or not.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

It's -- it's subject to appropriation, but we also do have the Nursing Scholarship Fund, so the money is there through those fees that have been applied to the nurses as they reregister every year.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, then. So for a point of clarification, first of all, the money is there for the nursing scholarships aspect of it, but for the other scholarships or grants, it's subject to appropriation; however, aren't the universities kind of obligated to go ahead and provide those educational opportunities, regardless of whether or not we fund that program?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Crotty.

SENATOR CROTTY:

The budget that was passed by the House does have this in it for the other aspects of the scholarship program -- the other members that were added to it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, I'm going to make an assumption that the budget that is -- was passed by the House has the dollars in it; however it's probably a specific dollar amount. So if there are more applicants than what's in that specific dollar amount, the universities would still have to suffer the consequences, so to speak. I just wanted to make sure our Members were aware of that. I think that's correct, but thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Crotty -- Crotty, I think we're discovering how some Members of the House got around their three-bill limit. They're taking bills that we sent over there and they're putting new things on it, and I think this is an example of that. I don't -- I -- I -- the -- the -- the nurses portion of this bill is a very good bill. I think everyone in this Chamber agrees with that. I want to ask a question about the Naval Militia and adding the members of the Naval Militia to the



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

National Guard Grant Program. First of all, where does the Naval Militia patrol, Senator Crotty? And what waters do they patrol.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

That's a -- that's a good question. I had -- all I know is that this -- it's a division that's very similar to the National Guard, so I would assume, much like the National Guard, it's wherever they're ordered to go.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

That was a great answer, Senator. Thank you. Now, in -- in -- in all seriousness, the -- how much money will adding the -- the members of the Naval Militia to the grant program cost the State taxpayers? Do we have a number on that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

I don't know that right now, but if you give me a minute, maybe we can -- can get that. I know it's appropriated. Once that appropriation would be used, then...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Righter, I'm sorry. You look alike...

SENATOR RIGHTER:

Oh.

PRESIDING OFFICER: (SENATOR DeLEO)

...on this side.

SENATOR RIGHTER:

Senator Crotty, is there -- is there money in the upcoming spending plan that I'm assuming we're going to vote on later tonight, for specifically covering the expansion of this program? And the reason I ask that is because we're not quite sure as we stand here, how much it's going to cost. So how much money would we know to put in the spending bill for FY'07?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank -- thank you very much for your patience, Senator.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

For the militia part of this bill, there is five million dollars that will go through ISAC.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

I'd like to ask one last question, Mr. President, and then close on the bill. The last question I have for you, Senator Crotty, is, is there any realistic hope that the five million dollars will cover the cost of the expansion? Because if it doesn't - as you know, it's an entitlement program - that means our institutions of -- higher learning will have to eat the bill, much like they do on, say, the General Assembly Scholarship Program.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

That's really hard for me to answer because I really don't know how many of the -- the militia will actually put in for this type of a scholarship.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR CROTTY:

But five million dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, to the bill.

SENATOR RIGHTER:

Thank you, and I -- Senator Crotty, I appreciate very much your forthright answers on -- I know that you have been handed back a piece of legislation that carries a very important initiative and that has to do with nurses. I would hope that we all pay attention to this issue next year when it comes to telling our institutions of higher learning that there's going to be a grant program out there. We're going to pay for part of it, but you're going to have to eat the rest of it. They're already struggling, and I know that's not what we want, but I'm afraid that, like so many other programs, this may be what that comes to. Thank you, Senator Crotty, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Crotty, to close, ma'am.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

SENATOR CROTTY:

Thank you very much. And, you know, there were -- they were excellent questions, but I do want to make sure that everybody understands that this is a very important bill, and even though it comes back to us with a few more additions, the Illinois Nurses Association, along with the Department, the Illinois State Police and ISAC themselves, are proponents of this bill. So I ask you for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, once again, this is final action. The question is, shall the Senate concur in House Amendment No. 1 and No. 3 to Senate Bill 931. 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? Mr. Secretary, take the record. On that question, there are 50 voting Yes, 8 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 and No. 3 to Senate Bill 931, and the bill, having received the required constitutional majority, is declared passed. Continuing on the Supplemental Calendar, Senator Crotty, on Senate Bill 998, ma'am. Do you wish to proceed? She -- on the Order of Concurrence, she wishes to proceed. Mr. Secretary, would you read the lady's motion?

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendments 1, 3 and 4 to Senate Bill 998.

Signed by Senator Crotty.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, to explain your motion, ma'am.

SENATOR CROTTY:

Thank you very much. On Senate Bill 998 and the amendments -- this would be House Amendment No. 3. I think House Amendment No. 1 and 4 are tabled; 3 becomes the bill. Am I correct? That's correct. So on House Amendment No. 3 to Senate Bill 998, the proposed amendment would require State hospital personnel to determine whether medication is appropriate for each patient, and if that patient needs medication and cannot give informed consent, determine whether the patient meets the criteria for court-ordered medication; then a document in writing whenever

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

medication is not given to someone to whom it would be appropriate; and then collect and publish data concerning the use and the non-use of medications. The amendment also makes it clear that a court may take into account the patient's past history in determining whether he or she meets the standard for medication. And lastly, and most importantly, Senate Bill 998 does not diminish the right of those persons who are capable of making an informed decision about medication to refuse medication, a right which is strongly supported by everyone that works with persons with mental illness. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Any discussion? Senator Luechtefeld, what purpose you rise?

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. I -- I would like to thank Senator Crotty for -- for carrying this bill. The impetus of this bill comes from Chester Mental Health, which is a facility sort of like Tamms, which is -- for -- for the corrections system, it is kind of the -- the -- the worst of the worst. It's a criminally insane institution. It's in Chester, Illinois, and the -- the people who work there have been just -- get -- you know, just been beaten up. It's a -- it's a different -- it's a little different group of people than you'll find in many mental health institutions. It certainly is -- the worst of the worst get sent there, and we -- we've had people -- two people just lately who their eye sockets, for instance, who work there, were broken. That's how hard they were hit. And many times these people refuse to take medications, not real sure what they're doing. I think this will help us to -- to certainly make a safer working condition and -- and I would hope that you can support this bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Righter.

SENATOR RIGHTER:

Inquiry of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry, sir.

SENATOR RIGHTER:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Thank -- I -- I understood Senator -- Crotty to say that her motion applied to Amendment 3. The...

PRESIDING OFFICER: (SENATOR DeLEO)

Let me -- let the Chair explain.

SENATOR RIGHTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Amendment No. 2 was tabled in the House. The lady's motion will be for House Amendment 1, 3 and 4. What's on the board is correct.

SENATOR RIGHTER:

We're voting on all three? So this motion is on all three motions?

PRESIDING OFFICER: (SENATOR DeLEO)

That's correct.

SENATOR RIGHTER:

Okay, that's what I needed to know. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for the clarification. Okay. Seeing no further discussion, the lady to close.

SENATOR CROTTY:

Favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you. This is final action. The question is, shall the Senate concur in House Amendment No. 1, 3 and 4 to Senate Bill 998. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 Yeses, 0 voting Nay, 0 voting Present. The Senate concurs in House Amendment 1, 3 and 4 to Senate Bill 998, and the bill, having received the required constitutional majority, is declared passed. Continuing on Motions to Concur, Senate Bill 1279. On the Order of Concurrence is Senate Bill 1279. Senator Link, do you wish to proceed, sir? He indicates he wishes to proceed. Mr. Secretary, please read the gentleman's motion.

ACTING SECRETARY KAISER:

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

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Amendment No. 1 to Senate Bill 1279.

Signed by Senator Link.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to explain your motion, sir.

SENATOR LINK:

Thank you, Mr. President. Basically, what the -- this amendment does is it answers some of the questions from the minority side. It adds minority -- participation on the advisory committee from the House and the Senate. Also what this does is, for the credit for ex-offenders, it's a onetime credit. It may not exceed one hundred dollars and it's within the first year of an ex-offender's release from prison. I'll be more than happy to answer any type of question on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Link. Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: We -- we had a pretty robust debate on this bill before. We don't -- I don't think we have to repeat it. The -- the -- I think, just to refresh the recollection, briefly, of everybody, this bill essentially creates an incentive to hire ex-offenders. There's a -- you know, there's a rationale. I understand where Senator Link is coming from. I guess the -- the difficulty is there -- there's only a few exceptions as I read the bill about who's eligible and who's not. I think that's a real problem. And I think -- I think the greater problem, Frankie -- frankly, is the -- the moral equivalency that it -- the moral parity that it places ex-offenders on the same par with veterans. So within this program -- within this bill, if it's enacted -- if it's signed into law, a veteran, who has served our country honorably, comes out and, yeah, there's an incentive program. But you know what? It's the exact same incentive program that -- that an ex-offender has. And I think that's a problem. I think we ought not create a moral equivalency between these two groups. I think there's a cavernous distinction. I think you do too, between these two groups. One serves us honorably, one defends our liberties, one is sent abroad at -- at great risk, and the other is an abuser of a system and a creator of victims. I think the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

notion that Senate Bill 1279 doesn't recognize that, isn't able to -- distinguish between those to whom we owe great honor and those who, frankly, we don't, I think creates a moral ambiguity that is -- that is really unsatisfactory. So I would urge caution. I think that this is the type of bill that -- that when you're in front of Rotary Clubs and veterans' groups and people raise their hands and say, "Do you mean to tell me that criminals and veterans are treated the same way?" I want to be able to say, "Well, yeah, that was the proposal and I voted No." And I hope you join me in that. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? Seeing no further discussion, Senator Link, to close, sir.

SENATOR LINK:

Thank you, Mr. President. And -- and I'm Terry, not Frankie, so I'll get that clear. But in the bill, when -- when this becomes law, the veteran section and the ex-offender section will be in two separate sections of the law. So it will be separate in the law -- in the law books. So that will be a separate section, number one. But number two, we answered a -- a complaint of the other side when we -- we said we were not thinking of the veterans. Well, we thought of the veterans. We put it in the bill. The veterans are now there. They're getting that same respect. But, you know, we want to take care of these ex-offenders of trying to help them to become productive citizens in society, and at the same time when it's told that, you know, you want to go back and you want to tell your -- your veterans that you voted No because they're classified basically with ex-offenders, I want you to go back and tell those veterans that you voted No for an opportunity to give them a benefit of six hundred dollars, to get a benefit of a job, when they're looking for jobs like veterans are doing today and you're taking that away from them. So, if you want to say, just because they were in the same bill that you want to look down on veterans, you explain that to 'em, but I think this is a positive bill for society, for business and for people that want to get back into being productive citizens - be they ex-offenders, veterans or whoever they are. They want to be positive citizens in the State of Illinois and this should be all green lights. Thank you.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Link. This is final action. The question is, shall the Senate concur in Amendment No. 1 to Senate Bill 1279. 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? Mr. Secretary, please take the record. On that question, there are 33 Ayes, 23 Nays, 0 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 1279. This bill, having received the required constitutional majority, is declared passed. Continuing on Secretary's Desk, Concurrence, Senate Bills, page 2 of your Supplemental Calendar, is Senate Bill 2030. Senator Raoul, do you wish to proceed, sir, on the Order of Concurrence? He indicates he does. Mr. Secretary, please read the gentleman's motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 2030.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to explain your motion, sir.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2030, as amended by the House, combines two -- essentially two bills that were previously passed out unanimously by the Senate. One is the Film Production Tax Credit Program and the other is a LIHEAP bill previously passed out as House Bill 1744. Under the film tax credit, Senate Bill 2030 extends the Tax Credit Program by one year until January 1, 2008, and it creates a flat twenty-percent credit on production spending rather than production wages. In addition, it provides a fifteen-percent credit on labor expenditures. With regards to the energy -- energy assistance portion of the bill, it reinvests fifty percent of the -- gas revenue tax paid by LIHEAP recipients into the LIHEAP Fund. I urge your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Roskam.

SENATOR ROSKAM:



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Thank you. Senator Raoul, just for the record, we've seen several versions of the tax credit bill. We talked about this in Senate Executive Committee earlier today. My preference is Senator Hendon's preference. I think it's wiser to do the two-year tax credit. Can you -- do -- it makes more sense from a production company point of view to be able to have a longer planning cycle. It takes away a level of cynicism that this is being used for political purposes and to manipulate an industry for political advantage, and so forth. Can you speak to why we are now settling in on a one-year tax credit when our colleague, Senator Hendon, has been so eloquent in advocating a two-year one?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

Yes, thank you. As you learned about in committee, and I should step back to Senator Hendon's original bill, I, as -- as you were, were supportive and I agree with you on the -- on the notion that the two-year tax credit would be more effective; however, we need two Chambers to -- to accomplish this extension and -- and a Member in the House thought that it should be restricted to the -- the one year.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Well, just for the record - and I know they've adjourned, maybe that's the ultimate in being passive aggressive, frankly - but it strikes me that -- I want -- I want us to get up, you know, you Senators who are in the majority, I -- I -- I want to hear a little Senate kick. I want to hear the softball speech. You know, it's like, hey, why are we letting some House member roll us on a good idea? I mean, this is a "red suit day" for Senator Hendon, for crying out loud, and here we are with hardly a fight, hardly a shout from Senator Hendon when they're -- they're gutting his bill that he has been an absolute champion

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

for. I say let's not -- let's not -- let's not sit around and take that. So, I've used his name about eighteen times in debate and he's not even giving me eye contact, so apparently he's not going to speak on this bill. But, Mr. President, I -- I -- I reluctantly urge passage of this bill, but it's my hope that by the night's over we can hear some of that softball fight from Senator Hendon. And I think the best is yet to come, frankly.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for those warm, encouraging remarks. Senator Raoul, to close, sir.

SENATOR RAOUL:

I urge your support enthusiastically.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in Amendment No. 1 and No. 3 to Senate Bill 2030. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Yes, 0 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 and No. 3 to Senate Bill 2030. The bill, having received the required constitutional majority, is declared passed. On the Order of Concurrence is Senate Bill 2436. Senator Crotty, do you wish to proceed, ma'am? She indicates she wishes to proceed. Mr. Secretary, please read the lady's motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2436.

Signed by Senator Crotty.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, to explain your motion, ma'am.

SENATOR CROTTY:

Thank you very much. The purpose of Senate Bill 2436 was to seek data concerning availability of beds and services provided by various long-term care facilities so that individuals and families would have more complete information about the availability of services before they make any choices. House Amendment No. 1 just simply clarifies that the underlying bill

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

only applies to long-term care beds. It also adds a provision to extend the sunset for the Illinois Health Facilities Planning Act and the Illinois Health Facilities Planning Board. The amendment extends the sunset of those two boards by nine months and it also adds an -- an immediate effective date.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

The lady indicates she'll yield for a question, sir.

SENATOR RIGHTER:

Senator Crotty, nine months, that's an unusual time period for the length of a renewal. Do you have any idea why the House would have insisted upon such a short renewal period?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

No, I -- I don't.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR RIGHTER:

Thank you. I stand in support of the bill. I know that Senator Crotty doesn't bear any responsibility for such a short renewal. It's unfortunate that this legislation, which I think most legislators in Illinois believe is necessary, which -- most health facilities believe is necessary, is being used to keep certain entities feet to the fire with regards to charity care negotiations. I think, as Senator Roskam mentioned just a moment ago, we're being rolled by the House a little bit here. Using renewals of such important processes, like the certificate of need process, for such a blatantly political purpose really isn't very good public policy and I hope perhaps next -- next year the Senate will stand a little more vigorously when it comes to doing the right thing on this issue. I appreciate very much the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Senator's work on this and I urge its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2436. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 2436, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 2445, on the Order of Concurrence. Senator Cullerton, do you wish to proceed, sir? He indicates he wishes to proceed. Mr. Secretary, please read the gentleman's motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2445.

Signed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, on your motion, sir.

SENATOR CULLERTON:

Thank you, Mr. President. It's very appropriate 'cause I think tomorrow is Cinco de Mayo, right? And this bill deals with the El Mariachi Restaurant on the northside of Chicago and what they want to do is sell margaritas, and this bill would allow them to do that. We've already passed this bill out of the Senate. And what we wanted to do, of course, was to limit the ability to have this liquor license within a hundred feet of the school for this one location. The House changed the concept by which we limit the -- ability of this bill to apply to many more places other than this one. But it's done in a constitutional way so it's not special legislation and there's no opposition that I know of anymore. So, be happy to ask -- answer any questions and ask you to please vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. You know, briefly to the bill: I -- I think this is one of these bills Senator Cullerton's worked

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

really hard on. It's kind of -- little bit ridiculous that the Senate has to deal with this stuff, frankly, but it comes with the territory. I intend to vote Aye. I think it's pretty narrowly crafted. But those of you who are concerned or anxious about liquor bills near schools, just a word of caution that that's what's involved here. But I think it's very narrowly crafted and I intend to support it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Seeing no further discussion, the question is -- this is final action. The question is, shall the Senate concur in -- in Amendment No. 1 to Senate Bill 2445. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 39 Yeses, 16 Nays, 0 voting Present. Senate Bill -- the Senate concurs in House Amendment No. 1 to Senate Bill 2445. This bill, having received the constitutional majority, is declared passed. With leave of the Body, we'll go back to our Supplemental Calendar, to page 1. We skipped over Senate Bill 789, and with leave of the Body, it's a -- it's -- Senate Bill 789 is a DeLeo/Hendon bill and I'd ask Senator Hendon to handle Senate Bill 789. So, on the Order of Concurrence is Senate Bill 789. Senator Hendon wishes to proceed. Mr. Secretary, please read the gentleman's motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 789.

Signed by Senator DeLeo.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, to explain the motion, sir.

SENATOR HENDON:

Thank you, Mr. President. Senate Bill 789, House Amendment No. 1 amends the IMRF to allow the Illinois Medical District Commission, which was created under the Illinois Medical District Act, that they shall be included within the IMRF as a participating group and notwithstanding the fact that it's located entirely in the City of Chicago. It also deletes the language in Floor Amendment No. 1 and excludes the coroners. I'd

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly to the bill: You know, the IMRF is a program that has intentionally been set up in the past to exclude this kind of thing. The IMRF says that, by definition, only participants can participate if they are not within -- entirely within a municipality that is over a million residents. I think that there's plenty of other options here. The IMRF is a good solid program that I'm informed is ninety-five percent funded and I think that these individuals will probably be best served somewhere else. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Hendon, to close, sir.

SENATOR HENDON:

I'd appreciate an Aye -- Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. This is final action. The question is, shall Senate Bill -- shall the Senate concur in House Amendment No. 1 to Senate Bill 789. 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? Mr. Secretary, please take the record. On that question, there are 36 Ayes, 19 Nays, 1 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 789. The bill, having received the required constitutional majority, is declared passed. Okay. For purposes of announcement, all Members of the Rules Committee -- all Members of the Rules Committee will report immediately to the Anteroom. All Members of the Rules Committee, please report to the Anteroom immediately. Madam Secretary, Committee Report.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur with House Amendment No. 3 to Senate Bill 613, Motion to Concur with House Amendment No. 3 to Senate Bill 1497, Motion to Concur with House

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Amendment 2 to Senate Bill 1892 and Motion to Concur with House Amendments 1 and 3 to Senate Bill 2225.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito, for what purpose you seek recognition?  
Senator Viverito.

SENATOR VIVERITO:

...hear me? All right. Mr. President, I wanted to tell you on Bill 1918, which was the racetrack bill, inadvertently I had pressed the Yes, but apparently the green button, it didn't show. And some of my friends from Hawthorne called me and said, how could I do this? But believe me, I did press it. I did tell them up front that it wasn't working. So I wish you would record me - 1918, Yes. I've worked it for three days.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito, I think you're talking about House Bill 1918. House Bill 19 {sic} -- so the record will indicate that your intention was to vote Yes on House Bill 1918, sir. Senator Hunter, for what purpose you seek recognition, ma'am?

SENATOR HUNTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point.

SENATOR HUNTER:

I'd like to rise today to recognize one of our own. I rise...

PRESIDING OFFICER: (SENATOR DeLEO)

Please give the lady your attention.

SENATOR HUNTER:

Yes. Please. Please. I rise today to recognize one of our fantastic staff members for service to the Senate Democratic Caucus, Nia Hassan. She is celebrating her twenty-fifth anniversary and she's been work -- twenty-fifth, I'm sorry. She says, whoa. And Nia has served as a full-time staffer since 1981. She is the -- the second-longest serving minority of the four staffs. She has served under two Democratic Senate Presidents, Phil Rock and Emil Jones, Jr. And she has also served for five Chairmen over twenty-two years as a staff -- it says twenty-two years -- she served twenty-two years on the Health and Human Services Committee under these five Chairpersons. And she also spent two years staffing the Higher

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Education Committee. So, Nia, we appreciate you. You're the one that's been keeping us straight and keeping us informed as to what's going on with the issues and we do consider you as -- as the expert in -- in Health and Human Services. And we appreciate you. So, thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, we're going to go back to Supplemental Calendar No. 1. On the top of Supplemental Calendar No. 1 is House Joint Resolution 127. So, on page 1 of the Calendar, Order of Secretary's Desk, Resolutions. Senator Jones, do you wish your resolution considered, sir? He indicates he does. Madam Secretary, please read the resolution.

SECRETARY HAWKER:

House Joint Resolution 127, offered by President Jones. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

President Jones, to explain your motion, sir.

SENATOR E. JONES:

Thank you, Mr. President. House Joint Resolution 27 {sic} designate Interstate 39 as the Toby Barry Highway. Toby Barry grew up in central Illinois. Served in the Illinois -- House of Representatives. Served in the Navy during the Second World War. I had the pleasure of -- of serving with him. He left the General Assembly and became an Appellate Court Judge well -- renowned and respected by his colleagues, renowned and respected by many friends in central Illinois. The resolution will designate Interstate 39, that was the highway that he worked in Springfield, along with Zeke Giorgi, to have built. And I think it's a -- it's a worthy tribute to a -- a great individual, a -- a great lawmaker and a great Appellate Court Justice, and he's a -- was a true friend to many of us and this is what the resolution calls for, and I urge a Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, President Jones. Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, served with Toby Barry and he was -- he's a very fine gentleman and I'm very happy to hear this resolution is



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

going to name this highway for him. He was a very competent, able lawyer who did an excellent job and I had the pleasure of serving with him in the House. So, God bless him and congratulations, Mr. President, Emil Jones, for bringing forth this resolution for a well-deserved gentleman.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no further discussion, President Jones moves the adoption of HJR 127. Ladies and Gentlemen, it is the opinion of the Chair that this resolution requires the expenditure of State funds and therefore a roll call must be taken. Those in favor of House Joint Resolution 127 will vote Yes -- will vote Aye. And all those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. House Joint Resolution 127 is adopted. Ladies and Gentlemen, we'll be going back to our regular Calendar, page 11. Page 11. Secretary's Desk, Resolutions. In the middle of page 11 is Senate Resolution 515. Senator Cullerton. Senator John Cullerton, do you wish your resolution considered, sir? Out of the record. Senate Resolution 664. Senator Sandoval. Senator Marty Sandoval, do you wish your resolution considered today, sir? Out of the record. Senate Resolution 740. Senator del Valle. Senator del Valle, do you wish your resolution considered, sir? He indicates he does. Madam Secretary, please read the resolution.

SECRETARY HAWKER:

Senate Resolution 740, offered by Senator del Valle.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator del Valle, to explain your resolution, sir.

SENATOR DEL VALLE:

Thank you, Mr. President. As I'm sure Members of the Senate know, there are portions of the federal Voting Rights Act of 1965 that are scheduled to expire in 2007. Section 5 and Section 4(f) and 203 of the Act are scheduled to expire in 2007. Section 5 contains a special enforcement provision targeted at those areas of the country where Congress believes the potential for discrimination to be high and prohibits any change affecting

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

voters until the Attorney General has determined that the change will not worsen the ability of minority voters to vote. And Section 4(f) requires bilingual voting assistance for language minority groups in certain jurisdictions. The language minority provisions apply to four language groups: American Indians, Asian Americans, Alaskan natives and persons of Spanish heritage. What this resolution does is that it urges Congress again to reauthorize these two provisions of the Voting Rights Act that are scheduled to expire in 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, Senator del Valle moves the adoption of -- of Senate Resolution 740. Resolution 740. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 75. Senator Sandoval, do you wish your resolution considered? Out of the record. House Joint Resolution 76. Senator Munoz. Senator Munoz. Out of the record.

PRESIDING OFFICER: (SENATOR HENDON)

We're going to Supplemental Calendar 2, Order of Concurrences. On the Order of Concurrence is Senate Bill 613. Senator Link, 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. 3 to Senate Bill 613.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link. Senator Link.

SENATOR LINK:

Thank you, Mr. President. This amendment is an agreed bill with the Department -- that the Illinois Department of Transportation, which owns some property in the City of North Chicago, will conduct a study of some wetlands, identifying for - - threatened and endangered species located in land, and identifying the property no longer needed for highway purposes. And after completing the study of the -- with -- North Chicago will have an exclusive option for three years to purchase any portion of the property that is deemed no longer needed for highway purpose, for public purpose. It gives the Department

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

authority to convey this excess property in North Chicago. This also...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Roskam.

SENATOR ROSKAM:

Senator Link, it's my understanding that there is language in here regarding the Hopkins Park Correctional Center, which is language that we've not seen before. It -- it was not in the Executive Committee and this is new. Could you tell us why it wasn't in Exec? And could you just tell us about that transaction?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link. Senator Roskam, would you repeat that question, sir?

SENATOR ROSKAM:

Sure, Mr. President. Senator Link, in -- in Executive Committee we talked about the first part of the bill that you just described, but also there's a transaction in Senate Bill 613 that relates to the Hopkins Park Correctional Center. There hasn't been a committee hearing on that portion and it's new to us. Could you please describe what it is?

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator Roskam. Senator Link.

SENATOR LINK:

Thank you, Senator Roskam. This is the same amendment that I explained yesterday, which was IDOT may -- DOC, the Department -- I'm sorry. DOC may lease real property, buildings and other improvements at the Hopkins Park Correctional Center to the Village of Hopkins Park for ninety-nine years at one dollar per year subject to certain conditions and a revision {sic} clause. That's basically what this does.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Senator. What are those conditions?

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

The Village of Hopkins Park may use the leased property for lawful purposes. The Village of Hopkins Park may sublease the property, without -- without -- may sublease the property, without consent of the State of Illinois, to any party for lawful purposes. The Village of Hopkins Park may hold the State of Illinois harmless, for the duration of the lease, from any liability and any and all claims of the kind related to the leasing of the property. And if any provision of this Section is a violation by the Village of Hopkins Park or a subleasee, the leased property shall revert back to the State of Illinois without further action by the State of Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Senator. What -- what's your understanding of what the purpose is for this? I understand you're familiar well with the other part of the bill, 'cause that's in your district and this, I think, is down outside of Kankakee and I'm just wondering what -- what -- what's the plan?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Village intends to use the property for the following developments: a municipal complex, including a village hall, police department and a maintenance facility; possibly an industrial park; three, a community health clinic; an elderly care and independent living facility for ADA; a public radio -- station office; a NASCAR recreational facility; a housing and senior and mixed income families; housing for veterans and disabled; and commercial facilities.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam, the Chair would appreciate if you could wrap -- thank you, sir. Senator Roskam.

SENATOR ROSKAM:

Is there any limitation of what a legal purpose could be, Senator? That's a pretty wide range of things and that's my last

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

No, I don't think there really is, but I think that that would be up to the State, because if there was any problems with it, it would all revert back to the State and the State would have that condition involved in there.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jones. John Jones.

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Jones.

SENATOR J. JONES:

Senator Link, this piece of property, is this where the prison was going to be built and then was suspended?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jones.

SENATOR J. JONES:

Thank you, Mr. President. I have a similar situation in -- in my district and -- and we tried this last year - Speaker Madigan kind of put a brick on it when it go over there - to -- to do the same thing for the -- for the prison site there that was started and -- and then Governor Blagojevich decided we didn't need a need for -- for anymore new prisons and stopped construction on it and that land is just sitting there. And the City of Grayville would like to have that for an economic development park, really. It sits right on the Indiana line. Would be an excellent industrial park. I'm going to support your bill, but I would like to have your help next year in doing the same thing for -- for a facility in my district.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link, to close.

SENATOR LINK:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Well, Senator Jones, if I'm -- if I'm still here next year with the help of the voters of the Thirtieth District, I'll be more than happy -- happy to help you with that. I would just ask for an affirmative vote on this.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur in House Amendments No. 3 to Senate Bill 613. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. The Senate concurs to House Amendments No. 1 {sic} to Senate Bill 613. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1497. Senator Lightford. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 1497.

Motion filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1497, House Amendment No. 3 amends the School Code regarding preschool for all children. And I'd be happy to debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Cronin.

SENATOR CRONIN:

Well, thank you, Mr. President. I just have a quick question and then a -- a statement to the bill, if I may.

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will yield. Senator Cronin.

SENATOR CRONIN:

Senator Lightford, our -- our staff sort of, kind of, came upon this issue that caused a little bit of concern, and I don't know if you know anything about it, but does this bill in some way or other displace or compete with or somehow or other conflict with Head Start programs for preschoolers, if you know?

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you. No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

No, you don't know, or no, you know about the issue and that it doesn't conflict, if you don't mind?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you. Senator Cronin, there is programs that offer both Head Start and preschool. As you know, this is just an advancement of our Early Childhood Block Grant, which many programs are eligible for preschool under that grant. So, you know, as well as I know and the full Body, is that when you have a grant that's in a block, you can apply into that to accommodate different needs, and all of those needs address young children. So the answer is, no, there is no conflict.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

I just wanted to rise and -- and -- and express my support for this. There is a little bit of concern, but this is one of those things that I think would be well to be funded. There's a forty-five-million-dollar price tag here, but the -- the -- I think the virtue of this early childhood policy, and -- and it's one that has gone through some revisions and -- and I think the Governor's Office has changed it from its original -- as introduced proposal. There's a priority of need, if you will, and the first group of children that are -- are funded under this proposal are those at-risk children. And as you know, at-risk children really are -- crosses socioeconomic boundaries, it crosses geographic boundaries, partisanship, and so on and so forth. So, that was an important component and that -- that is a part that needs to be fully funded first before we get into low income. Low income's important too, of course, but -- but I -- I think that -- I was pleased that the policy in the bill addresses

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

kids that -- that are at risk and in need and -- and bordering on some disability, frankly, I think is what -- commonly happens. So, I rise in support. I know that the -- I'm -- the budget is - - is -- is a mess and there's parts of the budget that ought to be devoted to programs like this, but I reserve the right to vote for this and -- and vote No on the budget, because if I could craft it, this is one of those things that I would fund. So, I rise in support.

PRESIDING OFFICER: (SENATOR HENDON)

The Chair would appreciate succinct questions and answers. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. You know, this -- this bill obviously -- the things I say about this bill are -- are -- is probably not going to change people's mind. You know, obviously we do want to see, you know, kids who are at risk, kids who need the help, start at a -- at a rather young age. It -- it -- it certainly is a -- a big advantage. I just - - you know, this -- this, I think, program will cost us forty-five million dollars. And -- and how can you argue against, you know, kids getting an education, young kids getting an education? I don't intend to do that. I do want to say that, you know, if - - if I had -- if I have a problem with this Governor, basically it's been that, out of -- for political reasons, he has started a lot of programs that I'm not real sure he really cares much about, other than for political reasons to get elected. This is one of those things and it's not a bad thing, but it's something we are -- we are desperately in trouble. I have phone calls every day in my office that say from people, the pharmacists are not being paid, the hospitals, the doctors, the nursing homes are not being paid. And we're in the process of starting a whole new program. Now this program will cost us forty-five million the first year. I want you to just think what this program will cost us five years from now. It will be huge. I mean really huge amount of money. And -- and right now, we simply can't afford -- can't -- not afford that. And if we're going to be consistent, now I've -- I've even had school administrators call me and say, "We -- we can't handle this right now. We are in deficit financing already. We don't have the teachers. We don't have



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

the space. And why would you put that on us at this time with -- and -- and -- and certainly not adequate funding with the programs that we already do?" We have -- you know, we cannot pay for the programs we have right now and we've started a lot of new programs, and as I've said, that's been my biggest complaint with this Governor. For political reasons, we've started a lot of new programs that we can't pay for, and this happens to be one of them. And I think if you're going to be consistent and complain about that, as I have done over this year, then this is a vote I cannot make at this time. So, I hope -- you know, again, I -- I know I don't change a lot of people's minds, but if you want to be consistent, this is not a program to start this year, as big a financial problems as we have.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: First of all, let me say that in discussion of this bill over the last few months and in particularly over the last few weeks, this has been one of the tough decisions for me to make. I mean, we -- we vote on bills that -- billions of dollars and we all know that, but as I sat and looked at this particular bill, it's a very difficult decision for me. However, I finally came down on the side of voting in opposition for this bill simply -- well, for several reasons. But first of all, some have said, it's just an expansion of an existing program or a continuation. Well, yes and no, in one way it is. It's also a program that just -- that is just for two years - funding's there for a two-year program. But also what it is, is it's a brand-new program as we look at including all children in a universal preschool program. I don't know whether many people really have thought about this, but let me give you an example of how much money we already spend..

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Burzynski, if I could, just one moment, my friend. No one wants to go to the clock, but people are talking at quite a length and we haven't even gotten to the budget yet. So, I'm just going to just advise Members that I -- I most certainly, as Senator Roskam has said, have been quite calm tonight and we don't want to go to the clock, so please be

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

succinct. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you so much, Mr. President. And I will assure you I've only been up -- this is my second time tonight, so I -- I haven't taken too much time. But anyway, we have a Head Start Program, an Early Head Start. We're talking about two hundred and fifty-five million dollars that's already being spent. Illinois Department of Children and Family Service Child Care Program, another 9.8 million for foster daycare. Illinois Department of Human Services Child Care Services for low-income families working, participating. We're talking about six hundred and -- sixty-seven million. Early Intervention, another eighty-one million. Early Childhood, two hundred and thirteen million. Twenty-five -- we're talking about over one and a half billion dollars already being spent on these programs and sometimes we can question the validity of the programs and whether or not the outcomes are what we want in our process. I just think that it's the wrong time to expand a program without really looking at all of the outcomes of all of these programs in a comprehensive plan. And again, we can't fund what we're doing already. We can't fund our educational process. I'm afraid I'll have to be a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

I appreciate you, my friend. Senator Millner.

SENATOR MILLNER:

Thank you, Mr. President. I rise in strong support of this bill for -- for a number of reasons. In my past career, we were very frustrated in law enforcement, looking at these people and these kids are -- continuing to get locked up again and again and again. And we -- we got frustrated because we started adding time to their sentences hoping that will deter them, but yet we made more and more arrests. And finally, my peers and I, many of the police chiefs in this State and -- and, in fact, across the country, got together with other chiefs, sheriffs, prosecutors, crime victims and what we did is we tried to find something that would work, so we started to search and do the research. And we looked at research that was already done and we found this. We found that it's -- it's very compelling that birth to five is a time to reach out to our children. Just like years ago when they

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

added high school, years ago they thought that was very important, so we decided to pay for it. But now we learn that this is even more important. If I could tell you is there any way now that we could invest to reduce crime with high-risk kids by eighty-five percent, not eight percent, by eighty-five percent, you'd say, well, absolutely. Well, we know time and time again in looking at all -- all the research that's out there that's very compelling, we can literally do that. We will increase high school graduation rates. We will increase college attendance. We will decrease disciplinary problems in school. We will do all of these things, plus many others, if we invest in our children early on. This is something that everybody in this Chamber should seriously consider. This is probably one of the most important things that we're going to be voting on tonight. I strongly urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Several prior speakers have suggested that we cannot afford this program. I would suggest that we can't afford not to implement this program. As policymakers we invest in initiatives that we expect will better our State. And good policy is built upon hard facts as to what works and our collective judgment to act on our constituents' priorities. Preschool for All is a sound investment based on both criteria and I'd like to speak for a moment about the economics of preschool. We know that early learning pays off. We know that families want and need access to quality programs. Science tells us that children are born learning. Eighty percent of brain growth happens before the age of five. I know this well from my life at home. Yet, we spend less than four cents of every education dollar on this age group. Economists tell us regularly that early learning saves money - saves money - by reducing costs for expensive interventions, like special education and remedial courses. The Federal Reserve Bank calculates a sixteen-percent rate of return from early childhood programs, as compared to other public investments. A University of Wisconsin study showed that each dollar invested in early learning yields seven dollars in savings or future earnings based

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

on actual experiences of children in Chicago. The largest savings comes from the items that Senator Millner just mentioned, reducing delinquency. Similar results are...

PRESIDING OFFICER: (SENATOR HENDON)

Senator, if -- if you could.

SENATOR HARMON:

...similar results are found...(microphone cutoff)...the country. The dollar yields vary, but the finding is consistent - quality matters. And I urge us all to begin by investing in this high quality program.

PRESIDING OFFICER: (SENATOR HENDON)

The Chair would like to advise Members that we have a lot of lights lit, people who wish to speak. It is now ten minutes to nine. You all know the drill. When I'm up here, we're trying to get this done, so those of you who want to drive home tonight can. Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President, and I'll keep it under sixty seconds. According to a -- a Northern Illinois University analysis, the average funding per student in Illinois is ten thousand dollars, roughly, per child, per year. Preschool for All - my message would be, when we pass this tonight, we just shouldn't oversell it when we call it Preschool for All. If you take the forty-five million dollars, divide it, not by ten thousand dollars per pupil, but even six thousand, that means that seventy-five hundred children will be served. So, it's a program -- I know that it sounds good on the campaign trail that Preschool for All, but it really is preschool for forty-five million for seventy-five hundred kids. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator Lauzen. I really appreciate it. Senator Winkel.

SENATOR WINKEL:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Winkel.

SENATOR WINKEL:

Yeah. We'll -- we'll be brief. We'll move along here, but I just want to lay this out. I mean, as far as this is a program

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

that you have to offer an RFP for, I mean, you have to apply for it? It's a voluntary program?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

...Mr. President, and I'd appreciate it if we could slow down on this legislation because this is really important to me and many parents and children who have an opportunity to receive quality preschool. Senator Winkel, it is a voluntary program. A RFP has to be submitted by the school. And our estimate is that ten thousand children will have the opportunity in the first year to be served and then expand on that as we go.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel.

SENATOR WINKEL:

Mr. President, to the bill: I -- I agree with the effort. I think the priorities are straight. I think the priorities focus rightly on those who are at risk, particularly of academic failure. For all the reasons that have been stated, I -- I stand in strong support of this program. The research definitely supports this sort of approach. It's forward-looking. It ramps up over time. As we can afford to move into this area, we'll do it then. This provides a guideline for us for future growth into early childhood education, as we should do, as we have been doing for over twenty years. So, I rise in strong support of this.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, sir. Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. I'll be brief. I just want to associate myself with the former speakers who spoke in favor of this for all those reasons and speak to some of the -- those nearsighted people who were opposed to it and -- and correct their facts. First of all, this year we're spending forty-five million on -- on early childhood education on the Pre-K Program. For the last three years, each of the last three years, we spent thirty million and sent twenty-five thousand kids into the Pre-K Program, twenty-five thousand new. The cost per child is about thirty-six hundred because we're talking about an early childhood program. We're not talking about full education. Unless and

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

until we do this, kids are not going to be able to learn. We can't keep on spending money on the back end of education and expect to have an effect. A quarter to a third of the kids who enter kindergarten in Illinois aren't ready to learn. So no matter how much we spend on them in -- in K through twelve, it won't make a difference unless they have this early learning experience. This makes good sense. This is not a program that was just put together. The Early Learning Council has been working on this for years. Senator Harmon and I are members of that council. Been working very hard with the not-for-profit sector and experts in this -- in this field. And the last time I looked, four- and five-year-olds don't vote. This is about sound public policy and making sure that we have a system in Illinois that really helps kids learn.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. First a point of order and a compliment to you. I was talking to my daughter, Frankie, Mr. President, two nights ago. Called home and told her things were kind of bogging down, and I'm not making this up, she said, "Get Senator Hendon in the Chair and you will be home soon." So, you're -- you're -- you're reputation goes all the way up to Wheaton, Illinois. Will the sponsor yield for a very brief couple questions?

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Roskam.

SENATOR ROSKAM:

Senator Lightford, just to make sure I'm clear on this, this is completely voluntary, is that right? There's no school district that's required to participate, there's no -- nonprofit organization that's required to participate and there's no family that's required to participate. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

You're exactly right, Senator Roskam. It's all volunteering.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Senator -- Senator del Valle?

SENATOR DEL VALLE:

Yes, thank you. Thank you, Mr. President. It was stated earlier that this is a political move. And I guess my response to that is, is that regardless of the politics, it's a good idea. It's something that should be doing. And it puts Illinois on the map in the United States as the first State in the country to statutorily establish a goal for universal preschool that will service three- and four-year-olds. I think that we ought to be proud of that, and regardless of what you think the motivation is, it is something that Illinois needs to do, and I think by us adopting this program, we are going to be held up as a model for the entire country. And Illinois does a lot of things right. We do some things wrong, but we do a lot of things right. Is there enough funding for education for the other programs? Of course there isn't. Should we be increasing the foundation level? Yes, we should be, and I would hope that at some point we would do that here, and that we would get the Governor -- the Governor's support in supporting the revenue measures that are needed and your support in supporting the revenue measures that are needed to be able to increase the foundation level at the level recommended by the Education Funding Advisory Committee.

PRESIDING OFFICER: (SENATOR HENDON)

Senator, if you could..

SENATOR DEL VALLE:

Until then..

PRESIDING OFFICER: (SENATOR HENDON)

If you could -- Senator, please.

SENATOR DEL VALLE:

Let's put Illinois on the map. Let's make history. Let's do what is right for the little children, because we know that brain development occurs between zero and six years of age. They're the most critical years. They're the ones that establish lots of things. And so, this is an opportunity to do that. So I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank -- thank you, Senator, Mr. President. Ladies and

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Gentlemen of the Senate, I appreciate all the comments that my colleagues have made, and I specifically appreciate the comments from Senator Millner and from Senator Winkel. And it's so important - maybe Senator Cronin - but it's so important that we not only take a look at this and slow down, Mr. President, for a moment because there's a couple critical things that have to be acknowledged. First of all, we need to make sure that we understand that at-risk children will be the primary focus and they're our top priority. Then if appropriations are sufficient, then the State Board would then consider programs serving children whose family income is less than four times the poverty level, and then if any remaining funds are available, programs will be able to serve children who comes from higher-income families. And so I don't know that this is a political ploy on the Governor. In my opinion, I applaud his efforts for taking a look at early childhood, making some real strong proactive stands. Senator Ronen was exactly right. What we do is not allow children who we know need the assistance end up in our penal system and -- but we can build prisons all day long to house them there, but we're not doing anything that is more proactive and more preventative to help them. And I think this is a perfect example to expand an existing program. It's nothing new. The Governor created early childhood education his first year, put thirty million dollars each year. He's advanced that number to forty-five million for a three-year period. We're hoping to accommodate tens and thousands of children from all income brackets if funding is left over. And so I'm hoping that we'll all here vote Yes to protect our future, provide them with a better opportunity so that they can be educated early on, to allow them not to receive child abuse and open up more opportunities for academic learning. I really appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall Senate -- the Senate concur in House Amendments No. 3 to Senate Bill 1497. Those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 voting Aye, 10 voting Nay, 1 voting Present. The Senate



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

concur to House Amendment No. 3 to Senate Bill 1497. And the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, the pace is about to pickup a great deal, so be prepared. Senate Bill 1892. Senator Silverstein. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1892.

Motion filed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This provides an additional pilot for River Edge Zone. Will be certified by the Village of Rockford, if and only if this bill passes -- it becomes law. And this bill will -- Senate Bill 17 creates the River -- Edge Redevelopment Zone Act. This matter was brought to me by Representative Jefferson. It was also heavily lobbied successfully by Mayor Morrissey. I'll take any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Silverstein -- Syverson.

SENATOR SYVERSON:

Silverstein? Thank you very much, Mr. President. I want to thank Senator Silverstein and also President Jones for allowing us to, oh so quickly, move this legislation. This is legislation that was really looked at yesterday by Senator Forby and we've just made a change to -- changing it from two to three pilot programs, and so again, thank you for your assistance on this legislation.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur in House Amendments No. 2 to Senate Bill 1892. Those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 1 voting Nay, none voting Present. The House concurs -- the Senate concurs to House Amendment No. 2 to Senate Bill 1892. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 2225. Senator

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Maloney. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 2225.

Motion filed by Senator Maloney.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. Amendment 1 was attached to the - the bill that left the -- this Chamber a while back. And Amendment 3 becomes the bill. I'd be happy to discuss the amendment upon adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question -- this is final action. The question is, shall the Senate concur to House Amendments No. 1 -- I asked was there any -- I told you we was picking up the pace. Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. I've just got a couple questions real quick, so...

PRESIDING OFFICER: (SENATOR HENDON)

Senator, he will -- he will. Senator Winkel.

SENATOR WINKEL:

Don't waste my time now, come on. No, a couple concerns here. I mean, look, this -- this is a -- a program that's worth looking at. MAP has been a terrific program over the years. As I said earlier in -- in a different context, I applaud all the efforts of ISAC over the years. I mean, they've done a -- a -- a great job. Now this idea of MAP Plus, how long will this program be in effect under this legislation?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney. Senator Maloney.

SENATOR MALONEY:

Thank you, Senator Winkel. I -- I meant to explain it, you know, in more detail rather than... I wasn't in a hurry -- quite honestly. This is the new MAP Plus Program that is intended to offer relief to middle-class families to help pay for college. The -- it is subject to appropriation and to availability of funds through the anticipated ISAC loan sale portfolio.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Eligibility includes being a resident in the State of Illinois; a sophomore, junior or senior enrolled at least half-time at a MAP-eligible institution; and the individual cannot receive a MAP grant in the same calendar year; and the -- have a family adjusted gross income of less than two hundred thousand dollars. The size of the award would be a maximum of five hundred dollars per year or two hundred fifty dollars per semester. The MAP Plus is contingent on the appropriation and funds from the expected ISAC sale.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel.

SENATOR WINKEL:

The -- the funding for this program, is it -- is it correct that it be subject to separate appropriations and sufficient revenue separate from loan asset proceeds, transaction processing, or refinancing? In other words, is this program dependent on its funding from the sale of the ISAC portfolio?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney.

SENATOR MALONEY:

I think that's a fair assessment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel, to close, I believe.

SENATOR WINKEL:

Yes, I think I believe you're right. To the bill.

PRESIDING OFFICER: (SENATOR HENDON)

To the bill, sir.

SENATOR WINKEL:

Here's -- here's the problem with the program. It's a one-year pop. Now, universal child health -- universal preschool this last time - okay. I mean, I'm not sure of the motivations behind that one. There may have been some political undercurrents to it, reasons for the short duration of the program, but it's a great well-thought-out program with priorities, prioritization built right into the language. In this bill, there's no such prioritization, and I think for that reason by itself, it -- it's -- it's a flawed piece of legislation. It's only for one year, so you have to wonder why are we doing this, if it's so important, only for one year. The

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

other thing is the funding stream. I have some really deep concerns, as I've expressed earlier, and I'll reiterate briefly, that we should not be selling the ISAC loan portfolio. This program depends on that sale and the proceeds from the sale of the loan portfolio program, and if you vote Yes for this program, in my opinion, you are essentially ratifying the sale of the ISAC loan portfolio. I think it's a terrible idea to do that. For that reason -- those two reasons, I think the bill's flawed, and I'd urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney, to close.

SENATOR MALONEY:

Thank you, Mr. President. First of all, this -- this -- the bill requires ISAC to report at the end of the spring 2007 semester whether or not they will continue this program, so it may be more an ongoing program than a -- than one year. And finally, I'd just like to say, many of you have had, have now or will have children in college. I'm lucky, I'm done. I have my four boys, they're all through. But I don't have to tell you, even when -- when some people even with what they would term a "comfortable income" have kids in college, it can be a struggle. We heard testimony this summer that while we have, as a State, increased accessibility to higher education, the affordability continues to be an issue, when had hearings on the graduation retention rates. The amount of money -- this amount of money may be the difference of whether or not a student decides to continue their education or to drop. And if they do continue -- and many times when they do drop, even with the intention of returning, they don't. So I -- I think that higher ed is an investment that pays off immediately. It pays off in terms of the individual getting a higher paying job, having more -- paying more income tax to the State of Illinois, obviously, and having more disposable income for the State. Again, ISAC must report to the -- the Governor and the General Assembly if the program merits -- continuation beyond 2007. Let's give some students and their hardworking families an opportunity and give them a break. To provide them with five hundred dollars next year, just maybe this would be the difference between them and a brighter future for the students and a brighter future for the State of Illinois. I

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

ask an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur to House Amendments No. 1 and 3 to Senate Bill 2225. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 voting Aye, 24 voting Nay, none voting Present. The Senate concurs to House Amendments No. 1 and 3 to Senate Bill 2225. And the bill, having received the required constitutional majority, is declared passed. Senator del Valle, for what purpose do you seek -- attention, sir?

SENATOR DEL VALLE:

Thank -- thank you, Mr. President. I realize that it is late and that you're moving quickly and I appreciate the effort, but I think it's important that we take the time to -- to give thanks to individuals who give a lot to the State over many years and -- and then decide to move on to other things.

PRESIDING OFFICER: (SENATOR HENDON)

If you could do it quickly, sir.

SENATOR DEL VALLE:

And so, I hope that you will bear with me because I'm talking about an individual who has been my administrative assistant for nineteen and a half years. She has worked for the State of Illinois for twenty-eight years. She started with the State in -- in 1978, working with the commission to revise and rewrite the Public Aid Code, and then worked with the Illinois Energy Resources Commission and then the Illinois Department of Human Rights before coming here, and I'm talking about Luz Lopez. I think it's only fitting that given my passion about education, she is going to be moving on to a position where she will be working with the Illinois Education Association here in the State of Illinois. So many of you will see her. But she couldn't come on the Floor. I asked her to come on the Floor because she of course feels very strongly about the decision that she made. So I ask that if you have a chance today, to stop by the office after we adjourn, give her a hug and thank her for all her years of service to the State of Illinois. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Congratulations, Luz. We're going to page 12 of your Senate Calendar. She can hear your claps. She can't see you, but she can hear your claps. Congratulations. Bottom of page 12 on your Senate Calendar -- top of page 12 on your Senate Calendar. With leave of the Body, we're going to Concurrences. On your regular Calendar, page 12. On the Order of Concurrences, Senate Bill 1520. 1520. Page 12 of your regular Calendar. Senator Trotter.  
SENATOR TROTTER:

Thank you, Mr. President and Members of the Senate. If I can have everyone's attention.

PRESIDING OFFICER: (SENATOR HENDON)

Senator. Senator. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption their Amendment No. 1 to Senate Bill 1520.

Motion filed by Senator Trotter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Thank you, again, sir. For all Members, Senate Bill 1520 is the spending plan for 2007. Senate Bill 1520 contains the operation budget that -- totals 48.5 billion dollars. This is an overall increase of 5.1 percent, compared to the F'06 {sic} budget and less than one percent compared to the Governor's introduced budget. The bill includes 25.8 billion dollars for FY'07 from General Revenue funds. This is an increase of 1.4 billion dollars, which is a 5.8-percent increase, compared to the FY'06 budget and an increase of 28.5 million, which is less than one percent compared to the Governor's recommended budget. This bill and some of the highlights in this bill includes 8.7 billion dollars for the State Board of Education, which is inclusive of 4.16 billion dollars for General State Aid, 1.4 billion dollars for mandated categorical programs, 318.2 million dollars for Early Childhood Education, which includes the program we just voted on - the universal preschool - which will have forty-five million dollars going towards it. This bill also includes thirty-eight -- 384.8 million dollars for the Monetary Awards Grant Programs and 34.4 million dollars for the MAP Plus Program. Eight million dollars is included for the Veterans Care Insurance

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Program here in the State of Illinois. 100.1 million is included for cost of doing business and rate adjustments for human and social services related programs. Twenty-six million dollars is included for the Renewable Energy Resources Program at DCEO and twenty-five million is included for implementing the minimum data set-rate methodology in relationship for nursing homes that we just also heard information given. In this budget -- in this budget of 1520, it contains a supplemental appropriation for the current fiscal year. The bill totals nine hundred and ten million dollars, including 90.9 million dollars, which is ten percent of the total GRF, and 819.5 million dollars from federal funds and other State funds. Again, the GRF highlights include the GRF appropriation, which includes eighty million dollars to pay down the Medicaid bills for physicians by allowing those bills to be paid in the current fiscal, thus reducing F'07 {sic} Medicaid liability. The payment cycle for doctors will be reduced by forty-three days in this fiscal year. Also in here is six million dollars for various State agencies for increased utility costs and to the State Police for costs associated with higher fuel prices. And the list goes on. I'm sure many has -- many of you have many questions and we'll go...

PRESIDING OFFICER: (SENATOR HENDON)

There are many, many questions, so in your explanations, please be succinct. You will have opportunity, trust me, to answer every question. Senator Mike Jacobs.

SENATOR JACOBS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs moves the previous question. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. You know, Ladies and Gentlemen of the Senate, the barbarians of a massive tax increase within two years are at our gates tonight with this year's budget. First of all, the pensions are pillaged for the second year in a row. It is indisputable that Illinois' unfunded liability of thirty-eight billion dollars is the highest in the nation. We all agree or should agree that the pensions are underfunded, but the ruling Majority's answer to underfunded pension is to further reduce contribution from the 1995 statutory schedule by 2.3 billion

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

dollars. George Ryan put 5.8 billion into the public pensions during his four years. Rod Blagojevich is only putting in a net at 5.7 billion in his four years and two billion of that was borrowed. The rest was borrowed with the ten-billion-dollar bond offering. Next, there's the sack of ISAC - the Illinois Student Assistance loan portfolio is being carried off. The face value of the State's student loan portfolio is thirty-five hundred millions of dollars, that's 3.5 billion. This budget is proposing a sale of a portion of that principle and interest stream for a portion of three hundred to five hundred million dollars and that is just incredible. For those of us who have a balance sheet mentality, that's selling of public asset for a measly dime on the dollar. And for those with an operating statement mentality, the interest and principle payment on 3.5 billion at six-and-a-half-percent interest over a twenty -- twenty-year loan life for only one year is three hundred and twenty million dollars, and so we'd be selling a portfolio for one year's principle and interest. This is nothing short of grand larceny for those who would -- who would buy it and financial criminal negligence for those who would sell it at those prices. Today, other evidence of decay, in the USA Today has a quote putting Illinois at forty-six in per-capita income growth, where it says, per-capita income, the State's worst performance since government began keeping track of this in 1929, which was during the Great Depression. So, in summary...

PRESIDING OFFICER: (SENATOR HENDON)

Could you wrap it up, Senator? Thank you. Senator Lauzen.  
SENATOR LAUZEN:

So in summary, when the State of Illinois is financially overwhelmed within two years by overspending, doubling of debt, diversion, sweeps and reckless sales of public assets, the tribute citizens will pay to the budget barbarians will be the largest tax increase in history. So, when the walls tumble down and there's wailing and gnashing of teeth, when the ruling Majority cries crocodile tease -- tears within two years - and that is my prediction - you'll be able to point to those who voted Yes tonight and last year's budget for having built the siege machines to destroy our State finances. I advise a No vote.



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

PRESIDING OFFICER: (SENATOR HENDON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. It's a pleasure to stand on the Floor for my last budget. I will not terrify or terrorize or -- or bore you-all to death next year, so enjoy this last opportunity. For some of you who haven't been around long, you really haven't seen me at my best, but I just want to make sure the Members have a quick sense of what the revenue picture is today, because, you know, we -- you can talk spending, and it's important, but also kind of understanding where you are in revenue, so, just a real, real quick run through revenues and I will call on Senator Trotter to call me out if I'm off on any of these numbers. But if you start with FY'03, which was George Ryan's last budget, the revenues for the State of Illinois were twenty-three billion eighty-seven million dollars. So we -- we had a robust and we had a -- an appropriation at that time, appropriated General Revenue of 22.3 billion. Fast forward to FY'07, the budget you're about to pass, I assume, or many people will vote for, at any rate, in this Chamber, today's appropriated level is twenty-five billion eight hundred million dollars. That's a three-billion-five-hundred-million-dollar increase in expenditure. But let's take a real quick walk through the -- the revenues. I know Senator Hendon is anxious to get moving. In FY'04, the first year of the Blagojevich administration, the growth in revenues was three billion seven hundred and thirty-six million dollars. The largest revenue growth in the history of the State, occasioned, of course, by two billion dollars which came from pension borrowing and over eight hundred and fifty million dollars in extraordinary federal aid which came through the increase in the Medicaid match, as well as the direct federal aid. FY'05 shows a -- an increase again in revenues, as does '06, up nearly a billion dollars. This year you will see a seven-hundred-and-eighty-six-million-dollar increase in revenues. So, as you pass this budget, keep in mind that the public may be finally immune to some cries of -- of -- of deficits that didn't exist and -- and five-billion-dollar budget holes that never were. You own this budget. You've had five billion dollars of new revenue to spend. You've made the investments you believe

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

in. I hope they turn out all right. We'll have an election to talk about 'em. But keep in mind that in four years of what you've called an extraordinary fiscal crisis, this Majority has supported three and a half billion dollars of increased spending in State government. In the four years of what some people characterize as the free-spending Ryan administration, State spending only grew 2.5 billion dollars. So, you've grown at a rate that's almost forty percent faster than George Ryan spending. Good luck, good night and have a great career.

PRESIDING OFFICER: (SENATOR HENDON)

And Senate -- Senator Rauschenberger, trust me, we have enjoyed your tenure here, even when we disagree with you. Senator John Jones. And he does deserve a round of applause. I -- I hope that warm round of applause don't make you seek reelection. Senator -- Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To -- to the bill: You know, as I said earlier about education, it's great to see additional money put into education, but it's the way you're paying for it. It's really, really disturbing to the constituents of the State of Illinois, that you and I both represent. You know, to rob the pension funds like you're doing over the last two years; four hundred and ninety-five million dollars this year out of the retired teachers' pension fund to pay for four hundred and thirty-eight million dollars in -- in new revenue for -- for education. And -- and all of our -- our education people will be thrilled about the new money, but then whenever they go to looking at their retirement, they're going to be a little disappointed. Couple other things that I want to hit on is, you've grown the budget continually, you know, every year you've -- you've had the majority here, for the last four years, and Medicaid -- Medicaid providers are suffering out there. A few weeks ago I had a pharmacist - owns his own pharmacy - call me about 9:30 in the morning. He just came back from his bank in tears. Now you talk about the cycle that -- that we're getting to here and -- and I know Senator Trotter said something about fifty or fifty-five days. I think you need to come down to my district and -- and evaluate the -- that payment cycle a little bit. But this pharmacist called me and he had a second mortgage

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

on his pharmacy, he'd put a second mortgage on his home, and that morning while he was in tears, he'd just come back from the bank and drawing out his kids' college funds to pay his providers, because we owed him two hundred and eighty thousand dollars and we have not given him a payment since November of last year. I have a clinic in -- in Olney, Illinois, in Richland County - Weber Clinic - about twelve doctors work there. They will be laying off or -- or doing away with two doctors, telling 'em to hit the road, as -- as bad as we need medical providers in the State of Illinois, but they'll be -- they'll be sending two doctors down the road because we haven't paid them since November of last year. So, I don't know where you get this payment cycle at. It's not there, folks. We owe providers and on June the 30th we'll owe anywhere between 1.6 billion and 1.8 billion in back medical -- bills. The other thing I want to talk about is, real briefly - and I know, Senator Hendon, you want to get out of here, but if we hadn't played the new game today and yesterday of -- of deal or no deal, we -- we would have probably been out here a lot sooner, because we could have started at 10 this morning instead of 11:20 when we finally go to the Floor - but I want to talk briefly about the correctional officers. I know we're going to hire about two hundred and thirty-one new correctional officers and -- and that's great, that really is, but that's far short of what AFSCME needs, and you know it and I know it. In my home county, just a very short few weeks ago, we had one correctional officer taking care of one hundred inmates out on the grounds whenever -- when one inmate picked up the -- another inmate and pile-driven him to the concrete sidewalk and kills him. That could have been one of our guards. We are in a crisis in the prisons and -- and the other medical facilities that -- such as Murray Center in Centralia, Illinois. We are short-staffed. The two hundred and thirty-one for Corrections will not do it. That's about a quarter of what -- what Corrections really needs. AFSCME will tell you that and I hope they remember you come November. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Risinger. Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. To the bill itself: This budget

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

has a lot of good items in it, a lot of good stuff. It has funding for preschool and that is good. It has new money in it for education in the classroom and that is good, but the problem comes from where we get the money. You know that we're not paying into the pension systems like we should. We're -- we're using onetime fund sweeps and -- and, not to be redundant, but I just met -- met with a pharmacist in Princeton, Illinois, Monday and she is owed over a hundred and thirty thousand dollars. Her payment cycle is a hundred and twenty days. The commonsense approach would be a -- a -- an alternate, to hold the line on new programs, pay our bills in a more timely fashion and put an end to borrowing and -- and begin to repay this staggering debt, but I know we're -- we're not going to do that. I'd like to talk a little bit about the road program. As I look at the road program, I'm a little bit dismayed because what I see is the continuation of the build-up of diversion funds. As I look at money that goes to CMS, Secretary of State and State Police, I see those numbers growing. When Blagojevich came into office, the diversions was about three hundred and seventy million and they're up to about five hundred and forty-six million right now. That's about a hundred and seventy-six million a year right now that's being diverted that wasn't being diverted before this administration came into office. Also, there's fee -- diversions that are taking place. If you remember, we voted a -- a -- a -- a fee increase on semitrucks and -- and those kind of things, that kind of -- that money should have gone into the Road Fund, it didn't, it went into the General Fund. That amounts to about a hundred and forty-two million dollars a year. If you take a look at the diversions since -- the increases that have happened since Blagojevich took office, that comes to about one and a half billion dollars. You take one and a half billion dollars and then you take the three hundred and eighteen million per year from these diversions and you could have paid for the -- the bond program that the Governor wanted without ever passing any bond increases. I also want to point out that as I -- as I look into the -- to the program, I see some three hundred and six million dollars of high-priority projects for -- on the local system that aren't going to get built - majority of 'em aren't going to get built. They're listed in the program. Most people will think

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

that their -- their project is in there, but the truth of the matter is there's not enough money to build these projects. The locals don't have money to -- to match 'em and it would have been an easy thing for the -- for IDOT to do is to list those projects that are actually going to get built, instead of just listing the projects. You know, the -- our -- our Congressmen and -- worked very good on a bipartisan basis putting together earmarks of highway projects. It's a shame that we couldn't have worked on a bipartisan basis to put a real -- real program together here in Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HENDON)

To the bill, sir.

SENATOR SULLIVAN:

I'd like to just outline -- we've heard some of the thoughts on the other side of the aisle, but I'd like to point out some of the things in this budget that I think are very good, and especially good for downstate. You know, the Cooperative Extension Service is going to see almost a million-dollar increase in funding. Grants to Soil and Water Conservation Districts, over a million-dollar increase. C-FAR funding, a million-dollar increase. Conservation 2000, six hundred thousand dollars. The AgrAbility Program - a program for disabled individuals involved with agriculture - a two-hundred-thousand-dollar increase. The -- over in my Senate district, there is a correctional facility that's been sitting vacant for three years. DHS is going to utilize that facility for a program - 25.9 million dollars in the budget to operate that. Amtrak funding - with the help of Senator Schoenberg - we're going to put an additional route from Quincy through Macomb and up to Chicago and also other additional routes around the State of Illinois - twelve-million-dollar increase in funding. The I-Fly program for -- three downstate airports. It's going to allow a flight, a daily flight, from Quincy to Chicago Midway, from Chicago Midway to Decatur and also down to Marion; critical transportation links -- links for our region. Ladies and Gentlemen, it's not a

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

perfect budget, but it's a budget that is going to be good for the State of Illinois, and I certainly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. To the bill: You and I, taxpayers, citizens of Illinois, we're going to pay a very heavy price for this -- this budget right here. It's based on pension raids, record-high State debt and record-high backlog of unpaid bills. This is fiscally irresponsible. We need to get back to where we have fiscal discipline. We got to prioritize what we're going to do instead of just delaying repayment and saddling future generations with staggering debt. I'm a grandma, a grandma of six, a step-grandma of three and a mother of four. I can tell you, I don't want my kids to have to pay for all of this. This is fiscally irresponsible. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. After the last couple of days, it's really hard to think of anything new or fresh to say about this budget, but what I want to do is talk for a minute and hopefully inoculate you against some of what you're going to hear the way this debate is being set up, because in a few minutes I think what's going to happen is that you're going to hear a lot of softball questions tossed at Senator Trotter, so he can tell you that the pensions are the best funded they've ever been, the -- the budget's in balance and all this great stuff. But do remember the pensions, to the extent they are at a better funding level, are there only because we borrowed ten billion dollars, only because we doubled the bond indebtedness of the folks in this State. The budget is balanced only because we've raided all kinds of funds and we've had a lengthy discussion about that not too long ago. We've extended the payment cycle to a record time at this point. At the same time, our spending is at a record level. Just remember that to the extent we're underfunding the pensions again this year, we're essentially borrowing at eight and a half percent. That's a pretty steep interest rate that's going to have to be paid back. Those benefits are going to come

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

due. We have to make our benefit payments to the retirees, and if we run out of money, we're going to be forced to make them regardless of what happens. And don't forget, we just repealed some of the very supposed savings that we enacted last year. So those savings no longer exist and we've already spent those savings. I asked Senator Trotter yesterday in committee, and he asked me if it was a rhetorical question, and it's not. And the question is, if the budget is so great, how come Fitch's Rating Services is looking at a downgrade? How come editorial boards across the State are saying that we have significant problems? How come the Civic Federation and other experts don't agree that this is a good situation, it's a well-constructed budget or a well-constructed financial plan? The final point that I want to make is that it really bothers me that every time a point resonates, such as pension borrowing is bad, fund raids are bad, what happens is everyone go -- their back gets way up and they go, "But everyone else has done it. Other administrations, other Governors, they all did it." Well, that's not -- two wrongs don't make a right. Three wrongs don't make a right, and I think it's irresponsible of us to say it's okay for us to continue down this path just because somebody else did it. We're supposed to be leaders. We're supposed to be doing the right thing and the right thing to do tonight is to vote No on this.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Before I comment in support of the budget, I want to echo the praise that was offered by Senator Hendon to Senator Rauschenberger. On these issue -- on some issues I found you -- on procurement and protecting greater accountability and transparency in government, you've been a valued ally. On Appropriations, it's been a mixed bag. But I've had great regard for your work, and certainly everyone in the National Conference of State Legislatures has been able to benefit from your work, as well. So...

PRESIDING OFFICER: (SENATOR HENDON)

Wonderful. Now we are going to take that time out of what you have to say. Senator Schoenberg.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We can't look families in the eye in Illinois and tell them that we're not going to do more to invest in their children's future. We cannot look families in the eye in Illinois, and there are more and more middle-class families, more and more working poor who -- and more and more people who are at the lower end of the income scale who worry about their basic healthcare needs in our State. This administration, this Majority, we look them in the eye. We tell them that we're going to invest in your future and your children's future. We tell them that we are not going to let you suffer financial ruin because we are going to expand preventative healthcare for all segments of the population. We tell them that we're going to invest in economic growth so that we can grow our jobs. We tell them that we're going to make their communities safer. We don't shift our -- shift our eyes away from theirs. We look them in the eye and we meet those needs that are identified at their dinner tables night in and night out. We -- this spending plan reflects our values. This spending plan reflects why we are Democrats. This spending plan is a plan that responds to working families and those less fortunate in our State. I'm proud to support this plan, and I urge you to vote Aye.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. A number of you have -- are seeking recognition who missed the -- the motion by Senator Jacobs and the Chair is not going to recognize you. So, don't try to sneak in, because we keep count. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Trotter, in this large multi-billion-dollar budget, can you tell me if there is any money to your knowledge that's been set aside to fund stem cell research, including embryonic stem cell research?

PRESIDING OFFICER: (SENATOR HENDON)



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Senator Trotter.

SENATOR TROTTER:

To my knowledge, sir, there is no dollars in here for stem cell research.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

To...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HENDON)

To the bill, sir.

SENATOR RIGHTER:

Thank you. As you'll recall, Mr. President, last year after your party passed the budget and -- and Governor Blagojevich signed it into law, a few weeks or so after that, the Governor pulled a white rabbit out of his black-budget hat in the form of a stem cell research program and ten million dollars, and it was stunning to see how many Members on your side of the aisle who've told their constituents that they're pro-life constituents and they object - not only to embryonic stem cell research, but public funding of it - that they were shocked and appalled to learn that they had voted for a budget that paid for that. They were stunned. So I wanted to make sure, Mr. President, and get down on the record first, Senator Trotter's good word that there's no money in the budget for that; however, there is in the budget a little over a hundred million dollars, and I'm not really sure what you would call them, the best term that I can come up with is appropriations that lie kind of at the foggy bottom - they're appropriations that are so vaguely described that they could be used for almost anything. Now, since we've not been part of this process and we've not had access to the decisions that have been made, we really don't know what that money's going to be used. But all of you, each and every one of you, who plans to put a green light on this budget, we and your constituents will assume that you've found that out. And so what we don't want to hear is, in August or September or sometime

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

later in the year, when something embarrassing to someone is funded, and surely that will happen at some point during the year, for anyone who voted for the budget to stand up and say, "Oh, I didn't know that, I didn't mean to vote for that, they slipped that in." I hope that you have carefully, carefully vetted this budget and that you are ready to stand up for -- and be accountable for every dime it spends, for every nursing home who has to wait for five or six months for a payment because the Medicaid backlog in this budget will end at close to two billion dollars. You'll be ready to explain to your constituents that, yes, you voted for a budget that left Illinois with the worse funded pension systems in the entire nation and, yes, you stood tall and voted for record-high spending in the State of Illinois, even though, in terms of job growth, we are at number forty-six. This budget is yours, please be ready to be accountable to your constituents. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Bomke.

SENATOR BOMKE:

Thank -- thank you, Mr. President. To the bill: There are many reasons to vote against this bill, but -- but I am particularly disappointed because the new Lincoln Estates in Lincoln, Illinois, the operational money to operate the new Lincoln Estates is not -- has been removed from the budget. During the Governor's gubernatorial election of 2002, he promised the people in Lincoln and in Logan County that he would reopen the former Lincoln Developmental Center. In the spring of 2003, he promised to me, or committed to me, that he would reopen it, followed by a letter from his Chief of Staff confirming the Governor's -- confirming the Governor's commitment to me. The Governor formed a task force of twenty-two members, of which I was one of the twenty-two. We met for over two years. After the two years, we decided to do away with the Lincoln Developmental Center and create the Lincoln Estates, integrating the old LDC into the City of Lincoln. We decided to construct four ten-bed units, housing eighty developmentally disabled individuals, converting one of the buildings on the grounds to a crisis center for the developmentally disabled, converting another building to a much needed dental clinic for the developmentally disabled.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

I'm extremely disappointed that the money has been taken out of the budget. We had hoped to -- the construction should be consummated by the fall and we had hoped to start operation in later this year. But of more disappointment, a greater disappointment, are the people of Lincoln and Logan County. When LDC closed, it was a tremendous economic disadvantage, a detriment to the City of Lincoln, to Logan County. But more disappointed are family members who had loved ones living at Lincoln when it closed. One particular family, and I spoke with them today, the -- Jody and Donna Hogan, have a daughter named Angie. Angie, when she was born, she was born with severe developmentally disabilities or -- and she had a life expectancy of fifteen years. Angie was at LDC for twenty-two years. During that twenty-two years, every Wednesday her mother and father visited her, and on Friday they would bring her back to Springfield and keep her through Sunday. This went on for twenty-two years. When Lincoln closed, they could not find placement for Angie anywhere near their home, not within a hundred miles. They chose to keep Angie with them at home and have for three years. It's very difficult, because Angie needs care seven days a week, twenty-four hours a day. It's -- it's very physically difficult for the family. I believe the father has suffered cancer and they prayed when the day would come when Lincoln would reopen. Unfortunately, that's been delayed another year, perhaps indefinitely. There are many reasons to vote No on this budget. I would strongly urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Questions for the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Silverstein.

SENATOR SILVERSTEIN:

What is -- Senator Trotter, what is being done in this budget with respect to the nursing homes?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

The FY'07 budget includes an additional thirty million

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

dollars gross, fifteen million dollars net for implementation of the rate -- methodology based on minimum data set, which is MDS starting January 2007. Also, seventy-five million dollars is being allocated to reduce the payment cycle.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Is it the intent of that money for a COLA or a rate enhancement to nursing homes?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

No, the intent of the funds, the funds are for the implementation of the MDS, which is a reimbursement system for nursing homes based on a more accurate evaluation of resident need. The...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein. Oh, I'm sorry, Senator Trotter, Senator Silverstein was waiving his hand.

SENATOR SILVERSTEIN:

For -- for purposes...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Just to explain what the MDS, for -- for the Members who do not know what it is, the MDS is a national standardized assessment tool that is already required by the federal government of every nursing home resident and it also reflects a home's variety of patient care levels.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Does the implementation of the MDS reduce their -- payment cycle?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

The implementation of the MDS does not directly address the payment cycle. It does provide a level playing field for nursing

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

homes. It also provides nursing homes the ability of leverage loans to help pay down bills. Again, beyond the implementation of MDS, the Governor's budget address this need by allocating -- addresses this need by allocating seventy-five million dollars towards the payment cycle.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein, to wrap it up.

SENATOR SILVERSTEIN:

Finally, so what will happen with the payment cycle next year?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

It is expected that, that the FY'07 budget will reduce the payment cycle from an average of one hundred and fifteen days, as intimated by many Members over there, to eighty-six days. With the impact of Senate Bill 14, which we just passed, which transfers two hundred and forty for a total four hundred and seventy-five million dollars, two hundred and forty-five currently being held by the Treasurer with the Medicaid match, the payment cycle could -- will be further reduced to 43.9 days in FY'07, but over all lines, it will go down to fifty-five average.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: You know, in my view there's storm clouds on the horizon. I don't know if you have ever been sailing, I'm not really a sailor, but every once in awhile I've gone out on a boat on Lake Michigan, and it may be a common experience for many people, and at the very beginning when it's a great, bright, sunshiny day and it's all fabulous and the -- the skipper says, "Hey, we're just going to go out and have a great day," and you know, you sort of know there's maybe a little something going off on the horizon and you're a little anxious, but everybody around you is saying, "No, you're going to love it, this is terrific, it's sunshiny" and you get out on that boat and you go farther and farther away from the -- from the shore and then all of a sudden, you're instincts turn out to be

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

right and the clouds come up and you've got a real problem on your hands. Well, that's what is happening with this budget and some of the statistics that people have sort of glossed over, sort of like stones just sort of skipping across the water, they gloss across and nobody wants to hear about them. Senator Lauzen raised a fascinating point a couple of minutes ago and it sort of got lost in all of the information that he was presenting, but it's a statistic out of USA Today from today's paper, and it simply says that in all fifty states in the Union, the State of Illinois is number forty-six in our income creation, number forty-six in terms of income creation. Ironically, number forty-six is the magic number in another category and that is in job growth in the past three years under this administration, we are number forty-six. What I am suggesting to you - one little statistic of interest - if we simply, in the past three years, had kept pace with Iowa - Have you ever been to Iowa? It's filled with Iowans - we would have had sixty -- a hundred and sixty-five thousand more jobs in the State of Illinois, if we had simply kept pace with Iowa. So we can be skipping along, we can be out, we can be cruising the Great Lakes, but you know what? There's a storm cloud, and it is stirring, and it is fuming, and it is growing, and it is going to be consuming. So I hope that we don't follow this "Gilligan" out on a three-hour cruise to a real problem, because that -- that is the great danger. You, as the Majority Party, have the ability to turn this ship around and to bring us back into a safe harbor where we can put together a good foundation, but the idea of being forty-sixth in anything in the nation, I think is something that is a real wake-up call, a real storm cloud on the horizon and something that we should attend to. Please vote No.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Frank Watson. Leader Watson. Leader Watson.

SENATOR WATSON:

Yes, thank -- yes, thank you -- thank you -- thank you very much. I appreciate that.

PRESIDING OFFICER: (SENATOR HENDON)

This is the Senate, Ladies and Gentlemen. This is the Senate. Let's keep the proper decorum. Leader Watson.

SENATOR WATSON:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Yes, thank you. And that applause obviously was for Senator Roskam, a great Member of our caucus who has handled himself admirably, obviously, while being a Senator and we -- we wish him well as he runs for Congress and takes that same message to -- to the Hill in Washington. And we're very pleased and very proud of him as being a part of our leadership team here in the Senate. So, I want to applaud him.

PRESIDING OFFICER: (SENATOR HENDON)

It's great to see you, Senator Roskam. Either way, win or lose, you're out of here, right? Okay. Leader Watson.

SENATOR WATSON:

Yes, thank you very much, Mr. President, and I know the hour's late and -- and we will move ahead here, but I -- my just -- few comments that I do want to make is, is that I -- I guess I'd have to say I'm very disappointed in the process this -- this particular point in time and -- and what's happened this year. Unfortunately, this is a product of one single party. I mean, we were not involved in this. There was no Republican input and I think that's not what the people want of this process. I think the people of Illinois expect and demand a bipartisan effort by which to bring about the end to a budget such as this. That isn't necessarily the case and I think it's very -- very unfortunate. The Republicans were shut out of this process again and I -- I really -- I guess for -- for good reason, because we would never, never support the fiscal irresponsibility that we're seeing here tonight. We witnessed last year, and if you recall on the Democrat side of the aisle on your side of the aisle, the parade that -- that took place of Members leaving the Floor of the Senate, leaving the Floor of the House, going into the Chambers of the President, going into the Chambers of the Speaker, going into the Chambers of the Governor to -- to have to be bought off - had to be bought off - two hundred million dollars was utilized to buy the support of Members on your side of aisle who recognized this is a terrible process. They were embarrassed to vote for it and they did last year and it cost the people of this State an additional two hundred million dollars. So what do we expect this year? The same kind of process is taking place. The same -- very same process is taking place. Two hundred and fifty million dollars more right now than the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

Governor's introduced level. We -- you are asking for two hundred and fifty million more than the Governor asked in his budget address. And much of that is going to do the very same thing that was done last year and that's to buy the support of Members who are truly embarrassed to support an irresponsible budget such as this. The pensions, and we have to -- we have to continue to talk about the good people who work for this State, the downstate teachers, the university employees, those people whose pensions are being impacted by the very thing you're doing here tonight and that's raiding those pensions for an additional 1.1 billion. You bid 1.2 billion last year. Senator Risinger talked about the diversion of the road funds. Diversion of Road Fund money, a hundred and sixty million dollars more of diversions. These were all monies that could have been utilized, should be utilized for road projects, for maintenance, needed maintenance on the highway, but, no, you have to use it for your thirst for spending on new programs and additional budgetary pressures. Over three and half million dollars, Mr. President, three and a half million dollars, under your watch, we've seen this budget increase in the time of this administration. And in -- in 2003, the Governor ballyhooed and sent a press release out talking about how the worst fiscal crisis in the State history - I, the Governor of this State solved the -- the first -- the worst -- fiscal crisis. That's what he said in 2003. Well, you know what, Mr. Governor? I'm sorry. I'm sorry. You and your Democrat Majority have created the worst fiscal crisis this State has ever seen and if you don't have to do anything else but call the Medicaid providers of this State and find out the -- where the fiscal crisis is - that's where it is, in the nursing homes, the hospitals. I have a doctor in my hometown; a doctor calls today and says he has to borrow money to be able to make payroll. Those are the people who you're balancing the budget on, the backs of those people. You've doubled the State's debt - over doubled the State's debt in three years - totally, fiscally irresponsible. Our prisons are in crisis. Yes, I solved the budget crisis after 2003, but look at the crises that have been created: our prisons, the worst funded pension system in the country. Time magazine - we are the worst funded pension system in the -- in the country. There's a nationally known rating



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

service called Fitch who has put out a warning that our bond rating could be impacted by this action we're going to do here tonight. Totally irresponsible. It's no wonder that you're doing this at 10 o'clock at night. You're embarrassed, you're embarrassed, and you should vote No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President and Members, and I will be back next year, I -- I -- I hope.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action.

SENATOR TROTTER:

Yes, final action. But, no, if I -- if I could -- just if I could address some of the things that -- that were said and -- and officially close. Bottom line, this is -- this is a good budget. It's a sound budget. It is certainly, again, another step in the right direction to make us more fiscally sound than we've -- been in the last six years. Since 2001, we've been in the first -- worst economic environment than we've been. Three years ago -- three years ago we had a five-billion-dollar deficit. We have addressed that deficit and at the same time we have addressed the needs of the citizens that we're -- have been sent down here to serve. We have dealt with public safety, we have dealt with healthcare, we have an ALL KIDS program to ensure that all of our children, you know, from zero to -- to eighteen years of age still have and can get healthcare. We have put more money into education. We have created a preschool program -- a pre-universal program for our children, keeping the priorities in place that the neediest will get those dollars first and then we will expand that program up to four hundred percent of the poverty line. We have put more money into K through twelve to ensure that, one, that we had more dollars for principal mentoring pilot programs, another two million dollars for teacher mentoring programs, a million dollars for bullying programs, five million dollars for school security, three million dollars for children's mental health and also by raising the foundation level another hundred and seventy dollars up to five thousand three hundred and thirty-four dollars per child. We have put more

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

money in -- into higher education. We have -- thank you...

PRESIDING OFFICER: (SENATOR HENDON)

Senate, if -- if -- Ladies and Gentlemen of the Senate, we are almost finished. Senator Trotter has like one more sentence and then you can say -- kiss everybody. Senator Trotter, please to wrap it up, sir.

SENATOR TROTTER:

And -- and -- and I certainly will, but -- but certain things just have to be addressed and they have been before. We are all concerned about our providers. This bill is -- is one of many steps that we're making sure that we can deal with those people again who deal with the most vulnerable of our citizenry and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur to House Amendments No. 1 to Senate Bill 1520. All those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 voting Aye, 27 voting Nay, none voting Present. The Senate concurs -- the Senate concurs to House Amendments No. 1 to Senate Bill 1520. And the bill, having received the required constitutional majority, is declared passed. Senator Viverito, for what -- Senator Trotter.

SENATOR VIVERITO:

My -- my -- my...

PRESIDING OFFICER: (SENATOR HENDON)

Excuse me, Senator -- Senator Viverito. Senator Trotter.

SENATOR VIVERITO:

I -- Mr....

PRESIDING OFFICER: (SENATOR HENDON)

Just a moment, Senator Viverito. Senator Trotter.

SENATOR TROTTER:

Thank you, Mr. President. This -- this has been a -- a different kind of year and -- and though we have been maybe a little inconvenienced because we had plans to do things, but those who were -- here all the time working hard are our staffs. So I want to publicly thank our staff and your staff for -- for all the work they do in -- in making all of us look good, so --

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

so -- so thank you...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Viverito.

SENATOR VIVERITO:

I want to be sure that my green button was -- pushed. I pushed, but it didn't go green, so I want you to know. Somebody's playing around here. I don't know who's doing it, but somebody's playing around with me.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect.

SENATOR VIVERITO:

Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Ladies and Gentlemen, with leave of the Body, we're going to go to page 11 of your Calendar. It's -- it's the Order of Secretary's Desk, Resolutions. President Emil Jones. I mean Senator -- Senator Sandoval. Madam Secretary, please read the resolution.

SECRETARY HAWKER:

Senate Resolution 664, offered by Senators Sandoval and Hendon.

No committee or Floor amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Illinois Senate. Senate Resolution 664 is a resolution cosponsored by Senator Hendon my -- and myself, it -- which urges the Chicago Public Schools to recognize the crisis of overcrowding and fill the Little Village Lawndale High School Campus to its full capacity and not wait till 2008 to fill the schools in order to occupy empty classrooms. Senate Resolution 664 also calls for enhancing the racial and ethnic diversity of the Little Village Lawndale High School Campus. I ask your favorable support. Thank you very much.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Sandoval moves the adoption of Senate Resolution 664. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

amendment is adopted. Would the Senate Chamber please come to order? President Emil Jones, Jr. President Jones.

SENATOR E. JONES:

Yes. Thank you, Mr. President. Prior to the adoption of the adjournment resolution, with the adoption of the resolution by Senator Sandoval, that will conclude our business for this term of our Session. I personally want to thank all of the staff for the tremendous job that they did, both sides of the aisle. As many of you know, that I know we had -- we had projected an adjournment date of April the 7th, but even though we didn't meet that projection, we only have been in Session approximately forty-one days. The average days we've been in Session for the last fifteen years has been fifty-two days. We are not in overtime Session, as some time my good friends in the media say, 'cause we will not have been in overtime Session until we have gone -- until we get passed May 31st. So we have concluded our business. We have passed a good budget for the people of the State of Illinois. I trust that each of you enjoy your summer. But while we are gone, there will be some renovations in this Chamber. So I suggest very strongly that you take with you all your personal belongings on the desks. Leave the laptop computers, but -- and anything that you leave on your desk, it will be delivered to your respective offices. Enjoy the great summer. Even though we have had our differences in debate, I think it's been a great, great, wonderful working relationship and that concludes our business for this part of the Session.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, President Jones. Madam Secretary, Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With the leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolutions on the Consent Calendar?

SECRETARY HAWKER:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

108th Legislative Day

5/4/2006

motion carries. The resolutions are adopted. 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 adopted the following House Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 136.

(Secretary reads HJR No. 136)

Adopted by the House, May 4, 2006.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson -- Senator Halvorson moves to suspend the rules for the purpose of immediate consideration and adoption of House Joint Resolution 132 -- 136. Those in favor will say Aye. Those opposed will say Nay. The Ayes have it, and the rules are suspended. Senator Halvorson now moves for the adoption of House Joint Resolution 136. All in favor will say Aye. All opposed, say Nay. The Ayes have it, and the resolution is adopted. Pursuant to House Resolution {sic} 136, the Senate stands adjourned until November 1st, 2006, in Perfunctory Session, and then again -- until Tuesday, November the 14th, 2006. The Senate stands adjourned.