

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

72nd Legislative Day

July 2, 1993

PRESIDENT PHILIP:

The hour of one having arrived, the Senate will please come to order. If the Members will please rise, and our friends in the gallery please rise, for the purpose of the prayer. The prayer today will be given by Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer by Senator Geo-Karis)

PRESIDENT PHILIP:

All right. There has been a request from Illinois Information Service, WCIA-Channel 3, WCIS <sic> and WAND-TV to tape the proceeding today. Obviously, something may happen. Is leave granted? Leave is granted.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We will now have the reading of the Journals. Senator Butler.  
SENATOR BUTLER:

Madam President, I move that reading and approval of the Journals of Tuesday -- excuse me, Thursday, June 24th; Monday, June 28th; Tuesday, June 29th; and Wednesday, June 30th; and Thursday, July 1st, in the year 1993, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- Butler moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, it is so ordered. Committee Reports, Mr. Secretary.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules reports that the following Legislative Measures have been assigned to committees: To the Committee on Education - the Conference Committee Report to House Bill 508; to the Executive Committee - Conference Committee Report to Senate Bill 677; to the Committee on Insurance, Pensions and Licensed Activities - motion to concur

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with House Amendments 2 and 3 to Senate Bill 420; to the Committee on Revenue - motion to concur with House Amendment 5 to Senate Bill 100; and Be Approved for Consideration - motions to concur with House Amendment No. 4 to Senate Bill 956, and House Amendment No. 1 to Senate Joint Resolution 14.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Secretary, Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to wit:

Senate Joint Resolution 14, with House Amendment No. 1.

Passed the House, July 1st, 1993.

A Message from the House by Mr. Rossi, 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 706, together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendments 1 and 2.

Passed the House, as amended, July 2nd, 1993, by a three-fifths vote.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 301.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference, to

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consist of five Members from each House, to consider the differences of the two Houses in regard to the amendment to the bill.

Action taken by the House, July 2nd, 1993.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dunn? Senator Dunn, did you wish to accede to the request of the House for a conference report? Senator -- Senator Tom Dunn? This is a Message on 301. The House has requested a conference committee. Senator Dunn.

SENATOR T. DUNN:

Thank you, Madam President. I move to accede to the Conference Committee No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Motion by Senator Dunn to accede to -- the request for the Conference Committee No. 1 from the House. All those in favor, say -- say Aye. All opposed, No. The Ayes have it, in the opinion of the Chair.

SECRETARY HARRY:

Message from the House by Mr. Rossi, 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 63.

Adopted by the House, July 1st, 1993.

And we have a like Message on House Joint Resolution 65. They're both substantive.

A Message from the House by Mr. Rossi, 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 asked -- or instructed to ask the concurrence of the Senate, to wit:

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House Joint Resolution 62.

Adopted by the House, July 1st, 1993.

It's congratulatory.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar, please. Resolutions.

SECRETARY HARRY:

Senate Resolution 682, offered by Senator Hall.

It's congratulatory, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 683, offered by Senators Watson, Hall and others.

It's substantive.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. I'd like to suspend the rules and move for immediate consideration of Senate Resolution 683. I understand that this has been cleared by both sides of the aisle. It deals with urging the Olympic Committee - the Olympic Festival Committee in St. Louis - to consider a site in Fairview Heights for the baseball competition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. Those in favor, say Aye. In Senator Watson's motion to suspend the rules for the purpose of the immediate consideration and adoption of this resolution, those in favor, please say Aye. Those opposed, Nay. The Ayes have it, in the opinion of the Chair. Senator Watson has moved for the adoption of Resolution No. 683. Those in favor, say Aye. Those opposed, Nay. In the opinion of the Chair, the Ayes have it, and the motion is adopted.

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SECRETARY HARRY:

...(microphone cutoff)...Resolution 684, offered by Senators Jacobs, Demuzio and others.

It's substantive, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I ask that we suspend the appropriate rules to have immediate consideration and -- adoption of Senate Resolution 684. What it is, is a resolution by all Senators, requesting that the President consider the -- the devastated flood damages as a federal disaster area.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 684. Those in favor, please say Aye. Those opposed, Nay. In the opinion of the Chair, the Ayes have it. The rules are suspended. Senator Jacobs has moved for the adoption of Senate Resolution 684. Those in favor, say Aye. All opposed. The -- in the opinion of the Chair, the Ayes have it, and the motion is adopted. And the resolution is carried. With leave of the Body, we will go to the Secretary's Desk for Resolutions on page 9. Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 667, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley? Senator O'Malley? Senate Resolution 667.

SENATOR O'MALLEY:

Madam Chairman, Members of the Senate, Senate Resolution 667 will direct the Health Facilities Planning Board to study the effect that hospital medical staff membership and clinical privilege decisions based upon economic factors have on access to

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care, continuity of care, and availability of physician services to patients. Pursuant to the -- the -- the resolution, the Board would submit an initial report of its finding to the Governor and the General Assembly by January 1, 1994, and shall submit subsequent reports, as necessary, from time to time. ... (microphone cutoff) ... are any questions, I'd be pleased to answer them.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussions? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. In the course of discussion on this particular bill, which demonstrates a concern for the manner in which doctors are treated when it comes to economic credentialing, it was also noted that perhaps another area of difficulty is in their membership and their own medical groups. And I recommended that this study, if passed, include the study of the economic credentialing policies of group practices. Senator O'Malley and the State Medical Society both agreed. I would then like the record to show that included in this process will be the study of that, and if that is not included in, then the study will be deemed to not have fulfilled what it was designed to do. Senator O'Malley, do you agree with that?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator DeAngelis, I have no objection to the inclusion of -- of that -- that being added to the study, and I -- and I think the suggestion was well made and -- and I do accept it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator McCracken.

SENATOR MCCRACKEN:

Thank you. Will the sponsor yield?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR McCracken:

Senator, I -- I was advised that there was going to be something in writing to that effect of that commitment to include the subject matter Senator DeAngelis refers to. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Senator. I was at the committee meeting last evening where this was discussed, and it was my understanding that the -- the direction would actually be forthcoming from the -- from the committee itself. However, if you would prefer that it be done by Senator DeAngelis, I would be pleased to sign it as well, as the sponsor of this resolution.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator McCracken.

SENATOR McCracken:

Yeah. I -- I was under the impression there was going to be something in writing to this effect. Was the Medical Society to sign that as well, do you know? Or -- or -- does anyone know the details of this?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Again, Senator McCracken, my understanding -- and I was a -- a witness to the discussion in committee last evening; however, my understanding of it was that Senator DeAngelis wanted a letter directed from the committee, along with this resolution, to the Facilities Planning Board. And I'm only offering that I would be pleased to sign that letter as the sponsor of this resolution.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator McCracken.

SENATOR MCCRACKEN:

Yes. That's fine. Thank you. I appreciate that. The Hospital Association, after what had become a very bitter and protracted struggle, has agreed that with something in writing or that commitment, that it would agree to this resolution. There had been concerns voiced about the forum of this fact-finding committee, the Health Planning Facilities Board, and whether, in fact, the scope of the resolution was too narrow. Senator DeAngelis' concerns, I think, broaden the scope adequately, that the Hospital Association feels that it should no longer be in opposition to the resolution, and I therefore stand in support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President. I am operating under the same assumption, Senator McCracken, that in fact, the Illinois -- that the -- the party to which you had a resolution has signed on to this. It was represented to me this morning, there in fact is now an agreement. And therefore, I -- I -- I would assume that it would not be necessary for us to get into any protracted long -- long debate with respect to this. And so I would rise with the understanding that there is, in fact, a compromise now, and I would ask for support from those Members.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. As Chairman of the Executive Committee, I will be writing that letter to the Health Facilities Planning Board, to ask them to include in their study the group -- the group medical care services, and that will be going out as soon as I get to it. But it -- it -- it was agreed upon - agreed

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to in the committee by all parties - and the letter will be going to them.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, those in favor will vote Aye. Those who oppose it will vote Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted -- who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present, and this resolution is hereby adopted. Senator Rauschenberger. Senator Rauschenberger, do you wish to call your resolution, Senate Resolution 668? Mr. Secretary, read the Resolution 668.

SECRETARY HARRY:

Senate Resolution 668, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger, to explain the resolution.

SENATOR RAUSCHENBERGER:

In the midst of the budget discussions we're having now, I think -- and the fact that over the last five or six years, we've had a hard time getting our budgets done on time and that there's a lot of confusion among members of the General Assembly, many times, exactly what the budget is and what we're voting on, I've offered a resolution late in the Session and asked for a suspension of the rules so that we can consider forming a group to take a look at budgeting procedures from a -- kind of a macro point of view, take a look at the potential of taking a look at maybe some long-range planning for some of our departments so that we can come to this process next year with better information. It's a pretty safe little resolution, and I think it makes some sense. It'll give some of us an opportunity to work this summer and this fall on budgeting as a process. I urge a -- a favorable vote.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Senator Severns.

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR SEVERNS:

Senator, what is the purpose behind the six-to-three disparity between the appointments of the Senate President and the Minority Leader?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, initially, when -- when we kind of put this together, we were hoping to resolve ourselves into three task force -- three task forces of three people: two Republicans and a Democrat was the initial idea behind the -- the process. I don't know who's going to be appointed, so I can't speak that that will be -- that's the intent anyway. Because in smaller groups, we'd have the opportunity to meet over the summer when we're not in Session, and with everybody having -- being part-time legislators, as we are, that -- that was the original conception behind it. When I was approached by -- when there was a staff -- a staff amendment offered, asking for even Members on the -- the thing, I suggested we would be willing to change it to six to four, but I don't want -- I want to be able to -- to form and have quorums.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President. Senator, as one who's cosponsored the GAP bill with Senator Fitzgerald and you and many others, and

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as one who has been very interested in this issue, I don't view it as a bipartisan issue. After we finish the budget this year, we'll be reminded even more, the fiscal mess in this State is a bipartisan mess. Why, when this resolution says you're creating a task force, did you not go ahead and diminish the disparity between the appointments? Having six Republicans and three Democrats appointed to this task force simply does not make sense. Any recommendation that emerges from this task force, if a recommendation emerges, will need - you know and I know - bipartisan support. Why don't we go back, since there's no timetable on this, do it right from the beginning, rather than invite division from the beginning? It's an important issue that deserves our attention. I wish, quite frankly, that -- that the bill had moved forward in this General Assembly, and I think it's unfortunate that it did not. But if we have an opportunity to address it, let's do it right. This resolution does not do it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger, do you wish to close?

SENATOR RAUSCHENBERGER:

I -- I certainly appreciate the fact that -- that -- you've got a lot more wisdom, a lot more experience. There's a lot of Members here that know a lot more about the process and how to do resolutions right. And I can certainly see that anything about any resolution could use refinement or adjustment, but I'd like to go ahead with this resolution as it stands. Unfortunately, there were no suggestions offered or amendments in committee that could have made changes in the... I stand corrected, then. There was an amendment suggesting that we have equal -- equal relationship between both. I thought it was withdrawn. There was not a sponsor on it initially. I guess Senator Demuzio offered to sponsor it. But I appreciate the comments and the interest, but I would like to go ahead with this resolution.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Madam Chair. I -- in fact, I did offer a resolution for six and six, and I -- I withdrew it because I was under the impression that we had another amendment; that there had been discussions that had took place; that somehow or other there was going to be an agreement that it was going to be six and four. And so when I withdrew the six and six, six and four never came by. You had the votes, so we put it out to six to three. But I -- I really don't see any -- this is sort of a bipartisan resolution that we all support, and I don't know why you just don't make it six and four. And so, there was a -- there was a suggestion in committee, and in fact, we -- we withdrew -- the resolution <sic>. I want to put that into the record.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

I -- I'd just like everyone to know that we did offer to make it six and four. The issue is, I don't think -- it's not a partisan issue at all. The idea is, I would like to be able to convene this. Many times, when you end up with an equally divided, you -- you -- in case there's any kind of discussions that are controversial, you have a hard time meeting. The report from this commission, or this task force, would not be binding. The idea, the goal that I would like to look at is a three-year budget planning horizon for our executive departments. I'd like to develop some reporting forms, hopefully, for some of the executive departments to use, so that we have a benchmark to hold our agencies to. I -- I'm sorry that -- that it's... Thank you. I -- I'd like to see you get to Congress first, and then I will

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consider that, working from your base. But I -- I'm sorry that people see this as controversial. I think, you know, the idea of negotiating this resolution is just kind of like negotiating the budget. I just think, you know, it's time we get off our tailbone and do something, and I just wanted something to vote on, so I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Rauschenberger just closed, and he's moving the adoption of Resolution 668. Those in favor will vote Aye. Those who -- who oppose it will vote Nay. And the -- the voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 32 Yeas, none voting No, 26 voting Present. And this resolution is hereby adopted. With leave of the Body, we'll go to Conference Committee Reports on page 10, for the purpose of considering House Bill 300. Mr. Secretary. Mr. Secretary, do you have on file a Conference Committee Report on House Bill 300?

SECRETARY HARRY:

First Conference Committee Report on House Bill 300.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Chair recognizes Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President, Members. I would ask that the Body reject the First Conference Committee Report on House Bill 300, and I would further request that a second conference committee be appointed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar requests a Second Conference Committee Report and asks the rejection of the First Conference Committee Report. All those -- is there any discussion on this? Any discussion? Hearing none, the question is, shall the Senate adopt the Conference -- adopt the Conference Committee Report on House Bill

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300. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Take the record, please. On that question, there are 30 Nays, 6 voting Yea, 1 voting -- 6 voting Yeas, 30 Nays and 1 voting Present. And this Conference Committee Report is not adopted, and the Secretary shall so inform the House. Messages from the House, Mr. Secretary.

SECRETARY HARRY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to adopt the First Conference Committee Report on House Bill 300 and requests a Second Committee of Conference to consider the differences between the two Houses in regards to Amendment 2.

Action taken by the House, July 1st, 1993.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar accedes to the request and asks for the Second Conference Committee Report on House Bill 300. On the Order of Concurrences on the Secretary's Desk are Senate Bills 266. Mr. Secretary. Senator Karpriel, do you wish to proceed with Senate Bill 266? This is final action on Senate Bill 266. Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 266.

Filed by Senator Karpriel.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpriel.

SENATOR KARPIEL:

Thank you, Madam President. 266 is the Tourism Grant Fund that places the Fund in a different revenue stream, -- did not raise the -- the amount of money as it left the Senate. As it came back from the House, it added language that everyone agreed

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to, which requires a GRF transfer to the Tourism Promotion Fund, coming from the -- funds coming from the hotel-motel tax. These moneys will be used to make grants to municipalities, counties or local promotion groups for projects, and then which are matched by private sector funds. And I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, Senator Karpziel, to close. I might remind the Body that there are constitutional requirements for the passage after June 30 of bills with accelerated effective dates, and this bill will require three-fifths vote. Senator Karpziel, to close.

SENATOR KARPIEL:

Just ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in the -- the House Amendments to Senate Bill 266. 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? Take the record. On this question, there are 57 Yeas, none voting No, none voting Present. And the Senate does concur in House Amendment to Senate Bill 266 -- House Amendment 1 to Senate Bill 266. And the bill, having received the required three-fifths majority, is hereby declared passed. Senate Bill 406. Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1, 4, 5 and 8 to Senate Bill 406.

Filed by Senator Rea.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rea, on Senate Bill 406.

SENATOR REA:

Thank you, Madam President. Senate Bill 406, sponsored by

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myself and Senator Ralph Dunn, we -- we move to concur with Amendments 1, 4, 5 and 8. Amendment No. 1 is an amendment that was offered by the Department of Mines and Minerals, which clarifies the definition of "coal mine". Amendment No. 4 is -- provides for additional capital technology for coal energy projects and also for other energy projects as well, which has come out of the Citizens' Assembly. Amendment No. 5 requires the Department of Mines and Minerals to employ a superintendent for each of the mine rescue stations, which is supported by the Department of Mines and Minerals. And Amendment 8 allows certain river conservancy districts, mainly Kinkaid Lake, which is in Senator Ralph Dunn's district, of high unemployment to have limited private development of tourism projects. And I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussions? Senator Fawell. Any further discussion? Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Madam President. I join Senator Rea in asking for your Aye vote on this, particularly it's a good bill for the coal industry. And then we have a river conservancy district that we're trying to develop into a recreational area in Jackson County. That's the main part of the bill that I'm interested in right now, and I'd urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rea, to close.

SENATOR REA:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action and requires a three-fifths vote. The question is, shall the Senate concur in House Amendments 1, 4, 5 and 8 to Senate Bill 406. Those in favor will vote Aye. Those

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opposed will vote Nay, and the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 53 Yeas, none voting No, none voting Present. And this bill, with the four -- House amendments, we are concurring -- the Senate concurs in House Amendments 1, 4, 5 and 8 to Senate Bill 406, and this bill, having received the required three-fifths majority, is hereby declared passed. Senate Bill 1105. Mr. Secretary?

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1105.

Filed by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. Senate Bill 1105, when it left this Chamber, amended the fees under the Liquor Control Commission. When it went to the House, the work of the Fee Increase Task Force was placed on this bill as an amendment. And Senator Rauschenberger from our side, and Senator Leverenz -- Severns, from the Democratic side, were on this Task Force and I would like to have leave to have Senator Rauschenberger explain the rest of this bill, which is the work of that task force.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Leave? Leave is given. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd be happy to have Senator Severns explain this if she'd -- if she'd feel more comfortable, or I'll go through it real quickly.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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These -- these are a group of administration fees, basically, that help implement the budget, that help run the Department of Professional Regulation, that allow the Department of Agriculture to accept outside work in their bovine labs, that implement...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Just a minute. Ladies and Gentlemen of the Senate, it would be very much appreciated, if you -- wish to talk, confine it to a very barely heard whisper. Thank you. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

...that implement the industry-agreed and the Liquor Commission-agreed liquor control fees for the future; that set up a pilot program for the Historic Preservation Department to try admission fees at a couple of sites. In the case of the park district fee, it's a permissive fee, which allows park districts to charge nonresidents for participating in programs. The -- in the case of the Conservation fees, these fees are increases in those hunting and fishing -- basically fishing licenses, to allow for funding of the programs at the fish hatcheries, so that we can stock our lakes and streams, and basically a combination of general professional fees, which allow the Department of Professional Regulation to handle the smaller professions. These fees have all been through hearings, either in the House or the Senate, with the exception of the park district fee. Some of them have been around for as long as two years. It was an agreed process. Representative Steczo from the House, and Representative Churchill represented the House; Senator Severns and I represented the Senate. So, I think we have a -- a group of fees here that are reasonable, that help run government, that aren't taxes, that are basically user fees on people who benefit from the specific activities of a governmental department. I would be happy to take questions, along with Senator Severns, if you have questions.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. Senator Rauschenberger explained it very well, but due to the fact that the budget meetings are still ongoing and that my caucus and I do -- do not want to raise taxes and increase fees until we know how much we've achieved at cutting the budget, I would ask the sponsor to take this measure out of the record.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger. Senator DeAngelis...

SENATOR RAUSCHENBERGER:

I -- I'm a little -- I'm a little surprised in a way, because these are not new; we've been through this. It was an agreed process. At no time in the discussions in the Task Force did I think that the budget affected the decision on this, but I would defer to Senator DeAngelis on that question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if I agreed to that, I would agree that the budget should be done before all this is done, and I don't agree with that. You know, would you buy a house first and then decide how much money you had to pay for it afterwards? Therefore, I don't agree with that. And I'll tell you, I would like every one of you to go back home and tell your friends who've called on this - and believe me, a lot of people have called - tell the Conservation people what you did to 'em, tell the rest of 'em. Let the bill fly.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Hendon. Senator Hendon, further discussion...

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SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will the -- will the -- will the sponsor yield?

SENATOR HENDON:

Senator, either Rauschenberger or DeAngelis, I just want to be clear on what this is you're asking us to vote on. Is this a tax increase on -- on -- on -- on alcoholic beverages?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis. Rauschenberger or...

SENATOR DeANGELIS:

The answer is no. The license fees increases that are in here were negotiated by the industry and were self-imposed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hendon.

SENATOR HENDON:

You -- you -- you answered; you said no, but at the same time, you said yes. So is it a -- a tax increase or not? I mean, if it's -- if you're calling it a -- various fees, that's still a tax increase, isn't it -- isn't it not?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The -- the Liquor Control Commission fees are license fees on the people who distribute and retail liquor. It's not on the consumer. It's not on the manufacturer. It's fees so that they -- to support the Department that regulates the liquor industry. So in my opinion, you can call anything you want a tax, from inflation to -- to cigarette taxes. But in my opinion, in all honesty, this is a fee directed at running the regulation of the industry. I don't personally feel it's a tax, but that's certainly open to political, you know, question.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hendon.

SENATOR HENDON:

I -- I have nothing further, except to say that it -- it's -- if it walk like a duck and quack like a duck, it's a duck. This is a tax increase. I intend to vote No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Now that we have the duck question already resolved, Senator Woodyard, further discussion?

SENATOR WOODYARD:

Thank you, Madam President and Members of the Senate. I rise in support of Senate Bill 1105 but primarily from the area of the fees in Department of Conservation. If you'll recall, this -- this didn't just start in this Session. We passed...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Can we give the -- just a moment, Senator Woodyard. Would you mind, Ladies and Gentlemen of the Senate? I've got seven people here who want to be heard. Could you give the courtesy to the speaker? We'd appreciate it very much. Senator Woodyard.

SENATOR WOODYARD:

During the last Session of the General Assembly, we passed a fee increase package for Department of Conservation, very similar to what is contained in 1105, with more than forty votes on it. This fee increase - here again, very similar to what we passed last year - never made it out of the House last year. This year, it was decided in some early meetings, in March or April, to introduce this measure in the House before it came back over to the -- to the Senate. The House has passed this. I can tell you that almost all, if not all, sporting groups in the State of Illinois, ranging from Bass Fishermen, White-tailed Deer Association, Pheasants Forever, as well as many of the environmental groups that helped put this package together, are in

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support of these fee increases. The genesis this year actually started with the convening of a Conservation Congress here in Springfield early last spring. The hundred and eighteen delegates to that -- to that convention, from a broad range of conservation people -- this fee package was one of their top priorities for passage this year. So, I certainly hope that you can support this and that we will be able to expand our fish hatcheries and habitat areas. This became an agenda item, with the Illinois Legislative Sportsmen's Caucus. This was not proposed originally by the Department of Conservation, but rather, the Conservation Congress and your own Legislative Sportsmen's Caucus. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCZ:

Madam President, I would like to move the previous question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz moves the previous question. We have one, two, three, four, five, six, seven more speakers. Thank you. Senator Jacobs from Rock Island.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. You know, it really is sort of comical, if it wasn't so sad, to think that we're raising fees continually, at the time whenever people are losing their jobs, and not able to find jobs. To get away from some of the areas -- I have a question in a minute, but to get away from some of the areas, the good old, tried-and-true tradition of retirees and many of the young people, and in fact, some of the young people, in many cases, to put food on the table must fish and hunt. Sounds strange, but we're almost going back to those days, as our forefathers used to participate. We're increasing those licenses. I think this is

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the wrong time to do that. There are two questions I have. One of them is in regards to the increased fees on watercraft, except for canoes and kayaks. When this was brought up before, there were a number of questions in regards to the Boy Scouts and the Cub Scouts, and whether or not they had to pay these fees and some of the things. Is that taken care of in this bill, number one? And number two, we are going for a brew pub license fee, from no fee to a thousand fifty dollars. As I understand fee increases, or as I understand fees, they are to be a charge which is used to directly offset the enforcement of that particular item that the fee is being charged to. If we, in the past, had no fee, how do we justify going to a fee of one thousand fifty dollars? I'd like to have those two questions' answers first.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis? Senator DeAngelis, Senator Jacobs has asked some questions.

SENATOR DeANGELIS:

I'm sorry, I was consulting with the Governor's chief guru. Senator Jacobs, could you -- on a condensed basis?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs, would you repeat your questions?

SENATOR JACOBS:

We'll repeat the questions. First of all, Senator, a brew pub license fee from zero to one thousand and fifty dollars. What -- first of all, what is a brew pub license, number one? And number two, how do we justify going from zero to a thousand fifty, if this, in fact, is a fee increase, rather than a tax?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

...(machine cutoff)...Jacobs, rather than give you the wrong answer, let me just tell you that these fees were negotiated by

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the industry - they're self-imposed - and the Liquor Control Commission. That terminology might be strange to me, and I can't tell you what or why.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

Senator, I -- I appreciate the candor. I -- I still have trouble, however, understanding how we go from zero to a thousand fifty, if, in fact, a fee is to be used in direct relationship to the cost of -- of regulating that particular business. But I appreciate the candor. With that, while you're trying to maybe look that up, are the Boy Scouts and Cub Scouts in the area of the increased fees on watercrafts? Remember a year or two ago, we had all the problems and had the Cub Scouts and Boy Scouts all up in arms 'cause they were not exempt? Are they exempt under this fee increase?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Jacobs, if you would wish, I can take this bill out of the record and give your answer, or trust me to believe that this is done by the industry, again.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

I have never asked a Senator to do that. I think you have the right to do with your bill what you -- what you please. Maybe I can ask that question in a separate -- in a -- in a different way. I think that the problem before was with watercraft, with the Cub Scouts and Boy Scouts, was they do a lot of canoe trips and they do a lot of canoeing on lakes. And maybe the better question would be put: Are canoes exempt under this fee increase?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis, to respond.

SENATOR DeANGELIS:

There are no fee increases of that sort, Senator Jacobs. So whatever it is was there before.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

Just in closing, you know, I just think this is the wrong time for -- for this type of legislation, and in fact, we're even including the hunting licenses on those sixty-five years or older, which have been exempt in the past. I think that if you think that you've had some -- some calls on the cigarette tax and you've had some calls on some of the other things, wait until you get your calls from your senior citizens on taking away the one leisure activity that they have. I think this is a hell of a way to run a railroad.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

With leave of the Chair, I would like to return to the order of this business today, but I will get answers to Senator Jacobs' questions. So if you'll continue with the normal business, we'll come back to this in just a little bit, with leave of the Chair.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You wish to pull the bill out of the record at this time and come back to it?

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any objections? Leave is hereby given. Mr. Secretary, Ladies and Gentlemen of the Senate, we're going to Conference Committee

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Reports on page 10. House Bill 176. House Bill 176.

SECRETARY HARRY:

First Conference Committee Report on House Bill 176.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Madam President. The Conference Committee Report No. 1 to House Bill 176 contains many provisions. The first one - it retains the language of the original House Bill 176, which passed out of the Senate with a vote of 57 to nothing. It also recommends that the House concur in Senate Amendments 1, 2, 5, 10, 14, 15, 16 and 17. And three new provisions are being added to the bill, to the Conference Committee Report, two of which had been previously passed the Senate. The bill, as it came to the Senate, originally would permit sheriffs to demand payment of fees for service of process in advance of the sheriff's office serving papers. Senate Amendment No. 1 was inserted on -- at the request of Senator Woodyard, which contains the language of House Bill 474. It would allow counties to sell or lease water or sewer improvements to public utilities. Amendment No. 2 contains language from House Bill 1071, sponsored by Senator Klemm. It allows the presiding officer of the county board to appoint two alternate members of the zoning board of appeals. Senate Amendment No. 5, sponsored by Senator Jacobs in House Bill 839, would give preference points to veterans who apply with municipalities: ten points for disabled or Purple Heart veterans; five points for veterans who served during times of hostilities; and three points if the veterans served in the Armed Forces, Illinois National Guard or any Reserve component. Senate Amendment No. 10 contains language, at the request of Senator Watson, raising the maximum population from fifteen hundred to five thousand for certain sanitary districts to dissolve as long

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as they have no outstanding debt. Senate Amendment 14, at the request of Senator Syverson, amends the introductory paragraph of the Boone County Building Complex Committee Law, to allow the committee to maintain any building complex, rather than just existing complexes and clarifying that the areas defined is all of Boone County. Senate Amendment No. 15, at the request of Senator Petka, permits counties over three hundred thousand population, or next to counties over three hundred thousand, to zone for land use on parcels of land under five acres, from which one hundred -- from which one thousand dollars or less of agricultural products are sold annually. Senate Amendment No. 16, at the request of Senator McCracken, requires the DuPage and Cook County Circuit Clerks to annually budget for a CPA budget, which shall stand as the official audit. Additional audits would be -- or may be required by the Illinois Supreme Court, or by the respective county boards. Senate Amendment No. 17, at the request of Senator Petka, corrects Amendment No. 15, to restore Cook, DuPage and Lake Counties to existing zoning status. And new language inserted in the Conference Committee Report contains language from Senate Amendment 3 to House Bill 554, sponsored by Senator Geo-Karis, which passed the Senate with a vote of 51 to 1. It amends the Illinois Emergency Management Agency Act to authorize municipalities under five hundred thousand to establish local IEMAs and to use volunteers to provide emergency services. Other new language is from Senate Bill 380, sponsored by Senator Cronin, which passed the Senate 53 to nothing; gives county boards the ability to allow a property taxpayer to pay their tax bill in installments, as provided by the county clerk. This is permissive language, and it does not apply to Cook County. And finally, the new language requested by the Municipal League, which was inadvertently deleted by the Municipal Officers Recodification Act, Public Act 87-1119. It's technical, and it's a cleanup to

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the Municipal Code.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Dudycz, to close.

SENATOR DUDYCH:

I seek your affirmative support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. Senator Dudycz is asking us to adopt the Conference Committee Report on House Bill 176, with Senate Amendments 1, 2, 5, 7, 10, 13, 14, 15, 16 and 17, First Conference Committee Report. And the question is, shall the Senate adopt the Conference Committee Report on this bill. All those in favor will vote Aye. All opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On this question, there are 56 Yeas, none voting Nay, none voting Present. And the Senate does adopt the Conference Committee Report on House Bill 176, and the -- having received the required three-fifths majority, this -- this Conference Committee Report is hereby declared passed.

PRESIDING OFFICER: (SENATOR WEAVER)

Mr. Secretary, on House Bill 1852.

SECRETARY HARRY:

First Conference Committee Report on House Bill 1852.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, House Bill 1852 now seems to have agreement on the part of all concerned parties, which included the Illinois Hospital Association, the Illinois State Medical Society, the nursing home associations. The Department of Public Health is neutral. What -- we've seen most of this language before, but let me go through the four parts

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with you. First of all, we would allow the members of the Health Facilities Planning Board to collect their per diem when traveling on board-related business. We have now gotten the Health Facilities Planning Board into so many other activities that they do have to go above and beyond their regular meetings, which is all that is covered by the per diem. We do put a statutory cap of seven thousand five hundred dollars on it. We make several changes to the Alternative Health Care Delivery Act, in that we allow any licensed hospital or nursing home to operate a subacute care unit, even if that unit is not a licensed demonstration model under the current Act. Secondly, we increase by three the number of demonstration models that the Department of Public Health may authorize under the Subacute Care Demonstration Program. There would be one extra in Chicago; two that would be in rural areas. We also allow the Department of Public Health to give preference to financially distressed hospitals in rural areas when authorizing subacute care demonstration models. And finally, we require the Department of Public Health to establish rules for the transfer of patients to and from postsurgical recovery centers and hospitals. We would also, as another component of this bill, delete the requirement that the Department of Public Health may no less than four inspections per year of ambulatory surgical treatment centers, the ASTCs. They -- Department of Public Health would still maintain the authority and responsibility to inspect these facilities when they deem necessary. Currently, the Department does not have enough funding to inspect these facilities on a quarterly basis, which is what the law demands at this point. And finally, we would allow the Department of Public Aid to establish a Managed Care Demonstration Program - and this is new language - on a limited basis for Medicaid-eligible Public Aid recipients. The demonstration program would terminate on June 30th, 1997, and we would require the Department of Public Aid to

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report to the Governor and the General Assembly as to how this program was working and whether or not it was doable or not and worthwhile to maintain. This is what the bill does. As I said, I think everybody is agreed on it. It's a fair bill on all fronts, and I would seek your positive vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Stern?

SENATOR STERN:

Mr. President, my comments do not have anything to do with this bill. I've had my light on for nearly ten minutes. I really object very much, to being overridden in that way. I waved and I howled and I made myself very conspicuous, and President Geo-Karis chose to overlook me. Please, may my protest be registered?

PRESIDING OFFICER: (SENATOR WEAVER)

Certainly will. Senator Geo-Karis.

SENATOR GEO-KARIS:

Point of personal privilege. If I could respond to Senator Stern, and I think my Parliamentarian will verify, believe it or not, your light was not on my board.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1852. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1. The Senate does adopt the Conference Committee Report on House Bill... The Senate does adopt the Conference Committee Report on House Bill 1852. And the bill, having received the required three-fifths majority, is declared passed. Senator DeAngelis wishes to go back to Senate Bill 1105 on Concurrence. Senator DeAngelis.

SENATOR DeANGELIS:

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Thank you, Mr. President. I advised Senator Jacobs that -- and I know some people have the same problem with me, that some of his questions were a little muffled and I -- on the kayak and canoe, I thought he was talking about a -- type of license. Those are in the same status they were before and some are exempt. In fact, I'll have Senator Rauschenberger - 'cause that part of that bill is the area that that Task Force worked on - respond to that question.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Licensing of canoes and kayaks does not change from what it is currently. It still exempts both Boy Scout, Girl Scout and church groups. So there is no change in the kayak or canoe fees. There's no increase, Senator Jacobs.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Not to debate the merits of the bill as such, but this bill does drive the appropriation bills, the whole process. And not to get into the merits pro or con, I would urge the Members on this side of the aisle to vote Present on this bill until we've finished the total budget process. There is no need to rush to judgment on this piece of legislation. We still have to be here to do the budget, and so we'll deal with that issue at that time. I urge the Members on this side to merely vote Present.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hasara.

SENATOR HASARA:

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

PRESIDING OFFICER: (SENATOR WEAVER)

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He indicates that he would.

SENATOR HASARA:

Senator DeAngelis, in the past there have been some exemptions for fees. I'm particularly interested in those that apply to veterans and the disabled. Can you enlighten the Body as to whether those exemptions still exist for veterans, what -- which veterans, in particular, and for the disabled?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Rauschenberger will respond.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The exemptions for the disabled and for the -- the veterans are all still included. There are no changes in the exemptions.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator LaPaille.

SENATOR LaPAILLE:

Yes. Will the Gentleman yield for a few questions?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he would.

SENATOR LaPAILLE:

Just so we're clear whenever we vote on this legislation. It -- it will be enabling the historic site preservation to charge fees. Would that be correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

On a pilot program, yes. I think at four sites.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator LaPaille.

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SENATOR LaPAILLE:

Yes. And then we also have -- fees for various professions ranging from architects to engineers, land surveyors, structural engineers, et cetera, real estate appraisers. Would it be correct to say that over ninety-five different fees will be increased in this legislation?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

That's interesting to know that you've done a count on that, and I'd like to point out for Members on that side of the aisle, I don't want you to get crossways on any brochures you might be thinking. But on real estate licensing fees, Senator, you supported those. And -- and I -- I really would -- would think that we shouldn't be making this a political deal. It has nothing to do with the budget. This is enabling legislation to the Conservation fees. We not only have a responsibility to do this right; we have a responsibility to make sure there are fish for the next generation. I mean, we're -- this is not a political issue, and I am really disappointed that when this was a negotiated task force, with all four caucuses represented, with a lot of opportunity for your caucus to do this -- I distributed to your side an analysis of this three days ago and spoke to about half of your Members to see if they had questions. I'm just a little annoyed, offended, disappointed, Senator, that you want to make a -- a joke out of this.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator LaPaille.

SENATOR LaPAILLE:

We just want to know what we're voting on, because I might be supporting this, and I'm just asking what's in the bill. Would it be true that children and parents of children under DORS -

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Rehabilitation Services - would be assessed a student activity fee if they were to go to a day camp, Senator, or something like that under this bill?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It -- to DORS, yes, it is true that they would have the permission to charge a fee statutorily. Currently, they do so. This also allows the Department to use commissary profits so they can send children of indigent families home for holidays when the family can't afford to transport them. These are enabling fees. These fees allow that Department to operate and take care of those children.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator LaPaille.

SENATOR LaPAILLE:

Yes, one last question. With regard to hunting and fishing, we know that we're going to be doubling these fees. Also, it's correct that senior citizens, for the first time, will be charged hunting and fishing licenses, and nonresident fishermen would go from fifteen dollars to twenty-four dollars. And I would say that we must have some beautiful fish to want to pay twenty-four dollars to come into Illinois to fish -- that big of an increase. But I simply close by saying that I think Senator Rauschenberger has done a fine job on this legislation, and I only hope that the Governor of this State will be willing to -- sign this -- extravagant fee-increase bill, based on his campaign to hold down the cost of government, et cetera. You're going to be sending him over ninety-five various fees, senior citizens, disabled, et cetera. And perhaps we'll work with you to make sure that he'll sign this fee-increase bill.

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Severns.

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he would.

SENATOR SEVERNS:

Senator, I know firsthand that you negotiated in good faith, as I believe I did. But one number I've never received, at least in -- in a solid way that I would like, is how much money statewide does this fee package generate?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I have no idea.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs. Senator Severns, turn your light on, please.  
Senator Severns.

SENATOR SEVERNS:

Well, Senator, I'll tell you what we've been told. First of all, BOB and Ec and Fisc can't begin to project it, but the projection that our staff, in working very diligently with it, suggests is that it would net right around twenty-five to twenty-seven and up to thirty million dollars. So anyone who thinks that it doesn't impact the budget or, for that matter, the pockets of senior citizens, is wrong. I think - and my caucus certainly believes - that until we do the job of cutting a minimum of one hundred and fifty million dollars from the budget, as the Governor said yesterday we must cut, and until we establish the priorities in the budget, we ought not be raising fees or taxes across this State. We ought to cut spending first, do what we can do, do what we must do, and then consider the packages before us.

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I would urge a Present vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. I rise in support of the concurrence motion on Senate Bill 1105. I -- I'm not sure that all of you are aware of this, but we -- we have two outstanding agricultural laboratories in this State: one in Centralia and one in Galesburg. They have nationwide reputation for excellent work, and one thing that they would like to be able to do, that is enabling in this -- in this bill, is to do out-of-State work and charge a fee for it. They can't do that now. We've cut, in some cases, both appropriations for both labs, and we're limiting their ability to really do the job that's necessary for the agriculture community of -- of this State. And this would allow them to charge fees for some of the services that they do. I really think that some of you who talk about a tax increase, or you talk about the reasons to oppose this, I mean you -- I think you'll find among your constituency a general public acceptance for user fees. And that's -- the Department of Conservation and -- and others, Historic Preservation, who want to charge fees to enable the use of their facilities, I see no problem with. And the fact that we want to charge someone from outside the State of Illinois a greater percentage is certainly -- I -- I think will be acceptable also, not only by your constituents, but by the people who visit our parks throughout this State. So I think this is an excellent proposal, and it is a user fee. Those people who use the facilities are paying for them. I think that's a -- that's an excellent idea, and I certainly support this effort.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. I guess it's one of those situations of here we go again. The budget, of course, is tied to this. If that wasn't the case, there wouldn't be need for the fee increases. If the budget wasn't tied to it, we'd be paying for these things out of General Revenue funds, where -- where they truly, really belong. But I think what really shows the glaring problem here, we've already passed a Live and Learn fee increase, as -- as some people call it; I still call it a tax increase. With that, we used libraries as the wedge, to get the fee increase. Now all I hear from the other side of the aisle and from the sponsors, is Historic Preservation and Conservation. All I can do is ask the same question as I did before on the Live and Learn: How do we relate a brew pub license to Conservation? I don't know how the two are intertwined. So these fees go well beyond the presentation that you are attempting to make. Many of these fees are on businesses, which the other side of the aisle is supposed to be representing and supposed to be -- being the champion for. I have no qualms with the Conservation portion of this bill. I have some qualms with the rest of it, but we always seem to -- to run away from this. I asked the question last year, when we were looking at fees, that I'll ask again: Are the restrooms included in increase in fees, or is there a fee to be put on restrooms in this bill also?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger? Senator Rauschenberger. It would help if we...

SENATOR RAUSCHENBERGER:

As far as I know, Senator, that we are not charging any fee on restrooms. There's -- there's no tax on toilet paper. I don't think we're enabling any additional professionals to register under this legislation. There's no fee on telephone lines. I

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don't think this is the telecommunications tax for the City of Chicago. I think what these are, are a series of fees to help run State Government and to relieve the pressure on GRF, but you may know more since you've been here longer.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Well, I like the terminology, "relieve the pressure". I guess that -- it does bode well for -- for not taxing people to go to the restroom. But it -- it -- it appears to me that -- that we're again though -- part of what we're doing is, we are now, regardless of -- of what the speaker said, I think he -- he very well may be incorrect on the portion with the -- the disabled. We are charging the disabled for campsites. I think that is contrary to what has been the situation in the past, and I think it's something that is part of the onerous portion of this bill. This bill finally, in some form or -- or -- or sort of, will probably pass along the line, but I think today is not the day. And I think our -- our Leader said it very well. Show us the entire package. We'll see how this fits into the scheme of things. If it's necessary, this side of the aisle stands ready to deliver votes in order to -- to fund the necessary items of this budget. All we want to know is what does this Body deem to be the necessary items in this budget.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. Last summer, my son and his three children and I went up to Wisconsin -- up to Devil's Lake. And in order to get into that park, it cost us about twelve dollars and fifty cents every time we drove in and out every day. My son and his children camped over, and that was a considerable fee. When

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he wanted to buy a fishing license, it cost him thirty-five dollars. Now, you know, I happen to be in that -- that category of "senior citizens". Six dollars and fifty cents doesn't seem to be an unreasonable fee for most seniors, I'm sure. It's a heck of a lot less than what they're charging in the states around us. If I want to go fishing -- in fact, to tell you the truth, I bought my fishing license this year, and it didn't occur to me to tell them I was a senior. And I got it and I paid for it. And I haven't caught a fish in twenty years, but I thought just in case, I just might want to do that. I don't think this is unreasonable. I -- we haven't raised these fees since 1985. I think it's a logical thing to do after four or five years, maybe even eight or nine years, to think about raising a few fees here and there. This is a good bill. It's been worked on; it was agreed to by everybody on the task force. We're still a heck of a lot cheaper than anybody else around us. And I think we ought to quit playing politics. We never used to do this until certain Members joined the Senate, and I think it just might be time to stop it and get about the parties -- get about the people's business.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the -- of the Senate. You know, it's a shame that this -- these fee increases have got into a political debate. As you know, both sides of the aisles have worked on this. The House has passed it; the Democrats support it in the House. I can't remember the last time we had a fee increase on these licenses. Every sporting organization that I know in Illinois is in favor of this. And quite frankly, if you use the parks or fish, you ought to pay a fee for it. It's like using the tollway: When you use it, you pay for it. It's a good idea; it's a good philosophy. And quite

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frankly, it shouldn't be anything political. There ought to be bipartisan support, and we ought to pass it. Now, the Director tells me if we don't get these fee increases, they will not open the parks. The only chance we have at opening the parks -- and I don't have a park in my district, quite frankly, so it doesn't affect me at all. That we probably will not get the parks open all year. Now, I don't know about you, but we have a lot of complaints about people that think our State parks ought to be open all year round. We ought to do this. It's the right thing to do. Stand up and be counted.

PRESIDING OFFICER: (SENATOR WEAVER)

You wish to close, Senator DeAngelis? Senator DeAngelis, to close.

SENATOR DeANGELIS:

Well, Senator Rauschenberger would like to make a few comments and then I'll close.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I hope everybody in the Chamber realizes how much I enjoy being at the microphone. That's part of the reason that I agreed to work on this. It -- it was a process that was to be agreed to, hopefully. I'd just like to point out to Members on both side of the aisle that this Task Force was convened at the request of the Speaker, who said in -- in not so many words, that essentially that a number of these fees, which are necessary to run State Government, had been sequestered in his Chamber because of a position he had in the past on tax caps. He wanted to get some of these moving. We worked diligently. I think we met about twelve times. We spent a lot of time on these bills. Most of these bills, with the -- or all of these bills, with the exception of one, have been through the hearing process and have passed one or

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the other Chambers before. To review very, very quickly, so people understand exactly what they're voting on: The appraisers' fees are for the Department of Professional Regulation. There's a considerable backlog today, because there's not enough money in their funding to get these licenses out, and this is hurting the appraisers in the real estate industry. It's requested by the industry; it's agreed to by the industry. It's not a tax increase; it's an increase in their licensing fees for those people who choose to practice that profession, and they're in agreement with it. The lab fees: There are no labs in my district. Okay? This is not for any cows that I have. This is the Department of Agriculture. It gives them the ability to use their two world-class labs and to take outside studies so that they can reimburse themselves for the reagents they use. I mean, let's think about what we're voting on there. The liquor license fees is an agreed bill. It's a license for those people practicing a licensed activity that the State of Illinois controls. They've agreed to it. Additional funding is going into education to try to prevent -- or teach people who work in bars how to determine drunkenness and when to -- to cut off a patron. The pilot program in Historic Preservation, the first year, if we pass this -- this onerous tax increase that Denny Jacobs is very concerned about, will allow the Department to test fees at one site: the Dana Thomas House. We've got the Dana Thomas House here in Springfield, and the public can't see it today. It's a pilot program. Their intention is, one site first year, an additional site the next year, and a total of three over the next three years, to test the effect of having admission fees at these sites, to allow them to make them available to the public. Park district program fees: This is Representative Steczo's permissive bill which allows park districts to charge out-of-resident -- out of -- out-of-district residents a fee if they participate in a

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program. They currently have that right for use of a facility but not that right for the -- for the use of a program. This is Representative Steczko's bill. The Conservation fees are -- are assessed and agreed to on hunters and fishermen. These fees are -- well, basically fishermen. These fees are agreed to by the Conservation Congress. They're supported by people with parks in their districts. There are no State parks in my districts at all. This is an administration bill. A lot of thought went into this, and a lot of work. It includes -- as a matter of correction for Senator Jacobs, in the case of camping, he is absolutely correct. The exemption in camping is only for ex -- or for POWs and disabled veterans. All disabled people are not exempted from the camping, but on the licenses, they're all exempted: disabled people, POWS -- POWs, and disabled veterans.

END OF TAPE

TAPE 2

SENATOR RAUSCHENBERGER:

General professions development - Professional Regulation: The Departments put together a plan where they can take the smaller professions, which many of you have participated in licensing, and combine them into one fund so they can administer and assess the costs and so that they -- we can relieve the pressure on GRF and do a decent job in all those things that this General Assembly and past General Assemblies have thought were important enough to license. Rehabilitation Services fees: This is to allow the Department to, in Statute, do properly what they are doing already and to use commissary fees for the benefits of

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transporting their students. Design professional fees is the last one, and I'll quit. But I want everybody to understand exactly what's in this. Design professionals, again, agreed to a new arrangement of licensing. This is only on design professionals - people who choose to practice that. It's not a tax increase; it's an increase in their licensing fee. I think we need to understand what the process is here. There is budgetary impact, I suppose, on anything. But these fees have been agreed to; they've been heard. It was a Task Force. It was requested by the Speaker. It was supported by the Democratic House. And most Members on both sides of the aisle have supported these in one form or another.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis, do you wish to close also?

SENATOR DeANGELIS:

Yes, I -- I'd like to close. Let me -- let me just say this: I have heard of different ways of perfuming a pig, but today was the best - absolutely the best. You know, it's surprising to me that there seems to be demonstrated an extraordinary concern, on the part of the people across the aisle, about the budget and yet, when there's an opportunity to bring some money in that might - might - leave the money in for education, might take care of a program that might have to be cut, they're against it. Well, I can tell you right now, we are going to vote on this bill, and I just want to tell you, it will not go on Postponed Consideration. And rather than tell you to read my lips, I want you to read my tie; there's a big Mickey Mouse on it. So cut that out. I move we pass this bill.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1105. Those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?

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Take the record. On that question, the Ayes are 28, the Nays are 1, 29 voting Present. The motion fails. The Chair will now entertain a motion to non-concur. Senator DeAngelis, do you wish to make that motion?

SENATOR DeANGELIS:

No.

PRESIDING OFFICER: (SENATOR WEAVER)

Chicagoland-TV wishes permission to videotape today. Is there leave? Leave is granted. Mr. Secretary. Resolutions. Messages from the House. Excuse me.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, 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 66.

(Secretary reads HJR 66)

Adopted by the House, July 2nd, 1993.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz moves to suspend the rules for the purpose of the immediate consideration and adoption of the adjournment resolution. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Dudycz now moves the adoption of the adjournment resolution, House Joint Resolution 66. All in favor, signify by saying Aye. Opposed, Nay. The motion's adopted. On Supplemental Calendar No. 1, Concurrence. Senator Hawkinson, on 956? Out of the record. Senator Philip, on SJR 14? Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution 14, offered by Senator Philip, with House Amendment No. 1.

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you know, as introduced, Senate Joint Resolution extended the Tollway 355 south to Interstate 57 in Will County. It passed this Body 50 to 2. It's 28.5 miles. It's about -- guesstimates are anywhere from eight hundred to nine hundred million dollars. Now, it got over to the House and it was amended. And this resolution now extends the tollway system to Lake-Cook Road to 120 near Grayslake and east to connect with I-94. It also goes from Illinois Route 20 <sic> near Grayslake in a northwesterly direction to the Illinois-Wisconsin border, and it had ninety-three affirmative votes. The North tollway is eighteen miles; approximate cost, four hundred and ninety thousand to five hundred and seventy thousand. The Richmond extension is another twenty-four miles in a northwesterly manner, some seven hundred to eight hundred thousand dollars. Takes thirty affirmative votes. I'd be happy to answer any questions, and I'd like to see a lot of green lights.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Any -- Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Good portion of this aspect of the toll road represents the culmination of a lot of work by many of us. And I think it was three years ago that I first passed the toll road resolution that included this portion, and I rise in strong support on this particular issue. Even though it's somewhat generic to my area, I still ask for support on behalf of it, from my side of the aisle.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

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SENATOR JONES:

Thank you, Mr. President. The -- this resolution that authorize the Tollway Authority to begin plans to plan the North and South tollway -- the issue is an issue that has been discussed by many of us. We've discussed it as a group. We recognize that it doesn't -- it only takes a majority of thirty votes to pass. However, I still will urge the Members on this side of the aisle to vote Present on this issue, because it is still part of the tentative agreement that had been put together. Tentative - I said tentative. So I urge the Members on this side of the aisle to vote Present.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, we talk about getting jobs in Illinois and keeping them here; but then what about the gridlocks of the roads? This is a very important resolution. It affects the north end; it affects the south end. And I urge everyone to vote Yes.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Will the Senator yield for questions?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he would.

SENATOR PETERSON:

Senator Philip, as you know, the extension of Illinois 53 into Lake County will go through my district, and many of the villages have been working with IDOT. This group has been known as the Corridor Council. Will the Tollway Authority work with this Council, as IDOT has been doing?

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

I've talked to the chairman of the Tollway. He informs me that the Tollway will agree with everything that IDOT and the Council have agreed to already. So that is no problem whatsoever.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Peterson.

SENATOR PETERSON:

For clarification: They will work with -- the Tollway will work with the Corridor Council, and will go along with the recommendations that IDOT has already agreed to.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PETERSON:

The second...

PRESIDING OFFICER: (SENATOR WEAVER)

Excuse me.

SENATOR PETERSON:

Second question: Will the -- will the Tollway be subject to the same environmental impact studies and wetland mitigation that IDOT would be required to if they constructed the extension as a freeway?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

Yes. I understand that the Tollway is subject to all the wetland regulations, all the federal regulations, the same as the Department of Transportation. So there's no difference whatsoever. Same restrictions.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Peterson.

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SENATOR PETERSON:

And the last question. IDOT has already expended millions of dollars in the purchase of right-of-way, legal costs, impact studies, condemnation costs. Will the -- will IDOT and the taxpayers be reimbursed by the Tollway for these expenses?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

Trying to make it simple and short: No. Now, you know, this -- this happened. As you know, we had 355 that went through DuPage County, and of course the same circumstances, where the Department of Transportation has bought property over a period of ten to fifteen years, and of course there was no reimbursement for the Department of Transportation. And quite frankly, maybe somewhere along the line, we might think about that. Somebody ought to -- smarter than I am ought to sit down and think about that, when the Department of Transportation buys it and then we just give it to the Tollway. Maybe there ought to be some other accommodations, but quite frankly, I don't know another state where that happens. I've been led to believe that every other state they just -- the Department of Transportation just gives it to the Tollway Authority.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Peterson.

SENATOR PETERSON:

Thank you, Senator. To the resolution: This particular extension goes through an area that has many wetlands. It has many bogs. Already IDOT has looked at three or four different changes from the center line. The villages that it would go through, which are several, are opposed to it. There are environmental concerns, as I mentioned before. And I think, as was mentioned, Lake County is a growing county, has many State

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roads; it certainly could use the money that it won't get because the Tollway will have benefit of those expenses that have already been given by IDOT. And therefore, I will have to stand in opposition to this resolution.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President and Members of the Senate. It is indeed unfortunate that at the very tail end of the Legislative Session that a dream of so many is stale -- is stalemated in partisan bickering. When I first came to the House, in 1987, I worked along with my Republican colleagues in the House and Democratic Representatives in the collar counties to see that what used to be 431 would be extended from I-55 to I-80. When Senator Dunn represented the area through which this tollway would run, I very cheerfully supported the extension, because it's something which is absolutely necessary to not only the economic development of people in -- in Will County and the southwest suburbs, but also would improve their quality of life. As I talked to Mayor Dystrup of Lockport on the phone earlier this week, he indicated that this idea was born almost thirty years ago. So here we are within literally minutes of putting many people's dreams on the board. And I'm asking you to -- to support this proposal, because I believe it's very good for the State of Illinois, for economic development. It will not require anybody's taxes to go up. Those who choose to ride will pay. And for these reasons alone, I believe that this resolution should be supported, and I ask you to do so.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip, to close.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.

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PRESIDING OFFICER: (SENATOR WEAVER)

Excuse me, Senator Philip. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have a question to the sponsor, please.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR SMITH:

Senator Philip, I merely wanted to ask a question of you. I had a bill in for just a portion of an expressway that was already intact, and I only asked if you would vote on that side of the aisle to give us the honor of naming just a portion of this expressway in honor of a man who had been a servant to this country and to the world. And you voted No. But here you are, going to spend money, and they're saying it's not going to cost anybody anything - this certainly wasn't going to cost anything, but it would've given us another role model here in the State of Illinois. And I want to know: What's the difference? Why could you not give us this honor for Thurgood Marshall?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip. Senator Smith, was that a question? Senator Philip.

SENATOR PHILIP:

Thank you, Senator -- Mr. President. And quite frankly, this -- this resolution extending the tollway north and south has got nothing to do with any kind of a resolution. Now, the distinguished judge is not from Illinois. I -- I would suggest this: When they name a road or a building or a statue out of his own home state, you know, we'll think about it. But I think the question is out of line; we're on the tollways. Has nothing to do with naming anything after anybody.

PRESIDING OFFICER: (SENATOR WEAVER)

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May we confine our remarks to SJR 14? Senator Smith.

SENATOR SMITH:

...(microphone cutoff)...the sponsor? He said that the -- Thurgood Marshall was not a citizen here in the State of Illinois. Well, if my history serves me right, the great Abraham Lincoln was not born in the State of Illinois; he was born in Kentucky. Kennedy was not born in the State of Illinois. But -- Eisenhower was not born in Illinois. But you are naming roads and highways and everything for them. And Thompson - was he born in the State of Illinois?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Smith.

SENATOR SMITH:

And this is all I asked you, just for a portion - just a portion. And -- and -- and the Department of -- DOT was giving us just six thousand dollars to get it done. Now you said he's not a citizen here in the State of Illinois? And you could not give him that honor? Not going to take you -- not a penny out of your pocket, and now you're going to spend nine hundred million dollars. That's going to hurt all the citizens here in the State of Illinois. And I want to know: Why is it you could not give us that honor? We even asked you for a commemorative day. No school would be closed; no bank would be closed. But just May 17th - a commemorative day to honor that man.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Smith.

SENATOR SMITH:

And he has...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Smith.

SENATOR SMITH:

I just want to find out -- I want to know why he could not

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give up that grant.

PRESIDING OFFICER: (SENATOR WEAVER)

We are on Senate Joint Resolution 14. Will you confine your remarks to the resolution, please? Please. We're under discussion of SJR 14. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Thank you, Mr. President. We already passed one resolution that would allow for the tollway to be extended to the south, it's my understanding. And what this resolution does, it also allows for the extension to the north as well. Is that correct, Senator Philip?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

That is correct -- put on by the Illinois House of Representatives - bipartisan support.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch.

SENATOR WELCH:

I'd just like to raise a question about the environmental impact of this. It seems that the toll road would go in between a State park and the Volo Bog. There's a -- there's a lot of wetlands and marshes up there. Isn't there going to be a tremendous environmental problem in building this tollway up to the north?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

Senator, this is a corridor, not an alignment. I -- I'm assuming they'll do what they've done in -- in other tollways -- they go out of their way to go around wetlands and marshes. It --

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it costs a lot of extra money, you know, when you go through one of those. And it's just a corridor; there is no centerline. I assure you that will be worked out.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Smith.

SENATOR SMITH:

I -- question to the sponsor, please.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR SMITH:

Thank you. I'd like to ask this, President: Where will the nine hundred million dollars come from?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR SMITH:

To the north...

SENATOR PHILIP:

It will be tollway bonds issued by the Illinois Tollway Authority and the people who use the tollway. And I'm -- we're not sure whether it will be a forty- or fifty-cent toll, but they will pay for those bonds. So it's users' fees.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Smith.

SENATOR SMITH:

Will that be like the Chicago Skyway, that works at a deficit now?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip. Senator Philip didn't understand the question, Senator Smith.

SENATOR SMITH:

I would -- I asked -- I asked the Senator: Would this also be like the Chicago Skyway, that's in a great deficit? And I

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understand that you cannot get tolls from anyone until it's built.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. To my knowledge, the Tollway has never built a highway that -- that didn't pay for itself. Now, the Chicago Skyway was built by the City of Chicago under Richard J. Daley. And of course, they did it - and I think they got some help from the Department of Transportation - but for a lot of reasons, -- have never worked. I might say this: that the section in my county, which is completed, 355 was way underguesstimated in the toll - the amount of money they were going to make. There're about thirty percent more money made from that than they anticipated. I would suggest this to you also: that if you use 94 or any of the other highways that go around Chicago, which I use quite often, which are always clogged up, this intends to release -- to relief <sic> those. You'll see a lot of people coming from Indiana and Wisconsin will not use 94, will use this new 355. So it ought to help pollution; it ought to help traffic, and it ought to be a big plus.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Jones, I know we're going to be going to caucus very shortly - at least that's my understanding - before the surcharge, and I was just wondering if -- if -- if we can convince Senator Philip to change the surcharge to the Thurgood Marshall surcharge, can you put seventeen votes on it?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs. Senator Jacobs.

SENATOR JACOBS:

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Well, I don't know. I -- I don't even know if I want to talk after that one. Thank you, Mr. President, Ladies and Gentlemen of the Senate. There's a couple questions I have. First of all, this -- this, as I understand it - this corridor, as it's been termed - has some serious environmental problems. And I know even in my office I get calls, and I have nothing to do with this particular area and don't have a lot of concerns about constructing toll -- toll roads, 'cause I think they're a good way to expand the highway system as well as to fund new highway construction. But I have some concerns with this, mainly from procedural, and then, I have a question. I understand that -- that all resolutions go through Executive. This, however, is a major road, and I think that this should have went through the Transportation Committee so that we could have had open and fair hearings, which this Body has been talking a lot about all year long. But more importantly, a question of Senator Philip. You indicate, Senator, that this is just a corridor; but yet, I have here, from the Department of Transportation, information that says in the 1960s a study produced a recorded centerline for the Richmond-Waukegan Corridor. This tells me that this is well beyond a proposal for a corridor. This is already a well-situated -- position that is being taken by the Department of Transportation. And I think that we should at least be candid with the Body.

PRESIDING OFFICER: (SENATOR WEAVER)

Was that a question? Senator Philip.

SENATOR PHILIP:

Well, thank you. I've been reliably informed that about seventy-five percent of the corridor has already been purchased. And -- and -- and they do -- to get a corridor you have to have some kind of a centerline. But there is no real centerline because they have the corridor, which will -- they will work with.

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So seventy-five percent of it's already -- already bought and paid for by, incidentally, our tax dollars. Let me also say to Senator Peterson that people who use the tollway don't only pay a toll -- on 355 it's fifty cents -- but they pay motor fuel tax. The motor fuel tax dollars that they buy on the tollway go into the fuel -- Motor Fuel Fund. So, indirectly, they are paying money towards the Department of Transportation.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I -- I just -- I -- evidently, we've got two different people telling us two different things, Senator, because again, this shows that FAP 420, twenty-four miles from Richmond to Grayslake, a study was produced that recorded -- on a recorded centerline for the corridor. Now, we either have a corridor or we have a centerline -- recorded centerline -- in existence. Which is the case?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

I -- I have been reliably told it's a corridor. That's what we have.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip, to close.

SENATOR PHILIP:

Let me say this: As you know, when we had 355 go through DuPage County, I certainly took more heat than anybody from people who live close to it. And I mean I took a lot of heat. The Tollway Authority went out of its way to go -- to do everything that Morton's Arboretum wanted them to do, because, as you know, that is a non-for-profit organization. It is a beautiful place. And they did -- they -- in fact, it cost the -- the Tollway about

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-- anywhere from ten to fifteen million dollars more to do what they had suggested, and I'll give you a -- just a little idea. You know, when they salt the tollways, that salt runs on the arboretum; so they set up a pond and a purifying system so that salt water would not go in the arboretum. And when you pay your fifty-cent toll, you pay for that. So the cooperation is there. You know, it's happened in the past. I happen to think it's the right thing to do. In fact, we should have done it twenty -- we should have done it in 1960, if the truth be known. The longer you wait, the more expensive it is, and the more people are buying property next to it or developing next to it. So I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Joint Resolution 14. Those in favor, vote Aye. Those 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, the Ayes are 32, the Nays are 4, 22 voting Present. The Senate does concur in House Amendment No. 1 to Senate Joint Resolution 14, and the resolution is declared adopted. Mr. Secretary, on Conference Committee Reports on page 11, do you have a file on Conference Committee Report on Senate Bill 937?

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 937.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

If I remember correctly, the Minority Leader is going to...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton, for what purpose do you arise?

SENATOR CULLERTON:

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We would -- we would ask for a brief fifteen-minute caucus at this time, before we call this bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Very good. The Senate will stand in recess until 3:15. Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. I would like to request an informal meeting in Senator Pate Philip's Office.

PRESIDING OFFICER: (SENATOR WEAVER)

That request is in order. The Senate will stand in recess for fifteen minutes.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WEAVER)

Resolutions.

SECRETARY HARRY:

Senate Resolution 685, offered by Senator Smith and others. It's congratulatory, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar. Resolutions Consent Calendar. We'll now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

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Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. On page 11 of your Calendar, we'll resume with Senate Bill 937. Senator Philip. 937? Mr. Secretary.

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 937.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the First Conference Committee Report on Senate Bill 937. And as you know, the four Leaders and the Governor have been working long and hard with their staff. This is one of the compromises that we have worked out. I, quite frankly, think it's a very good compromise. As you know, I brought it back to our caucus. There are votes in the caucus -- our share of votes in the caucus to support Conference Committee -- No. 1 Conference Committee on Senate Bill 937. Let me explain, briefly, what it does. It makes the surcharge permanent. In 1994, the State will receive seventy-five percent; local governments, twenty-five percent. In 1995, the Local Government Distributive Fund will change from one-tenth -- one-eleventh -- one-twelfth, excuse me, to one-eleventh. In 1996, the Distributive Fund will change from one-eleventh to one-tenth permanently. A big plus for local governments, a big plus for the City of Chicago. Now, if you'll remember -- you won't know, but in our meetings, the number one priority of the Minority Leader was Chicago schools. Here are four things we're going to do for our Chicago schools: speed up the school payment from September -- from August to September, that's forty-six million; reduce the Chicago School Finance

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Authority reserve, that's twenty-two million; early retirement from teachers, five-plus-five - as you know, we've all gotten the letters; we've all been harassed - that's twelve million; and allow the City of Chicago to charge school supplies to the textbook fund, which is another savings of four million. There's another thing it has done for the City of Chicago, which they have requested, which is their highest priority. Now, there are two little things in here for suburbanites and downstaters, who, quite frankly, will save the school district some money: Included is Senate Bill 881 - allows noncertificated personnel to do monitoring in the halls, to do library work, when they do not need a teacher. Secondly, -- it includes House Bill 525, which would, for the first time, combine downstate regional school districts, and for the first time, allow Cook County only to elect one superintendent for all of Cook County. Now, as you know, during these negotiations, Senator Jones' number one priority was schools. Here are four individual things we're doing for the City of Chicago schools, which is a savings of some eighty-four million dollars. Senator Jones, this is what you asked for, this is what you -- and I have your list right here that we worked off of. The Mayor of Chicago wants these four; so do you. Here is your chance. Now, if the Members on the other side have any questions in regards to the surcharge, I would suggest that you ask Senator Maitland. He is the guy that did all the -- the work on it. If you have any questions in regards to the school section, Senator Watson, as you know, has worked on that. So here's your chance. Ninety percent of this is for the City of Chicago. Ten percent is for us suburbanites and downstate people. So without further ado, I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

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Well, thank you very much, Mr. President and Members of the Senate. Indeed what we do this afternoon is -- is critically important to State Government for not only Fiscal Year '94, but for years beyond Fiscal Year '94. I think Senator Philip has -- has adequately explained to the Body what the surcharge does. Maybe we ought to talk for a moment about what the surcharge does not do. We have, for several days now - and more specifically and in more detail yesterday - been dealing with the FY'94 budget - a budget that every one of us knows is premised on the continuation, or the making permanent, the surcharge. And there have been a number of agreements that have been made by the four Leaders. And I indicate again, "agreement made by the four Leaders." Among them, we have increased in the elementary and secondary education budget thirty-five million dollars above the Governor's level - something that we all feel strongly about. And in agreements yesterday - in agreements yesterday - the budget negotiators were instructed to reallocate a little bit of that money and put an additional twenty-one million dollars - an additional twenty-one million dollars - in the formula, to accommodate some of the concerns on the other side of the aisle. We believe that is right and that is just. And with the passage of the surcharge, the budget negotiators continued to move forward with that assumption. Will be interesting to watch now, when this vote is taken later on, how the Members on the other side of the aisle vote, because we absolutely have consented to all of your concerns. And as I said on this Floor a week ago, when we passed a budget out of here, what we do with education is critically important and every subsequent vote you take will give you less. And we have accommodated -- we have accommodated those concerns, and this vote you take today will be the last time you vote for an increase in the funding for elementary and secondary education. Because when we leave here today, we have one of two options. And I have

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already talked to Representative McPike. He knows about the vote that will be taken here. And when we start negotiations next Wednesday morning at 10 o'clock, we will either negotiate a budget based on - based on - the continuation of the surcharge or we will vote - we will vote - on a budget without the surcharge, and every one of you will have to explain why you did that. The hue and cry is going out. Senator Jones, you have commented hour after hour, day after day, that you're not going to vote for the continuation of this -- of this process, the continuation of the surcharge, until you know what the budget is. You now have thirty-six votes. You can reject any budget that's presented here, so that's a bogus argument. It is time - it is time - for us to move forward and deal with this issue. Not a one of you can go back to your district after a No vote or a Present vote and explain that you voted against the continuation of the surcharge. You absolutely cannot. And one final point, Senator Jacobs - one final point: two bills may be voted on this afternoon - two bills. Let me tell you what -- what this does to the State budget. Those two bills amount to nearly one billion dollars in revenue to this State, when you bring into it the gross figures from the federal government - the matching dollars. Those of you who stand on that Floor and argue - argue - about those social programs that you are concerned about and sit there and smile, you won't have them. They will be dramatically cut. Will be interesting. Will be interesting. The proper and just vote for the people you serve, over there, is a Yes vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President and Members. I'd like to take a little time of the Body here to talk about the education issues that are present in Senate Bill 937, and as it says -- Senate

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President mentioned, these were established as priorities, a great deal of this, by the Minority Leader of this Senate. We address several of the concerns that I think many of us have, and -- those of us throughout the State of Illinois that share the concern for the City of Chicago and the public schools of Chicago. We hear a great deal about the funding problems in Chicago, and quite frankly, that's a problem that's statewide; that's not just in Chicago, but that seems to be where we're focusing because of the big hole that they seem to have in the upcoming budget for next fiscal year. We address four areas in this legislation that will create an eighty-four-million-dollar budget plus for the Chicago public schools. We all want to see them open. I think all Members of this Body -- want to make sure that the young people of the City of Chicago get an opportunity to be educated just as every other schoolchild throughout this State. And eighty-four million dollars may not solve all the problems of the City and the public schools, but it'll certainly make -- go a long way. There's other -- other pieces of legislation in here that I think that need to be identified, and we've never debated it fully to the extent on this Floor, but we have in the Education Committee and certainly in the House, and that was originally House Bill 525. And I think that's one in an effort that we all can recognize by which we are consolidating the services of education and the delivery of services to the young -- young people of this State and to our schools throughout this State when we combine the educational service centers and the regional superintendent of schools. We hear a great deal about the duplication and a lot of people in our districts have asked us, "Why do we have this?" We're making an effort in this legislation of consolidation of those -- of those services. It reduces -- currently, right now, we have fifty-six regional superintendents of school. After the 1994 election, it will go to forty-five - forty-five regional

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superintendents of school. After the 1998 election, it will go to thirty-five. And that's where it will remain. And those regional superintendents will then supervise the services being offered currently by the educational service centers. There will be oversight - local oversight and local input. And everyone from the regional superintendents of school to the State Board of Education to the business community, and those people out there concerned about delivery of education to the young people of this State, have signed off and agree to the process by which we're about to vote. We create a regional superintendent for the suburban Cook County schools. We remain -- the educational service centers remain as three in Cook County, and they would be then headed by an assistant. We give this -- one thing that -- the times that I visited Chicago and we went into the schools of the City of Chicago and we had hearings in the City of Chicago, talking about the concerns of the educators in the City of Chicago - five-and-five. "Why weren't we given an opportunity, as every other educator in this State, to participate in the five-and-five and retire early? Why weren't we given that same opportunity?" They're going to get that opportunity in this bill. This legislation allows for the five-and-five concept, by which every other teacher in this State was given an opportunity when we passed it this last year. That could solve a lot of the problems in the City of Chicago. We've talked a lot about the supernumerary issue and the impact that that has; this in many cases has been identified as a means by which to end that supernumerary problem. Give those teachers the opportunity to purchase those five years and retire early. Senator Maitland talked about the hundred and forty-five million dollars that we have made available to education in this State. I think when we do that, we have established that education truly is a priority of the Illinois Senate, when in tough times, as they are now, to

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allocate a hundred and forty-five million dollars for the young people of this State, is to be commendable. And this Body should go unanimous in support of the hundred and forty-five million that will be made available to elementary and secondary education. Higher education will get sixty million dollars. I think it would be very clear, with a Yes vote on this bill today, that the priority of the Illinois Senate is truly education and the young people of this State. And I'll be very disappointed if we don't see that support coming from the entire Body here today. If you're concerned about young people and you want to see the public schools prosper and give a better opportunity to the future of the -- of our young people of this State, the only responsible way to go is a Yes vote on Senate Bill 937. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. I -- I feel it is appropriate that I really tell the whole truth, rather than the half-truth that has been given out on the Second Floor and by my counterparts, Senate President Pate Philip. When we went down to negotiate -- and these are the words of the Governor when he came out to the press, "We have a tentative agreement. The Leaders will take these issues back to their respective caucuses to decide and see how they feel about it, and if they can garner support." We did that. We go back in meetings with the Governor and I expressed my grave concerns, Senator Maitland, as relayed to me by the -- the Democratic Caucus, on a variety of issues that they have grave concerns about. We discussed them; nothing -- no action took place. There was grave concern about the Medicaid assessment and disproportionate hospitals. They couldn't do anything about it. When I discovered late on June 30th - late on June 30th - that we had concocted a roll call vote

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to give the Governor an excuse to sign a tax measure so he can fulfill his promise to Tobin that he would not vote for any taxes unless it had a super-majority, which is thirty votes, then I discovered, as Members on your side of the aisle and including the Members on this side of the aisle, that this whole roll call and delay was orchestrated. I think the press knows, you on that side of the aisle know, that Senator Emil Jones, the Minority Leader, do not set the schedule. During the month of June, how many days were we in Session? I did not set the schedule. That is the sole prerogative left to the President, and he can change it anytime he so desire. We do not control the paperwork when the bills are filed, when they are presented to us for a vote. What we have requested as Senate Democrats on this side is that we are requesting your -- the same thing your colleagues requested in Washington: We want to see the hundred and fifty million dollars in budget cuts before we even attempt to vote for a tax increase. We have discussed this over and over again. There was never any agreement - and make this crystal clear - never any agreement as to what order the bills shall be called. Had we voted on all these bills, and say we passed them out on June 30th, or passed them out yesterday, we would still be here doing the budget, because it takes at least three to four days to do the budget. Who's kidding who? Who's playing games? The Members on this side are prepared to participate, and we have told you time and time again. You rammed through a budget on Senate Bill 5, and -- that cut monstrous programs to help the poor, disabled, the homeless. You cut programs to help those who are in dire need of health care, and you sit here and have the audacity to tell us, "Trust us." No, we don't have the trust. You have told the media time and time again that the Senate Democrats are not organized. Let me tell you one thing: We are unified. We are organized better than we have been the last ten years, and you did it, and I want

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to thank you for it. All the issues that you have talked about for education: I had to fight like hell to get 'em included in there, because you weren't going to deal with it. You were not going to deal with it. And I'm saying to you who were not in the room, there was no agreement as to what order the bills shall be called. There were votes on this side of the aisle who were prepared and indicated that they were willing to vote for this bill. Senator Philip got on the Floor without affording me the courtesy or opportunity to respond to his remark that, "They don't have any votes. They are totally disorganized." And I had told him that my Members, having been had two or three times on the budget issue, they want to see the pie. They want to see the meat. They want to participate. The same thing your colleagues in Washington, the Republicans, told the President: We want to see where the cuts are going to be. So that is the issue that we are faced with here. We are unified. We must see the total package. It's an insult to any legislator to tell them you want them to vote on something when we haven't even seen the draft. The staff hasn't had time to look at the language. If you vote like that, then you're not representing your constituents. You're not doing it. And I know my colleagues on the other side of the aisle want to do just that. We want fairness. There are concerns as it relate to the total package - total package - and these issues have been addressed in the meetings we had on the Second Floor, but they've fallen on deaf ears. They could not get the Medicaid assessment passed in the House because of the same identical problem. We are legislators. We represent people all across this State. I'm the one that said education should be one for all of the children - upstate, downstate, the urban areas. That's why it's in there. But unless we have the total package, then we're only fooling ourselves. Again, I would have loved to have had the gavel, 'cause having the gavel, you control the flow

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and the process. We could have been out of here on May 28th. I didn't have the gavel. All the initiatives put forth by this side became your initiatives. You controlled the schedule. Then you have the audacity to say Emil Jones is stalling the process? No, we're not stalling the process. We owe the people who elect us, we owe the people of the State of Illinois, to see where all these cuts are coming from. We have the votes. Ready to deal with the issues. Ready to present as a positive vote, Senator Philip, but we must see the meat. We are not going to buy a pig wrapped in a blanket. And I don't expect you to do anything like that yourself, because if you did, you're cheating yourselves. So when you call for a vote, we're going to show you: We have seventeen votes that are ready to go, when we deal with the entire package. But let's stop sending out misinformation. I have nothing to do with the schedule. You set the schedule; we try and follow it. I appreciate the courtesy of you calling me and letting me know ahead of time when we are going to do certain things. We have seventeen that will vote Present to match the nineteen that you said you had. But let us deal with the entire package, because voting it out today does not solve the problem. We still have three or four days to deal with the -- the budget. My seventeen will vote Present on this issue. These are potential Yes votes on this issue, but we cannot do it now, because we will be cheating ourselves, you'll be cheating yourselves. But maybe you know - maybe you know, since you control the process - where everything is. We don't know. We've never seen the bills, and that's why we must sit down and negotiate on the budget, because we cannot afford to hurt the poor people that need government to meet their needs. But I reiterate over and over again, our seventeen Present votes will be on this bill, as they're indicating that we are unified, and these are Yes votes when the -- when the package is right for us to deal on. And when we do that, then we can proceed

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with State Government and helping the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis. Senator Geo-Karis?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, about two years ago, for the first time, I voted on a surtax - an increase in income tax. We increased it by a -- one-half percent. Then we made one-half that one-half percent permanent for education. So all that we're talking about in the surtax is one-fourth of one percent. And why? Because we needed the money. Now if my colleague - whom I love dearly - who just finished, will really face the facts, there are paychecks that are not going to go out for the welfare people. The people you represent are going to be hurt more by this posturing. It's a matter of common sense. Instead of letting the surtax dissolve itself, which it did on the 30th -- the end of -- the first of July, we're trying to continue it because we need it for the various services. And when you say that we have the gavel, we've finally gotten that gavel in eighteen years, but you had the gavel for eighteen years and some of the excesses that we have had we did not cause. So now that -- we have worked hard. Our Appropriations people have worked with your Appropriations people for many, many, many hours to get a resolution to the stability of the State. And yet, we're going to have petty feelings interfere, so that the people who really need the money will not be getting it. All because of what? I submit, it's posturing. And don't tell me you didn't know what was going on, for heaven's sakes. We would have finished by May the 28th, but then your City of Chicago threw a monkey wrench into things because they wanted riverboats at the last minute. So consequently, we were delayed and delayed and delayed. I submit, we're causing the people of Illinois an expense that we do not

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need to cause if we vote today and pass this bill. Otherwise, we're adding more and more expense to the people - the taxpayers of Illinois. And I think we're losing our sense of conscience. I submit -- and I'm going to vote for this bill, 'cause we need it. And I submit that if you're as conscientious about the people you represent as we're trying to be about your people and our people - by that I mean all the people of Illinois - then vote for the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator -- Senator DeAngelis?

SENATOR DeANGELIS:

Thank you, Mr. President. A life ago, when I was single, I had a roommate, and we used to frequent a bar in Senator Palmer's area called the East End Park Lounge. And every Wednesday night you could get two drinks for the price of one, and I know that for a dollar thirty-five, I drank more martinis than I could handle. I would go in there with a roommate, and being a bachelor, you did a little stalking, and one day this very attractive young lady walked in and my roommate immediately went up there and he asked her if she could -- he could have a date with her on Friday night. Friday night came. Swede went there. She wasn't there. Following Wednesday we went back into the bar; she was there again. Swede asked her for a date. Friday night came; she wasn't there. I met him afterwards and he said, "I am going to really fix her." And I said, "What are you going to do, Swede?" He said, "I'm never going to ask her out again." Well, you know what? That's what your speech sounds like. Who are you fixing? Who are you doing this to? What is the victory? What is it? You know, another thing: Senator Carroll, been here fourteen years -- I found out you were going out with her later on. Senator Carroll, for fourteen years - I've been here fourteen, you've been here sixteen - I have heard the last speech of every Session: The

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budget this year is twenty-nine million four hundred and thirty-seven thousand two hundred and thirty-two dollars, and we have fulfilled our constitutional obligation of balancing the budget. Well, Senator Jones, if we do what you want, we're violating our constitutional responsibilities, or Howie Carroll's a big liar. Okay? One of the two. 'Cause, you know what? You want to do the budget before you know about the money. And frankly, you cannot do that. And you know, I was in the washroom not too long ago, where some of us might do our best work, and somebody - and I'm not going to mention - from the other side said, "Well, you know, we want some input in the budget." Well, I got to tell you: Has anybody been up to the sixth floor for the last week? They won't walk into a conference room, which constitutes -- which is filled with about three-quarters Democrats and poor John Maitland and a few Republicans. Senator Severns, have you been negotiating the budget? I mean, is everything that's coming out now just a bolt of enlightenment or lightning? The fact is, there has been negotiations. And, Senator Jones, by your own admission when you said the educational things would not have been done had you not forced them, you indicated and admitted that the negotiations had been going on and you were a part of it. And if you weren't a part of it, you couldn't have had that done. I'll tell you, I heard comments about "It's irresponsible to do this now." Well, I'm going to tell you -- is Speaker Madigan a fool? Is he a fool? 'Cause he did it two days ago, the surcharge. And by the way -- let's take a poll on that one -- and by the way -- and by the way, speaking -- speaking of the surcharge, where were those eloquent words you spoke the last time we passed the extension? And where were they when the first time we passed it? Did you ask for the budget then? No. Did you ask for the budget the second time? No. So tell me what this is all about. You brought up Congress. Well, let me tell you something

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about Congress: Congress does not have to do a balanced budget. They can do it any way they want to, and frankly, if we had that privilege, I don't think we could handle it any better than they did after the -- the discussions I've heard today. You know, you may not want to know -- you may not want to buy a pig in the way you described it, but I want to tell you one thing you may not want to do: You may -- you may not want to buy a pig that weighs more than you could afford. So you better know that first. And you know, I cannot believe -- I cannot believe that this Body is buying the rhetoric of nonsense that you can go ahead and spend, even though you cut with it, and know that you've done it right, without knowing what you've got in your pocket. I want to tell you something: You may have reasons, and maybe -- you know, this is the first year that you perhaps have not had the Chair. And maybe this is your way of getting your vengeance on somebody else, but, folks, you're doing it the wrong way, 'cause you're holding your people hostage in that process.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip, to close. Senator Maitland, excuse me; I didn't see your light.

SENATOR MAITLAND:

Mr. President, I -- I guess I apologize for rising a second time. This is an issue that, at least for me, is -- is very critical and -- and very important. I really fear where we go from here this afternoon if we don't get an agreement on this issue. I want to reiterate a point, first of all, that Senator DeAngelis made, and it is -- it is -- it is justified, I think. Senator Jones, in 1989, the birth of the surcharge, it came to this Body and you voted for it, and there was no budget in place. There was no budget in place, and you supported it then. Your argument, as Senator DeAngelis says, falls on deaf ears. And now let's go back to your strong point about education one more time.

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A hundred-and-forty-five- million-dollar increase. Your school district benefits more than anyone else in this State, and yesterday, once again, with the four Leaders, the Governor and the four budget leaders, you agreed, subject to the passage of the surcharge, with the reallocation that put twenty-one million extra dollars in the formula - benefits you. Senator Severns, you're a negotiator. You can't go back to Decatur having voted against this. As a negotiator, you certainly can't. It can't be done. Senator Jones, buying the pig in the blanket. Keep in mind, things are different now in the negotiations. In case you've forgotten, there is a balance there now. Democrats no longer control that process. It's Republicans and Democrats, so neither one of us are going to get anything out here to the Floor until we both agree, and we sure as hell can't negotiate a budget if we don't -- know what the revenue is. That's what's gotten us into the problems we've had in the past, I guess, in government. Now we're trying to do it right. We're trying to establish some money on this side, and build our priorities into this side. And I will tell you, I am prepared, until hell freezes over, to -- without the passage of this surcharge, to negotiate only a non-surcharge budget. And, Senator Welch, you will go back to your district, you will go back to Northern, and you will tell them exactly what's happened. I'll have to do the same thing to my university, but I can say I stood here on the Floor of this Chamber, pursuant to the agreement made by the four Leaders and the Governor, and voted for a surcharge to fund government adequately. We are now past the 1st of July - new -- new year. Checks will now be held up, and it's going to be interesting to watch how the press covers this, because they've watched this process too, Senator Jones. They also know what's happened. I don't want that to happen. Sometimes you have to make tough decisions. We're prepared to make those tough decisions, and you damn well better, too.

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip, to close.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Jones, a very well-prepared speech, very well delivered - not too accurate. And I will tell you this, Senator Jones: The Senate has had hearings on the budget. The Illinois House has had hearings on the budget. The budgeteers have been going at it the last three days, that I know of. I have been in one of the meetings, and I'll tell you one thing: Senator Maitland is going to heaven - straight up, nonstop. And what is the problem? Your side is not willing to cut. Now there's no way you're going to put this budget together unless you cut something. You're the adders; we're the cutters. That's why this budget isn't put together. It didn't bother you for the first surcharge tax vote, you didn't have the budget - the second one when we extended it temporarily. You didn't have the budget either time. It was no problem. It's an excuse. It's a weak-kneed excuse. Let me remind you what this does for the City of Chicago, that you're always defending. Surcharge gives the City of Chicago eighty-six million dollars. Let me remind you, your number one priority - your number one priority - City of Chicago schools. Eighty-four million dollars. You know, this may be your only vote. This may be your only opportunity, Senator Jones. You know, you occupy the same chair that Senator Rock has for a decade. You also work at the same desk that Senator Rock worked at. You also vote the same switch that Senator Rock did for over a decade. I remember Senator LaPaille saying, "Be like Mike." Well, Senator Jones, today we ought to be like Senator Rock. Now, Senator Rock, we had our arguments, we had our disagreements, but I'll tell you one thing: When it came to the State of Illinois, when it came to issues, when it came to the budget, Senator Rock did the right

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thing and voted Aye. So today, to my friends on the other side of the aisle, don't do what -- what Representative Madigan -- or -- Representative Mike Madigan. Do what Senator Rock would do. He would vote Aye.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 937. Those in favor will vote Aye. Those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 19, the Nays are 20, and 17 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. ...(microphone cutoff)...there's no further business to come before the -- Senator Philip moves the Senate stand adjourned until July the 7th, Wednesday, the hour of 3 p.m.

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