

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

59th Legislative Day

May 26, 1995

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR RAUSCHENBERGER)

Senate will reconvene. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

House Bill 32, with Senate Amendment 3.

We have a like Message on House Bill 2226, with Senate Amendments 1 and 2.

Non-concurred in by the House, May 25th, 1995.

PRESIDING OFFICER: (SENATOR RAUSCHENBERGER)

The Senate will stand in recess until 9 o'clock -- till 9 a.m., May 26th, 1995.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

The regular Session of the 89th General Assembly will come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Reverend W. P. Witkop, Lutheran -- Luther Memorial Evangelical Church, Springfield, Illinois. Reverend Witkop.

THE REVEREND W. P. WITKOP:

(Prayer by the Reverend W. P. Witkop)

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PRESIDING OFFICER: (SENATOR DUDYCZ)

All rise for the Pledge of Allegiance. Senator Sieben.

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Thursday, May 18th and Friday, May 19th,  
1995.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler moves to approve the Journals just read. There  
being no objection, it is so ordered. Senator Butler.

SENATOR BUTLER:

...President, I move that reading -- reading and approval of  
the Journals of Sunday, May 21st; Monday, May 22nd; Tuesday, May  
23rd; Wednesday, May 24th; and Thursday, May 25th, in the year  
1995, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler moves to postpone the reading and approval of  
the Journal, pending approval <sic> of the printed transcripts.  
There being no objection, it is so ordered. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the  
following Legislative Measures have been assigned to  
committees: Referred to the Committee on Appropriations - Senate  
Amendment 1 to House Bill 803; to the Committee on Revenue -  
Conference Committee Report 1 to Senate Bill 368; Be Approved for

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Consideration - the motion to recede from Senate Amendment 3 to House Bill 2177, Conference Committee Report 1 to House Bill 838, and Conference Committee Report 1 to House Bill 2403.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On the bottom of page 7 are -- on Secretary's Desk, Non-concurrence, House Bills, House Bill 1279. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to refuse to recede on Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger moves that the Senate refuse to recede from the adoption of Senate Amendment 2 to House Bill 1279 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. On the bottom of page 7, Secretary's Desk, Non-concurrence, House Bills, House Bill 32. Mr. Secretary, read the bill. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that the Senate refuse to recede from Senate Amendment No. 3 and ask for a conference committee, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler moves that the Senate refuse to recede from the adoption of Senate Amendment No. 3 to House Bill 32 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Mr. President, if you could just tell us a little bit ahead of time where these things are on the Calendar, we'd be grateful.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Thank you, Senator Demuzio. Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise for the purposes of an announcement. For the benefit of Members on both sides of the aisle and staffs, I thought I'd try to do what I could to explain where we are on some matters that will be before Appropriations today. The information on the budget that we've been working on is now in a conference committee report that hopefully will be signed soon. It's 925. The Budget Implementation Act is in 486, a conference committee report. There's also a trailer to that bill containing some sunset provisions in House Bill 1279, conference committee report, and the Court of Claims awards are contained in a Senate amendment to House Bill 803. It's our intention, since we were late in delivering the information to both sides of the aisle, that we will caucus at approximately noon, Republicans, and I presume the Democrats would like to caucus then. We hope to schedule a hearing at the conclusion of that, around 2 o'clock, and would hope to be ready for Floor action on these matters, assuming favorable consideration in the committees, late afternoon or early evening.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Senator, we -- we haven't seen any of this and unless we begin to get some of it before too long, we may not be prepared to caucus at the hour of 12. And I think that the sooner you get it into our hands, the sooner we are able to analyze it. And when we -- when we see it, then we might consider what you have indicated. But we don't want to go to caucus until we have something to give our Members.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I certainly appreciate that, Senator Demuzio. We tried to provide, I think, copies of the -- the bills containing the budget in their final form at about 8 o'clock this morning, and I apologize that it wasn't earlier. We had to make a change in form. We had originally intended to run these as Senate amendments to House bills. Problems with the other Chamber and their timing and procedures forced us, in the middle of last night, to change it to a conference committee report in order to -- for process purposes. Yeah, you're -- you're staff has the -- the budget itself, and as far as the Implementation Act, we would hope to have that available to you in the next forty-five minutes or an hour.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, whether or not we vote for it or not is immaterial. The fact of the matter is, is that we'd like to have the opportunity to see it. And I don't quarrel with the fact that you told us that last night we were going to have it by 12, and I understand hitches that go along in the -- in the wagon, and we didn't get the budget till 8:30 this morning. I understand format. But we'd like to do -- to have the opportunity to really look at this stuff before we go. And you've had budget briefings; we haven't. So, 486 is key for us, and if we don't receive that, why, we may not be prepared to -- to go to caucus at the time that you have suggested.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Senator Rauschenberger indicated that the budget implementation bill was 486. Am I -- I'm told that that's 465.

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Is that -- I see Mike motioning that we should go out and get ready for a field goal, or am -- am I right? Oh, okay. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

For the information of the Membership, we will be going into the Order of Executive Appointments. In about fifteen minutes, we will be going into Executive Session for Executive Appointments, in approximately fifteen minutes. Senator Maitland, for what purpose do you rise?

SENATOR MAITLAND:

Thank you, Mr. President. I have a group of students from Tri-Point Junior High in the gallery behind the -- the Democrats. I would like to ask them to stand and be recognized by the Senate. And welcome to Springfield.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests please rise and be recognized? Welcome to Springfield. We will now go to Executive Session for the purpose of advise and consent. Will the Members please come to the Floor? Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. McLennand, 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 293.

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

We have a like Message on Senate Bill 907 and Senate Bill 925.  
PRESIDING OFFICER: (SENATOR DUDYCZ)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Leave is granted. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

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Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of January 31st, 1995, reported the same back with the recommendation that the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I move the Senate resolve itself into Executive Session for purpose of acting on the Governor's appointments set forth in his Messages of January 31st, 1995, February 10th, 1995, and May 16th, 1995; the Secretary of State's Messages dated April 7th, 1995 and May 16th, 1995; and the Comptroller's Message dated May 14th -- May 4th, 1995. Mr. President, with respect to the Governor's Message of January 31st, 1995, I will read the salaried appointment to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Director of the Department of Corrections for a term ending January 15th, 2001 <sic>, Odie Washington of Dixon.

Mr. President, having read the salaried appointment, I now seek leave to consider this appointment on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

On the Department of Transportation, I notice Director. Do you mean Kirk Brown? It's -- it's said here as Robert Brown.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Burzynski.

SENATOR BURZYNSKI:

His name is Robert Kirk Brown.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, does the Senate advise and consent to the nomination just made. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Mr. Secretary.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of February 10th, 1995, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. With respect to the Governor's Message of February 10th, 1995, I will read the salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Director of the Department of Aging for a term ending January 20th, 1997, Maralee Lindley of Springfield.

To be the Director of the Department of Agriculture for a term ending January 20th, 1997, Rebecca Doyle of Gillespie.

To be the Assistant Director of the Department of Agriculture for a term ending January 20th, 1997, David Bender of Lincoln.

To be the Director of the Department of Alcoholism and Substance Abuse for a term ending January 20th, 1997, Barbara

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Cimaglio of Chicago.

To be the Director of the Emergency Management Agency for a term ending January 20th, 1997, John Mitchell of Orland Park.

To be the Director of the Department of Employment Security for a term ending January 20th, 1997, Lynn Doherty of Park Ridge.

To be the Director of the Environmental Protection Agency for a term ending January 20th, 1997, Mary Gade of Springfield.

To be the Director of the Department of Financial Institutions for a term ending January 20th, 1997, Frank Casillas of Downers Grove.

To be the Assistant Director of Financial Institutions for a term ending January 20th, 1997, Halina Bielowicz of Glenview.

To be the State Fire Marshal for a term ending January 20th, 1997, Thomas Armstead of Springfield.

To be the Director of the Department of Human Rights for a term ending January 20th, 1997, Rose Mary Bombela of Chicago.

To be the Assistant Director of the Department of Insurance for a term ending January 20th, 1997, Madelynn Brown of Chicago.

To be the Director of the Department of Labor for a term ending January 20th, 1997, Shinae Chun of Riverwoods.

To be the Chief Factory Inspector for the Department of Labor for a term ending January 20th, 1997, Robert Nicol of Edinburg.

To be the Superintendent of Safety Inspection and Education for the Department of Labor for a term ending January 20th, 1997, Francis Mon of Skokie.

To be the Director of the Department of Nuclear Safety for a term ending January 20th, 1997, Thomas Ortziger of Flossmoor.

To be the Director of the State Police for a term ending January 20th, 1997, Terrance Gainer of Springfield.

To be the Director of the Department of Professional Regulations for a term ending January 20th, 1997, Nikki Zollar of Chicago.

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To be the Director of the Department of Public Health for a term ending January 20th, 1997, John Lumpkin of Chicago.

To be the Director of the Department of Rehabilitation Services for a term ending January 20th, 1997, Audrey McCrimon of Chicago.

To be the Director of the Department of Revenue for a term ending January 20th, 1997, Raymond Wagner of Springfield.

To be the Assistant Director of the Department of Revenue for a term ending January 20th, 1997, Patricia Marriott of Springfield.

And to be the Secretary of the Department of Transportation for a term ending January 20th, 1997, Robert Kirk Brown of Sherman.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you put the question as required by our rules?  
PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Klemm, what purpose do you rise?

SENATOR KLEMM:

Just for a purpose of an announcement, since we're between bills. And that is, I wanted to have the Senate welcome some retired teachers from McHenry County in the gallery behind the Senate upstairs, and they're here, of course, on the issue that you're familiar with. And welcome to the Senate.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests please rise and be recognized? Welcome to the Senate. Senator Peterson, what purpose do you rise?

SENATOR PETERSON:

For the purposes of an announcement, Mr. President. The Revenue Committee will meet at 11 o'clock in Room 212 to consider concurrence motion on Senate Bill 368.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Mr. Secretary.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 16th, 1995, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. With respect to the Governor's Message dated May 16th, 1995, I will read the salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Assistant Director of the Department of Commerce and Community Affairs for a term ending January 20th, 1997, Levi Moore of Chicago.

To be the Director of the Department of Conservation for a term ending January 20th, 1997, Gordon Brent Manning of Pawnee.

To be the Director of the Department of Mental Health and Developmental Disabilities for a term ending January 20th, 1997, Ann Patla of Barrington.

To be the Assistant Director of the Department of Public Health for a term ending January 20th, 1997, Mark Schmidt of Chatham.

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To be the Director of the Department of Veterans' Affairs for a term ending January 20th, 1997, Robert Foster of Springfield.

To be the Assistant Director of the Department of Veterans' Affairs for a term ending January 20th, 1997, George Cramer of Woodridge.

To be a Member of the Illinois State Labor Relations Board for a term ending January 25th, 1999, Robert Healey of Homewood.

To be the Chairman of the Pollution Control Board, effective July 1, 1995, for a term ending July 1, 1998, Claire Manning of Williamsville.

To be Members of the Pollution Control Board, effective July 1, 1995, for terms ending July 1, 1998, Marili McFawn of Palatine and Joseph Yi of Park Ridge.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you put the question as required by our rules?  
PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. With respect to the Governor's Message dated May 16th, 1995, I will read salaried appointments to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To be members of the State Board of Elections, effective June 30th, 1995, for terms ending June 30th, 1999, Kenneth Boyle of

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Springfield, Hannelore Huisman of Rock Island, Mitchell Kobelinski of Chicago, and Theresa Petrone of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, none voting Present, none voting Nay. And a two-thirds majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. With respect to the Governor's Message of May 16th, 1995, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To be members of the Capital Development Board for terms ending January 18th, 1999, George Fleischli of Springfield.

To be members of the Children and Family Services Advisory Council for terms ending January 20th, 1997, Herbert Holzman of Highland Park, Susan Kelsey of Chicago.

To be a member of the Children and Family Services Advisory Council for a term ending January 18th, 1999, Robert Gillogly of Peoria.

To be a member of the Advisory Board to the Department of Conservation for a term ending January 13th, 2001, George Fleischli of Springfield.

To be a member of the Illinois Health Care Cost Containment

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Council for a term ending September 5th, 1996, Kristine Coryell of Chicago.

To be a member of the Kaskaskia Regional Port District Board for a term ending June 30th, 1995, Roger Rubemeyer of Freeburg.

...(microphone cutoff)...a member of the Lottery Control Board for a term ending July 1, 1996, Hilder Garrison of Naperville.

To be members of the Illinois State Medical Disciplinary Board for terms ending January 11th, 1999, Boyd McCracken of Greenville, Michael Murphy of Belleville.

To be a member of the Medical Licensing Board for a term ending January 8th, 1998, Thomas Schrepfer of Urbana.

To be the Public Administrator and Public Guardian of Massac County for a term ending December 7th, 1998, Clifford Johnson of Joppa.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question, does -- does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. With respect to the Governor's Message of May 16th, 1995, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

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To be a member of the Kaskaskia Regional Port District Board for a term ending June 30th, 1998, Roger Rubemeyer of Freeburg.

Mr. President, having read the unsalaried appointment, I now seek leave to consider this appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Smith.

SENATOR SMITH:

Mr. President and Members, I would like to ask the Chairman of the advise and consent a question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Smith.

SENATOR SMITH:

I'd like to get a clarification about the appointment of Mr. Odie Washington as Director of Department of Corrections. Did you name a salary or anything as far as he is concerned in announcing your appointments here this morning?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

No, ma'am. We do not name the salaries, as we do the appointments, during this process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Smith.

SENATOR SMITH:

...is officially appointed as Director of Corrections. Is that right?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Yes, ma'am.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Smith.

SENATOR SMITH:

Thank you, sir. I just received some information here. Thank you, kindly.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, does the -- the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Mr. Secretary.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Secretary of State's Message of April 7th, 1995, reported the same back with the recommendation that the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. With respect to the Secretary of State's Message A of April 7th, 1995, I will read the appointment to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Commissioner of the Merit Commission for the Office of the Secretary of State for a term ending June 30th, 1995, Monroe Flinn of Cahokia.

Mr. President, having read the salaried appointment, I now seek leave to consider this appointment on a roll call. Mr.

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President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you, Mr. President. I was trying to push my button and it didn't quite work, but if I was in -- if I was timely, I would have voted Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will so reflect. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. With respect to the Secretary of State's Message B of April 7th, 1995, I'll read the appointment to which the Senate Committee on Executive Appointments recommends Senate do advise and consent:

To be Commissioner of the Merit Commission for the Office of Secretary of State for a term ending June 30th, the year 2001, Monroe Flinn of Cahokia, effective July 1, 1995.

Mr. President, having read the salaried appointment, I now seek leave to consider this appointment on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Mr. Secretary.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Secretary of State's Message of May 16th, 1995, reported the same back with the recommendation that the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. With respect to the Secretary of State's Message of May 16th, 1995, I'll read the salaried appointment to which the Senate <sic> on Executive Appointments recommends the Senate do advise and consent:

To be the Director of the Department of Personnel for the Office of the Secretary of State, Tina Prose of Girard.

Mr. President, having read the salaried appointment, I now seek leave to consider this appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

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SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Office of the Comptroller's Message of May 4th, 1995, reported the same back with the recommendation that the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. With respect to the Comptroller's Message dated May 4th, 1995, I'll read the salaried appointment to which the Senate Committee on Executive Appointments recommends Senate do advise and consent:

To be the -- to be the Director of the Department of Personnel for the Office of the Comptroller, Susan Vespa of Springfield.

Mr. President, having reading the salaried appointment, I now seek leave to consider this appointment on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none -- none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Burzynski.

SENATOR BURZYNSKI:

Mr. President, I move the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DUDYCZ)

You've heard the motion. All those in favor, say Aye. Opposed, Nay. The motion carries. Resolutions.

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SECRETARY HARRY:

Senate Resolution 82, offered by Senator Demuzio.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar.

SECRETARY HARRY:

Senate Joint Resolution 51, offered by Senators Karpziel, Barkhausen and Parker.

It's substantive.

PRESIDING OFFICER: (SENATOR DUDYCZ)

If you turn your Calendars to the top of page 8, we will now go to the Order of Secretary's Desk, Non-concurrence, House Bills. House Bill 2226. Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to refuse to recede from Senate Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin moves that the Senate refuse to recede from the adoption of Senate Amendments No. 1 and No. 2 to House Bill 2226 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. The Senate will stand at recess till the hour of 1 p.m. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Have -- have we decided what time we're meeting with the Appropriations Committee, or did I miss it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It's our intention that we go into caucus probably around noon and

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would hope to go into Appropriation hearings at about 2, assuming that two hours was sufficient for caucuses to -- I mean, I -- I guess you guys could caucus sooner, but we are waiting for our analysts to -- to finish their mark-ups. I'm reliably advised that -- our caucus probably won't start till closer to 1 now, so we would -- whatever time's necessary for people to feel comfortable in caucus on the budget, we would hope to go to Appropriation Committee at 2:30 or 3 and then come back to the Floor for action late afternoon, early evening.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, so there's no misunderstanding, we -- we haven't decided that we're going to caucus yet, and we'll decide when -- when the Leader indicates.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I just -- just as a matter of convenience, we were letting you know that was our anticipated plans. Thank you, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Smith, for what purpose do you rise?

SENATOR SMITH:

A matter of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR SMITH:

I love my Chairman of Appropriation, but this is the Senate, and I'm asking him -- and I know he doesn't mean it, but don't call us over here "guys". Recognize us as Senators, please. It's just, you know, common courtesy. Thank you, very kindly.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd like to apologize to Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate will stand in recess until the hour of 1 p.m.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

For all the Republican Senators that are within earshot of my voice, there is a Republican caucus in Pate Philip's Office immediately. Immediately.

PRESIDING OFFICER: (SENATOR WATSON)

We'd like to take a moment of the Senate here today to make a presentation. As you know, each year we have the Illinois House-Senate Softball Game, and all the Members help contribute to that and we always give money to a local charity here in Springfield. The House contributes and, of course, each Member of the Senate contributes this year, and I want to thank every Member for that. And this year, our new Mayor, Karen Hasara - of course, still our Senator - is going to make a presentation to a local charity and we have Representative Raymond Poe with us also, who was instrumental in the selection of this particular local charity. So, Senator/Mayor Hasara.

SENATOR HASARA:

Thank you very much, Senator Watson, and to all of the players of the softball game who certainly helped with this contribution. Representatives Klingler and Poe and I are delighted this year to

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present a check for fifteen hundred dollars to Andy Anderberg, who's the director of the local YMCA. This money will be used for twenty youth memberships for disadvantaged youth who would not have the opportunity without our help to have a year's membership at the YMCA. So, I just want to thank everyone who participated in the game and donated, and I know that this money will be put to good use. Andy, if you'd like to say a word or two, be delighted to have you do that.

MR. ANDY ANDERBERG:

Okay. Thank you very much. On behalf of the YMCA Board of Directors and the youngsters who will be receiving memberships to the YMCA, I want to thank you. I'm sure the youngsters will appreciate this. Last year we served over one thousand underprivileged youth with scholarship memberships, and this year the funds are down, but the demand is up, and so this contribution will be especially welcomed and -- and useful to us. So again, thank you very much.

PRESIDING OFFICER: (SENATOR WATSON)

Yes, Representative Clayborne, for what purpose do you rise? Senator Clayborne. Pardon me.

SENATOR CLAYBORNE:

Thank you, Mr. President. The -- Senator Jones is requesting a 3 p.m. caucus - Democratic Caucus - in his office at 3 p.m.

PRESIDING OFFICER: (SENATOR WATSON)

I would assume that the Members who heard that in their offices will be notified properly. That request is -- certainly will be honored.

SENATOR CLAYBORNE:

Thank you, Mr. President.

(SENATE STANDS IN RECESS)

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(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WATSON)

The Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned to committees: Referred to the Committee on Appropriations - Conference Committee Report 1 to Senate Bill 465; referred to the Committee on Transportation - Conference Committee Report 1 to Senate Bill 1039; and Be Approved for Consideration - Conference Committee Report 1 to Senate Bill 925, Conference Committee Report 1 to House Bill 314, and Conference Committee Report 1 to House Bill 2226.

PRESIDING OFFICER: (SENATOR WATSON)

The Senate will continue to stand in recess till the call of the Chair.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Senate will come to order. Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your announcement.

SENATOR RAUSCHENBERGER:

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For the Members, we expect at 4 o'clock to convene in Room 212 to hear the conference committees relating to the budget, as well as the Senate bill on the Court of Claims. I would appreciate all Members being prompt. That's 4 o'clock, Room 212, for all Members of the Senate Appropriation Committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Rauschenberger. Committee Reports.

SECRETARY HARRY:

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bill 368 - the First Conference Committee Report Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

House Bill 1069, with Senate Amendment 1.

Non-concurred in by the House, May 26th, 1995.

We have another Message. The House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 41, with Senate Amendment 1.

I am further directed to inform the Senate that the House of Representatives has refused to -- concur with the Senate in the adoption of Amendment No. 3.

Action taken by the House, May 26th, 1995.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell, for what purpose do you rise?

SENATOR FAWELL:

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For purpose of an announcement. The Transportation Committee will meet at 4 o'clock - 4 o'clock - in Room 400. We have one committee amendment - a concurrence.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Resolution 82 <sic> (83), offered by Senator Demuzio. It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. The Senate will stand at ease and we'll convene immediately following the Appropriations hearing, which is expected to conclude approximately 6:30. Senate will be standing at ease until the Appropriations Committee concludes their business, estimated at approximately 6:30 p.m.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WATSON)

The Senate will reconvene, 6:30 having arrived. Committee Reports.

SECRETARY HARRY:

Senator Rauschenberger, Chair of the Committee on Appropriations, reports Senate Bill 465 - the First Conference Committee Report Be Approved for Consideration; Senate Amendment 1 to House Bill 803 Be Adopted.

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned to committees: Re-referred from the Transportation Committee to the Rules

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Committee - Conference Committee Report 1 on Senate Bill 1039; Be Approved for Consideration - Conference Committee Report 1 on Senate Bill 1039, Conference Committee Report 1 on Senate Bill 293, and Conference Committee Report 1 on Senate Bill 907.

PRESIDING OFFICER: (SENATOR WATSON)

I would like to encourage all the Members to proceed to the Floor. We're going to start with Senate Calendar, 89th General Assembly, State of Illinois, Supplemental No. 1, dated Friday, May 26th, in the year 1995. We will proceed now with Supplemental Calendar No. 1. On the Order of Non-concurrence is House Bill 2177. Senator Madigan. Mr. Secretary, please read his motion.

SECRETARY HARRY:

I move to recede from Senate Amendment 3 to House Bill 2177. Filed by Senator Madigan.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you -- thank you, Mr. President and Members of the Senate. I would move to recede from Senate Amendment No. 3 to House Bill 2177.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan has moved to -- that the Senate recede from Senate Amendments <sic> No. 3 to House Bill 2177. Is there any discussion? Any discussion? Senator Berman.

SENATOR BERMAN:

Would the sponsor please explain what the motion -- what the amendment was that we are being asked to recede from?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Senator Berman, Senate Amendment No. 3 contained the provisions of Senate Bill 95, Senate Bill 101,

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Senate Bill 738, all of which passed this Chamber with no negative votes, and it also allowed downstate suburban police and sheriffs to transfer time from local pension funds to the Illinois Municipal Retirement Fund or the State Employee System.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Further discussion? If not - this is final action - the question is, shall the Senate recede from Senate Amendment No. 3 to House Bill 2177. Those in favor, vote Aye. Opposed, 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, there are 32 voting Yes, 22 voting No, no voting Present. The Senate recedes from amendments -- Senate Amendment No. 3 to House Bill 2177, and having received the required constitutional majority, is declared passed. We are now still on Supplemental Calendar No. 1, on page 2 of the Calendar, on the Order of Conference Committee Reports. Madam Secretary, do you have on file a conference committee report on Senate Bill 293?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 293.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh. Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Conference Committee on Senate Bill 293 creates the Mental Health Treatment Preference Declaration Act. Permits mentally capable adults to make a declaration of preferences or instructions regarding future mental health treatment. The principal may designate an attorney-in-fact to make decisions about mental health treatment when the principal has been determined to be incapable. This bill passed the -- the Senate. There was no opposition. Additionally, this bill has some clean-up language for

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the Department of Mental Health and Developmental Disabilities. There is some language that passed here before on -- for State's Attorney O'Malley that was agreed upon, and there is also the psychotropic medication bill which passed here, I believe, with no opposition. And I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate adopt Conference Committee Report on Senate Bill 293. Those in favor, vote Aye. Opposed, 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, there are 57 voting Yes, no voting No, no voting Present. The Senate does adopt Conference Committee Report on Senate Bill 293, and the bill, having received the required constitutional majority, is declared passed. Madam Secretary, do you have a conference committee report filed on Senate Bill 368?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 368.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Conference Committee Report No. 1 on Senate Bill 368 is the so-called trailer bill for property tax caps. Many, many issues were discussed. In the end, we concluded with two items that do not raise the -- that do not raise the caps, and one is the removing of the alternate bonds from the tax caps, and the other one is to turn around and permit non-referendum debt to continue in the future on a cap basis based on the 1994 amount. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? First of all, why don't we -- why don't we take our conferences off the Floor and give our attention

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to those who may want to ask questions and those who may want to present their conference committee reports. Now we have a question and a concern from Senator Berman. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. On the -- on the motion: I'm going to vote Yes on the Conference Committee Report, but let me just point out to you that the House really didn't do much of a job in addressing the needs of local governments or schools by the action that -- that followed the Senate's approval of Senate Bill 401. Senator DeAngelis worked very, very hard to put together Senate Bill 401, which was the trailer bill to the tax caps. And Senate Bill 401, just to refresh your memory, did some fine-tuning to the -- tax cap bill. And to Cook County and the collar counties that now have tax caps, Senate Bill 401 addressed the following issues: It -- it addressed the question and the problems of increased enrollment; it addressed the problems of -- in Cook County, of the prior year equal assessed valuation, which penalizes every one of the taxing bodies in Cook by making up -- making them use not 1994, but 1993 assessed valuation. In the South Triad, the south one-third of Cook County, those taxing bodies and those schools in particular, including schools in the sponsor's home district, those schools -- some of those schools may not be here next year because of the crucial problems that they face that we addressed in Senate Bill 401 to allow them a seven-and-a-half percent increase that the House refused to act on. And then the other issue was life safety, which is addressed to some very, very, very small part in Senate Bill 368. My school districts in the suburbs called me and asked me to support 368. Their getting a very, very little response in this bill. They want it. I'm going to vote to give it to them, but it certainly is a pittance - a pittance - from what they deserve, and the House failed to respond to the needs of the children and the citizens that are served in the

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collar counties and in Cook County under the tax caps. I urge a Yes vote, but I want to let you know how these taxing bodies and the people they serve have really been neglected by the House's action.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I rise in opposition to this bill. This Senate Bill - the -- the Conference Committee Report on Senate Bill 368 - punches a hole in the tax caps. And what this does is create a permanent bond indebtedness, a line up to which different governments can borrow money and extend it on our property tax payments. This is analogous to if you -- if you buy an asset, you sign a mortgage; after you get finished paying that mortgage off, or after you get finished paying off the bond issue, then it should go -- the -- the argument against doing this is that the -- it goes down, and it -- this -- once you get finished paying for something, you ought to be done with it. And if people want to buy either another park or something, they ought to go to referendum and ask the voters, again, to pay for it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jones.

SENATOR JONES:

Thank you, Madam President -- Mr. President. I reluctantly rise to support this legislation, but when you rush to judgment, when you try to do something just to meet a time frame, you make huge mistakes. And this is a clear example of such, 'cause a portion of my district schools will be impacted by the tax caps. But during the course of debate on the tax cap, it was known at that time that the south suburbs in my -- part of my district would be adversely impacted, as well as the sponsor of this piece of legislation. If we were really concerned about the schools,

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this should have been included in the tax cap legislation. It should have been -- the provisions of 401 should have been included in the tax cap legislation, and as a result, the schoolchildren would not be hurting in my district. So I reluctantly rise to support this, but again, when you rush to judgment without reading and thoroughly debating the issues, you do harm to people, and as a result, the schoolchildren will suffer as a result of the House failure to act. And we in this Body, as well as the other Chamber, hastily pushed through some tax caps, just to meet some artificial deadline.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I find myself in a awkward position, because it's very seldom that I agree with Senator Lauzen, but in this case, I definitely do. I look at it from the standpoint of being a Senator who doesn't vote on property tax caps because I think it's the wrong way to go. I think that a property tax cap is fine if we are fulfilling our responsibility. When we're not doing that and then to tell local governments that we're going to cap them too is wrong. Here's a case where we said - this Body, not me - but this Body said, "Yeah, let's -- let's cap these taxes." Now, all of a sudden, we say, "Whoops! We want a little reprieve here." So now, all of a sudden, we want an exemption from the tax cap. And as I see this and as I read it, there appears to be, in this tax cap, in this language of limited bonds, that they can be property tax bonds. Is that correct, Senator?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor will yield, Senator Jacobs. Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Weaver.

SENATOR WEAVER:

I'd move the previous question, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

The previous question has been removed -- or, moved, excuse me. And there are two more speakers. Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I asked a question about this -- this particular concurrence early on - this Conference Committee Report, I should say. And the way I read it is, if you are for tax caps, if you voted for tax caps, you would be voting against this Conference Committee Report. Now, I heard a lot of conversation early on in the Session. We passed out bills early on in the Session dealing with this particular issue: tax caps. I think that those of us that support tax caps should be consistent and keep them in place and not let this bill supersede, go around, do an end run, on that base principle. I think also, and I have a question also, about whether this is, in fact, a new tax. I'm not sure that we are just going around or going behind the tax cap proposal. I think we might - and we'd have to take a very, very close look - we might be creating and establishing a new tax. So, Mr. President, Ladies and Gentlemen, I would suggest that the No vote on this particular Report would be the correct vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Tom Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I voted for an income tax increase in '89 when I thought it was warranted for education, and I voted for tax caps because I thought things were out of control. And I voted this year for Senate Bill 212, which provided some

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adjustment for park districts on capital development, and I voted for Senate Bill 401 this year for education. But this bill is different. This bill gives and is being sold to us on the basis that it's bonding but only at the 1994 level. Well, the bonding is frozen at the 1994 level. The problem is that the bonding authority is going to be frozen in time forever. And that's the problem: that this bonding authority will be used until we go back and change it and take it away, and that's not going to happen. There does seem to be a certain fear of some of these taxing bodies to take things to referendum to the public. That's what the tax caps were designed to do, and that's what they ought to be doing.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, and the previous question had been moved, Senator DeAngelis, to close.

SENATOR DeANGELIS:

Thank you, Mr. President. I'm just utterly amazed at some of the comments here. First of all, what we're talking about are items that are non-referendum bonds. When we passed the tax caps, inadvertently or whatever way, it was not the intent that somebody could not roll over their bonds. But be that as it may, it was interpreted as such. First and foremost, this does not exceed the caps. This does not exceed the caps. This does not exceed the caps. What you're allowing somebody to do is, under an extension that is frozen from -- on the 1994 level, to use in the future or not use the ability to levy those kind of bonds, provided they do not exceed the cap at that level, which means, essentially, as the CPI goes up and they're frozen, you're going to be below the caps. There was never any intent on the -- on the non-referendum bonds to do that. I do not know how, in any shape, form or manner that this can be interpreted as a tax increase or as a new tax, because the non-referendum bonds have been there since day -- day one. I

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urge your -- the House, by the way, overwhelmingly approved this.

PRESIDING OFFICER: (SENATOR WATSON)

The...

SENATOR DeANGELIS:

I'd urge your favorable vote on it.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 368. Those in favor, vote Aye. Opposed, 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, there are 37 voting Yes, 20 voting No, 1 voting Present. Senate Bill 368 -- the Senate does adopt the Conference Committee Report on Senate Bill 368, and the bill, having received the required constitutional majority, is declared passed. This is Senate Bill 465. We would like to utilize the timer at this particular time, and it'll be a three-minute timer during debate. On the -- page two of the Calendar is Senate Bill 465, Conference Committee Report. Madam Secretary, do you have on file a conference committee report on Senate Bill 465?

ACTING SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 465.

PRESIDING OFFICER: (SENATOR WATSON)

We have a considerable number of lights here. I don't know if you wish to speak now. Senator Jones, for what purpose do you rise?

SENATOR JONES:

The point I rise on, Mr. President, is that you -- you made a statement that there would be a three-minute time for debate on this issue. On what basis did you make that statement?

PRESIDING OFFICER: (SENATOR WATSON)

Well, on the basis -- if I recall right, Senator Jim Donnewald, a former Member of your particular side of the aisle,

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that was sort of a rule that he instituted when you controlled the Chair, and we think that that was a pretty good rule and we would like to see that furthered. Senator Maitland. Yes. Senator Jones.

SENATOR JONES:

Well, I thought this Body adopted a rule that said five minutes, and I had some conversation with Senator Philip along these lines. I don't know if you had consultation with him, but if there is a rule as such as it would come to debate, then the proper procedure would be for one to suspend the rules for you to do that.

PRESIDING OFFICER: (SENATOR WATSON)

Well, thank you for that input, Senator Jones. We'll now proceed to Senator Maitland, on Conference Committee Report on Senate Bill 465. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Committee <sic>. The Conference Committee Report on Senate Bill 465 is the budget implementation language for the FY'96 budget, and if I might, Mr. President, just let me walk through some of the more important aspects of the Act, then I would be happy to respond to any questions any Member might have. First of all, it does extend the hospital assessment for Medicaid for two -- two years, sunsetting that tax on June 30th, 1997. It is at a reduced level from what it was before. As you may recall, it was 1.88 percent. It is now reduced by 1.25 percent of gross revenues. It further allows the Department of Public Aid to establish criterion and develop methodologies for the disbursement of the adjustment payments to hospitals. As you know, the current law sunsets many of those hospital add-on payments, and our FY'96 budget that we will be proposing to you later will appropriate roughly sixty million add-backs for critical hospital adjustments across this

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State. It does continue the freeze on hospital base reimbursement rates which has been in place since January 1994. It continues the Medicaid reimbursement rate freeze on long-term care facilities. It exempts Medicaid services from the provisions of the Prompt Payment Act. It eliminates the Department of Public Aid's Interim Assistance Program and restructures the Transitional Assistance Program, both effective September 1 of '95. Elimination of this program will save approximately forty-five million dollars. Some of the people who were eligible for Interim Assistance will now be eligible for the restructured Transitional Assistance Program. The restructured program will offer a cash assistance grant of roughly sixty dollars per month -- month, plus some medical services. The recipients who are determined by the Department of Public Aid to be disabled will receive full Medicaid services. The restructured TA Program will cover persons who have applied for SSI and are -- determined disabled and persons who are unemployable because they are -- they meet one of four criterion, and I won't read through those now. I would be happy to mention those later if any Member wants to know what they are. It further amends the Illinois Act on Aging, Nursing Home Care Act and the Disabled Person Rehabilitation Act to require universal preadmission screening of all nursing home new admissions effective July 1, '96. It imposes a tax at a rate of eighteen percent on the wholesale price of tobacco products sold or otherwise disposed of in Illinois. That money, of course, is deposited in the Long-Term Care Provider Fund in the State Treasury. It addresses some concerns for the Department of Children and Family Services, specifically home of relative reform. In the past year -- past six years, you may recall, that particular program has grown five times. It has grown very rapidly. This is the second-highest rate in the nation. In order to address this problem, the agency proposes to clarify the

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boundaries of private kinship, and what we are going to do is children who have no protective need - no protective need - and are safely and securely cared for in homes of relative will not be wards of DCFS. There is absolutely no need for this at all. DCFS custody will be restricted only to children removed from the home of parents or relative due to abuse or neglect. We further, in our home of relative, will -- will offer two types - two types - of programs. First of all, DCFS will operate a single foster care licensing program open to both relatives and nonrelatives. Relatives who choose to apply for foster home licensing and subsequently become licensed will receive the DCF <sic> boarding rate. With these licensing change -- changes, DCFS will incur a savings of nearly six million dollars. Family preservation services: This bill delays the full implementation of the Family Preservation Program until July 1 of the year 2000. TRS Health Insurance Plan clean-up language that addresses House Bill 323, the plan to finance the continuation of the TRS health insurance subsidy by making technical changes requested by CMS. It consolidates the Governor's Purchased Care Review Board under the State Board of Education. It creates the School Technology Program. It amends the Riverboat Gambling Act. And finally, it provides emergency rule-making authority to implement the components of this Act. Mr. President, I would be happy to respond to any questions any Member might have.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Weaver.

END OF TAPE

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SENATOR WEAVER:

Thank you, Mr. President. I'd move the previous question.

PRESIDING OFFICER: (SENATOR WATSON)

Okay. Previous question has been moved. There are eight people wishing to speak. We will begin with Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. Chair and Members of the Senate -- Mr. President. I'm sorry. I was reminded that you are the President. But, Senator, I raised some questions with DCFS, and it's very disturbing to me - very, very disturbing - and I think it's because we haven't really thought very carefully about what we're doing to those children who are charged with a crime, who's picked up on the streets and who is taken to the police station and has to be detained some place until they -- the court date comes up for trial. It is in this bill -- and -- and if you heard the Director, and I know that many of you were not paying that much attention, it is because an increased number of children now committing crimes, and there's no place to put them. And I'm sure that you know that many of the counties, especially Cook County, is operating under federal orders now not to commingle juveniles with -- with adults, even while they're awaiting crime <sic>. Now, we're not dealing with those children who have been adjudicated a criminal, but we're talking about children who are out there on the streets. Many of them are stealing for a living. Many of them are homeless. The -- over the age of -- of -- let's say a fourteen-year-old, this bill would prohibit the courts from assigning temporary custody of this child to DCFS unless that child was already in that system or came in that system because the child was abused. And that bothers me. It bothers me because the counties now - and I don't know where the counties were when all of this was going on - will have to come up with the money to -- to -- to build new facilities or find places for these children

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while they are awaiting their trials. And in addition to that, these children need guardians, they need counseling, they need advocates or somebody there, in addition to their public defender, helping them with the needed social services until such time that they can -- that they do go to trial. And I'm concerned about it, and this is a poor way to balance the budget. And that's basically the theme of this whole budget. It is to balance the budget on the backs of the poor, the children and the elderly of this State, and this is a blatant example and I think it's wrong.

PRESIDING OFFICER: (SENATOR WATSON)

WAND-Channel 17 and WCIA-Channel 3 have asked permission to videotape. Leave is granted. Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, Illinois law prohibits marriages between certain close relatives. It does so because of the product of those marriages over time have been felt to be something less than what society might want in terms of their mental capabilities. I think we have seen by this product what happens when there's too much inbreeding and not enough bringing in others, whether it was us or some of the interest groups, and it might even, Senator, violate some State criminal law. But let me go into the content. I am very concerned about the issue that affects health care in Illinois, and I do believe that this implementation approach will, in fact, cause a health care crisis, the likes of which this State has never seen before. It will be a crisis of availability, a crisis of access to health care: access in my community, the suburbs of Chicago, the City of Chicago and, yes, downstate. What this implementation bill does is eliminates four hundred million dollars of statutorily created adjustment payments, and then let me explain what they did in an attempt to resolve some of it.

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They took it all out and then added back what I have called a "cannibal fund". Why "cannibal"? Because if you want into that fund, you've got to eat up somebody else who was otherwise going to be in there or you cannot get any money. Instead of four hundred million, they're putting in about fifteen percent of that. Let me tell you what they're taking out and what they said "may" - not shall, not by Statute anymore, but by a rule later to be created by a Department - "may" allow payments. They are taking out obstetric care. They are taking out entirely and will not be even in the cannibal fund, according to the Director, rural primary care. They will leave in some amount for trauma. Less than they got this year, but some amount. They are taking out, totally, perinatal. They are taking out all but about two million in rehabilitation services. They are taking out altogether any adjustment for indigents in an outpatient setting. They are taking out altogether, from all hospitals, anything for uncompensated care. They are taking out altogether, all over this State, any funding for teaching - a significant amount of money. They are totally eliminating it by this legislation, and by rule, only trauma and rehab may, in fact, be partially put back. What are they going to cause? If you look at the loss of four hundred million dollars, even on a lesser tax, let me just give you a few examples of what happens to a few of your and my hospitals. A hospital in Chicago, Norwegian American, which once had about seven million dollars to put into some of its capital programs, will lose twenty million dollars, will have an operating loss of twelve million dollars. They have said they cannot stay open. Mercy, which had had 2.6 million available for things like upgrading their facilities, will lose ten and a half million dollars, a net operating loss of 6.7 million. They have said also they probably cannot stay open. Even the great Rush-Pres. St. Luke's would lose over fourteen million dollars and would be in

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red ink. Michael Reese would have red ink of over six million dollars. Schwab would be wiped out. Illinois Masonic would go to four million dollars loss, red ink, at the end of the year, after we take away - you take away - thirteen million dollars. Mount Sinai, we take away over twenty-six million dollars. They will have red ink of twenty-two million dollars. And it is no secret in this Chamber that they have told the Governor, "Here's the keys to the hospital. We cannot maintain it. It can be yours." But let's talk for a moment about Olympia Fields. They will lose...

PRESIDING OFFICER: (SENATOR WATSON)

Very short moment -- a very short moment, Senator.

SENATOR CARROLL:

...over two million dollars, as will United Samaritan, in the 53rd District, will lose over six million dollars, of red ink. I'm not talking about only what we take away, but they don't have enough money to offset it. What will happen is - and I'll bring it to a close if I might, and I appreciate the time, Mr. President - if you just talk about the City, what is going to happen is the -- the people of the suburbs are going to pay for this, and let me explain why. If Mercy closes, if Mount Sinai closes, if Norwegian closes, some of those patients have nowhere to go but to Cook County. Cook County is funded by the taxpayers of the County of Cook. Fifty-seven percent of the taxes in Cook County come from the suburbs. There will be a tax increase in order to keep County open; that taxes will be paid a majority by the people in the suburbs. Those patients who go elsewhere, because we underfund in their uncompensated care, whatever hospital they go to, it is known that that hospital will have to cost shift, and that cost shifting will raise your and my insurance rates 'cause they will have to charge the insurance companies more and more and more for those services. So if you want to eliminate these additional payments, remember, to your constituents, that you are first

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increasing their insurance premium, and second, if you happen to have a district that touches the County of Cook, particularly the suburbs, you are going to be raising the real estate taxes in order to make up for this. And at the same time, I pity anyone driving down the Eisenhower who gets into an accident and tries to find a place for care. There won't be any hospitals left. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I'll keep my comments very brief, as I'd prefer to speak more specifically to the budget document itself. Just to say, as Senator Maitland, the sponsor, knows, and -- and many of us in this Chamber know, the Prompt Payment Act, which was suspended at the request of Governor Edgar during the Emergency Budget Act, '92-93, it was suspended with the hope, prayer and promise for only one year. Several years later, we've seen that it's still suspended, and to those of you who share the concern, this bill, among many other things, suspends the Prompt Payment Act.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Hello? Thank you. Thank you very much, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he will yield, Senator Trotter.

SENATOR TROTTER:

Yes. Senator Maitland, I'm sort of curious, this -- this tax -- the assessment tax -- how long has it been extended for? Isn't this in the...

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Two years, Senator Trotter.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Yes. And how much money will it generate?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

About four hundred million, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Four hundred million. And the -- the deficit is -- is 1. What? -- is it 1.6 billion? Is -- is that what the numbers were?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

1.25 at the end of '95. Senator Trotter, let me just make sure that you understand that the number I gave you on the tax, that's the gross number; that's not the net number.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Okay. Can you explain, too, what the difference is?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

It is the federal match, sir.

PRESIDING OFFICER: (SENATOR WATSON)

Further -- Senator Maitland.

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SENATOR MAITLAND:

It is the federal match, sir.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Cullerton. Oh! Senator Trotter.  
Excuse me.

SENATOR TROTTER:

Yes. I'm -- Okay. I'm -- we basically know now what's in this budget, and we know, of course, that there's not enough dollars in here to really accomplish what we need to be doing. I just want to make a comment, if I -- if I may. Having been born here in the State of Illinois and as -- attended its schools and traveled throughout the State -- basically, for those who may know, I was born in Cairo, Illinois, and in traveling through this State, I've -- I've seen a diversity; I've actually enjoyed the differences of -- of cultures and actually the kaleidoscope of individuals that you run in here into the State. I've experienced its good times. I've certainly been part of some of its bad times, and -- and the strength of this State has actually added to the strengths of my character. And those things that I saw -- about the worst in this State I saw, actually has made me more resolved - resolved to try to ensure that -- that things are better for those who do not have as much as -- as many of us do here in this Chamber. And because of that -- and because of that resolve, I have gotten involved in politics, gotten involved into a system in which we will work towards -- and work towards in trying to keep this a good place for all of its citizens to live. I've gotten involved in a process in which, in the past seven years that I've been in the various Chambers, I've been proud to say I've been a part of. Today, what we're - and you - are getting ready to do is something that no one here should be proud of. We should not -- we should be proud -- we should not be proud of this political process, because though it can be fascinating

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and though many of us sometimes think it can be complex, what this system really is and what it used to be was a very simple one. It was a system in which people who gave their word kept their word. It was a system in which many of us believe that we should not only be dealing with giving out in compassion, we should not only be dealing with what makes this process work, and that is compromise, but we should be dealing with the concerns of those individuals who do not have a voice or a big voice here in this State. We should have been concerned with being -- dealing with fairness - fairness into where as we brought this process and we took something home to all of its citizens, not just taking care of those billionaire cronies who make thirty million dollar -- get thirty-million-dollar write-offs. We are, right now, looking at a system that is failing, failing the people of this State, failing -- making us a mockery, making us the laughing stock of the other states in this country. We're looking at a system that looks and talks and says that they want to do something by -- per our Constitution, that we should be doing something for the poor and the elderly, but instead what we see is we're taking 31.6 million dollars out of a system and making cuts in the optometry services and the other health services that keeps this system -- and our citizens healthy and strong. We see a budget that now is filled with broken promises - promises made by the Governor of this State who stated that he would provide thirty percent -- thirty-six percent of the General Revenue funds for education, where, in fact, he only provided 1.9 percent. What we see here - and those of you who are going to vote for this budget - is a vote for losers. It's a budget that has been crafted, crafted by individuals who, like thieves in the night, are stealing from the citizens. They are stealing the services that we have said and by Constitution have been predicated by the Constitution saying that we must serve and protect the citizens. But we're not protecting

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anyone, and no one but the rich. This is not...

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Cullerton...

SENATOR TROTTER:

...this is a theft of services that we have here...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter, your time -- your time is expired.

SENATOR TROTTER:

If I -- if I just -- may just -- a few minutes -- a few more comments, Mr. President. If this is what you have chosen to be your legacy, this legacy of theft, this legacy of destruction, this legacy of school closings, then not only let it be your legacy and let it be your slogan and also be your epitaph, as you have wished death on the citizens of this State.

PRESIDING OFFICER: (SENATOR WATSON)

Yes. Further discussion? Senator Cullerton.

SENATOR CULLERTON:

...sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he will yield, Senator Cullerton.

SENATOR CULLERTON:

Senator Maitland, directing your attention to page 185 of the Conference Committee Report, there is a paragraph that I have a question, concerning the paragraph of new additional language to the Statute. This is Section 4.8 <sic> (14-8) of the -- of the bill regarding children's hospitals. So with regard to children's hospitals inpatient hospital rates and children's hospitals outpatient rates, is it the intention of this legislation to

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maintain both of those rates at the same dollar amount that are now in effect?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Yes, Senator Cullerton, to the best of our knowledge, it is.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

And also, if you could direct your attention to the last phrase of that sentence, it says, "less the portion of such rates attributed by the Illinois Department to the cost of medical education." To what does that refer in the previous paragraph? Does that refer to the children's hospitals or to the other hospitals?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator, I -- to the best of our knowledge, that is -- that is the per diem rate plus the -- the kids' add-on -- the kids' teaching add-on.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Maitland, to close. Senator Maitland. Senator Cullerton. I was watching you, and you did not have your light on, nor did you ask for further -- Senator Cullerton.

SENATOR CULLERTON:

Mr. -- Mr. President, as you know, after we ask a question, they turn the light off, and I was listening to the answer, and I just -- it's a very complicated...

PRESIDING OFFICER: (SENATOR WATSON)

That's fine. You go ahead. You proceed. You have -- you

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have a few seconds left.

SENATOR CULLERTON:

Does that mean that the -- maybe you could just sort of explain it in terms of the children's hospitals that have -- as I understand it, they have the cost of medical education. Is it going to be cut, or is it not going to be cut? My understanding is it's not going to be cut.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator, the -- the language freezes their base rate. I think we agree on that. We are putting back in -- one of our add-ons is a fifteen-million-dollar component for kids' teaching hospitals.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Maitland, to close.

SENATOR MAITLAND:

Thank you very much, Mr... Thank you very much -- thank you very much...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones, do you wish to speak? Senator Jones.

SENATOR JONES:

Just a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR JONES:

I think it's totally improper for you to arbitrarily cut off debate and go to Senator Maitland. No one has moved the previous question and Members on this side of the aisle had their lights on. Now, it's okay to try to attempt to abuse the authority and power just because you happen to have the majority, but a deliberative Body as such, Senator, don't arbitrarily just ignore the Members on this side of the aisle. Their lights were on, and

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give them the due courtesy as a fellow Senator, to -- to then be recognized on that all-important issue.

PRESIDING OFFICER: (SENATOR WATSON)

Senator, the previous question had been moved by Senator Weaver. Senator Jones.

SENATOR JONES:

You indicated, and as the previous person who -- who sat there indicated, that there were lights on when I recall Senator Weaver made the same type of thing right after the sponsor made his opening remarks. But -- but the person sitting in the Chair at that time, the Senator had enough respect for his fellow colleagues and recognized that we had these other Members. So are -- are you going to follow that same procedure, or are you just going to arbitrarily just say that we're going to cut off debate and go to the sponsor? I...

PRESIDING OFFICER: (SENATOR WATSON)

We will go to the sponsor for closing now, Senator. Senator Carroll and Senator Severns asked for extra time and consideration and they said that the debate would be limited. So if you have a question of this, I would suggest you talk to Senator Carroll. Senator Maitland, would you like to close? Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Thank you very much -- thank you very much, Mr. President, Members of the Senate. I -- I appreciate the discussion on -- on this issue, and it is an important one. My good friend, Senator Carroll, and I have debated issues like this for -- for a number of years and -- and there's always two sides to every story. Let me just -- let me just make it very clear, Ladies and Gentlemen of the Senate, the tax has been cut by one-third, and that's difficult not to support. And it's not as though there aren't add-ons to every hospital in this State. Let me -- let me read to

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you a few of them, all right? A hundred and twenty-four million, Senator Carroll, go to the hospitals for disproportionate care that you were concerned about. A hundred and twenty-four million. That's an add-on. That is an add-on. That's above base. Fifteen million for kids' teaching. One hundred and fifteen million for capital. That's a total of two hundred fifty-four million. In addition, we have the sixty million in add-ons. You mentioned trauma. The add-ons for trauma last year was twenty-eight million. We're putting back in twenty-seven. I'm not worried about traveling on the Stevenson or the Eisenhower. Money's there. Money's there. Three hundred and fourteen million dollars in add-ons, over and above base for the hospitals, plus reducing the tax. Many of those add-ons, Ladies and Gentlemen, were political in nature. Let's face it. They were done for one reason or another. We absolutely must work through this interim period before we get all of our system under MediPlan Plus, under managed care. We're all working for that. This will begin to get us there, and it's absolutely necessary. Mr. President, I'm -- I'm not going to comment on anymore of the bill. I would just appreciate very much an affirmative vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt Conference Committee Report on Senate Bill 465. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Take the record. On that question, there are 33 voting Yes, 26 voting No, no voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 485 <sic>, and the bill, having received the required constitutional majority, is declared passed. It was Senate Bill 465, Conference Committee Report. Conference Committee Reports, on page 2 of the Supplemental Calendar. On the Order of Conference Committee

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Reports, Madam Secretary, do you have a file on the Conference Committee Report on Senate Bill 1039.

ACTING SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1039.

PRESIDING OFFICER: (SENATOR WATSON)

Madam -- Senator Fawell.

SENATOR FAWELL:

Thank you very much. The House has refused to adopt the First Conference Committee Report on Senate Bill 1039, and so I'd like to request a Second Committee of Conference.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt Conference Committee Report -- is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Evidently this light doesn't work over here, and I apologize for that. But it's not my fault. Yeah, I -- I think it's a very good idea, Senator, that you do that. It's my understanding that the bill, as written, was called in the House and failed 0 to 116, and it was a good death for that bill.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Further discussion? Senator Welch.

SENATOR WELCH:

I had a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Please state your point.

SENATOR WELCH:

I put my light on when Senator Maitland stood up on the last bill and it was lit the whole time, and you refused to recognize me. Now, I don't know if because I'm on the end here, if that's the occurrence or what, but I hope that in the future you'll look over to that end of the board to see if there are any lights lit and -- and maybe I can get to say something tonight. Thank you.

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PRESIDING OFFICER: (SENATOR WATSON)

Thank you, Senator. Further discussion? Further discussion? Senator Fawell, do you wish to close? Senator Fawell.

SENATOR FAWELL:

I would like to dump this Conference Report and request a...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones, for what purpose do you rise? She is closing, Senator.

SENATOR JONES:

I do recognize that sometimes the glare up there - I don't know what from - may cause you not -- not...

PRESIDING OFFICER: (SENATOR WATSON)

It is a problem. There's no doubt about it.

SENATOR JONES:

But, Mr. President, I notice you did recognize Senator Welch and our esteemed colleague on this side, Senator Collins, had her light on. Now is her light working, could you tell the Body?

PRESIDING OFFICER: (SENATOR WATSON)

There's several lights working, but they've been working for quite some time, and I -- were just inadvertently put on, I would assume.

SENATOR JONES:

But she -- but she had sought recognition on a point of personal privilege, and -- if you're not recognized, then how -- how do you know? She's been hollering, so I just -- I wish you would give her that due courtesy.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Collins, on a point of personal privilege.

SENATOR COLLINS:

Senator, if you -- if you want her to close, I want to -- I'm not -- I'm not speaking on the bill. I -- I...

PRESIDING OFFICER: (SENATOR WATSON)

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Well, see, this is part of the problem. If everybody would just turn their lights on when they want to talk, we'll have a better idea who wants to speak.

SENATOR COLLINS:

I -- okay. Let -- then let me...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell. Senator Fawell. The question is, shall the Senate adopt Conference Committee Report on Senate Bill 1039. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. And it truly is a record. There are 0 voting Yes, 59 voting Nay, no voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate, and I ask for this point of personal privilege because I do not intend to speak on the budget. We do have, I think, some very able people that's going to get in the technical aspects of the budget. But what I would like to -- to -- to speak about here for a few minutes, hopefully we can have some order and some dignity for the rest of -- of this Session. I've heard time and time again reference made by the Leadership and others on the side -- that side of the aisle that, when the Democrats were in power, we did the same kinds of things that you've been doing, in terms of putting out bills at the last minute. But never in the eighteen years have I served in this Senate, have there not been a budget process by which Members on both sides of the aisle, designated by the Minority and the Majority Leaders, who have sat at the table together and discussed a budget. And if you feel that you have the right, somehow, to say to the people of the State of Illinois, because you were the Majority Party in this election, that we have

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no rights to participate in the budget, so be it. But just since you know - just since you know - you have violated the spirit of the Constitution of this State, because you have not allowed two parties to participate in something as crucial as the expenditures of tax dollars for this State. That is fundamentally wrong. I know it, and you know it. So I would ask that when the budget bill comes up here, that Senator Weaver, or whoever has been prompted to get up and ask to move the previous question, would hold their seats and allow people on this side of the aisle the one and only opportunity that they've really had, except the few that was on Appropriations, to ask questions and discuss this budget. It is only fair. It is only decent, and it's the right thing to do.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. WICS-TV requests permission to videotape in the gallery. Permission is granted. Now we are on... Madam Secretary, Messages from the House.

ACTING SECRETARY HAWKER:

A Message from the House by Mr. McLennand, 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 Senate Bill 1039 and requests a Second Committee of Conference to consider the differences between the two houses in regard to No. -- Amendment No. 1.

Action taken by the House, May 26th, 1995.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Palmer, for what purpose do you rise?

SENATOR PALMER:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

Yes, ma'am, please state your point.

SENATOR PALMER:

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I am appalled at the rudeness in this Body. There are fifty-nine people in this room. Each of us got here the same way. Now I have had my light on from the moment that bill was introduced. I have a right to ask what happens to the hospitals in my district, especially since I have two of the major teaching hospitals in the State of Illinois, and they don't just train people from Chicago. So when I want to ask about what happens to the University of Chicago, I ought to be able to answer <sic>that. Now, I had this light on. I was part of the eight people who had it on, and I resent it that I was not able to speak and was totally ignored. Now, that is outrageous behavior and it reminds me of that saying that power corrupts, and absolute power corrupts absolutely.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Palmer, would you mind turning Senator Shaw's light off. That light's been on the whole time. Senator Shaw. And he's not even been in his seat, so why should we recognize someone who's not in his seat. Senator Shaw.

SENATOR SHAW:

I was here. I was here. I was one of the eight. And I rise on a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Please state your point.

SENATOR SHAW:

You know, my -- if -- if your side of the aisle is going to insist on having Ray Charles or Stevie Wonder in the Chair, then they should get a Seeing Eye dog. The -- the -- the...

PRESIDING OFFICER: (SENATOR WATSON)

We are now on Supplemental Calendar No. 2.

SENATOR SHAW:

The -- Mr. -- Mr...

PRESIDING OFFICER: (SENATOR WATSON)

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House Bill 2226. Senator Cronin. Madam Secretary, do you have on file a Conference Committee Report on House Bill 2226?

ACTING SECRETARY HAWKER:

First Conference Committee Report on House Bill 2226.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin. Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd defer to Senator Maitland for purposes of debate on this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. The First Conference Committee Report on House Bill 2226 sunsets the long-term health care bed tax at the same time that the hospital tax expires in two years.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd move the previous question.

PRESIDING OFFICER: (SENATOR WATSON)

There are two speakers that wish to speak. Senator Carroll.

SENATOR CARROLL:

Just a question of sponsor. I thought this tax sunsetted June 30th. Is this extending that tax now for a couple years? Otherwise, the tax, would it not have expired of its own?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator Carroll, I explained that when I was debating -- or -- or talking about the previous bill, the Budget Implementation Act, and this simply then adds language that is not in -- in the Act

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that will cause this tax to expire on the same date.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

SENATOR CARROLL:

I understood that part of your answer. My question was, when did the tax -- if we didn't do this or 465, when did this tax expire? Is -- was this a forever and ever tax, or did this tax also not expire on June 30, 1995?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Once again, Senator, it did expire on June 30th, 1995.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, the question is, shall House Bill -- Senator Carroll. I just look for lights, Senator. That's what I was told to do by your -- your side of the aisle. Senator Carroll.

SENATOR CARROLL:

I know. I apologize, and I was late hitting the button again, 'cause I was -- people were asking me then, putting the two sentences together, the tax ended. This, in effect, then, is a tax that goes till -- for two more years, 'cause the tax, otherwise, ended June 30th. Thank you, Mr. -- it's not a question. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt Conference Committee Report on House Bill 2226. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. The Senate does adopt Conference Committee Report on House Bill 2226, and the bill, having received

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the required constitutional majority, is declared passed. Madam Secretary, do you have on file a Conference Committee Report on Senate Bill 925?

ACTING SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 925.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip, or...

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Somebody stole this bill from me, and I'm going to let him explain it. Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senate Bill 925, Conference Committee Report No. 1, contains the budget for the State of Illinois for the next fiscal year. For the first time in -- in many people's memories, the budget is done before the end of our fiscal year. This budget is available to local municipalities and school districts and people who depend on us providers more than thirty days before the end of our fiscal year so they can plan. This budget is predicated on the revenues that were submitted to us by the Bureau of the Budget and includes no revenue fluff. This budget is based on the liabilities that the Bureau of the Budget conservatively estimated more than three months ago. It's eighty-five percent, precisely as the Governor introduced, with, we think, some reasonable enhancements that reallocate government resources, that make a major impact on old bills in the Medicaid system, reduce liability in that system by close to three hundred million dollars. This budget implements the one-third reduction in the provider tax, providing relief - revenue relief - for hospitals all across the State of Illinois. I'll be happy to answer questions on it. I would appreciate a

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favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Weaver.

SENATOR WEAVER:

I would move the previous question, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

The previous question having been moved, we have eight additional speakers. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This is the bill, Mr. President, that I had hoped I'd be able to speak a little longer on, because at long last, we have a budget document that a hand full of people put together. While a hand full of people crafting the final budget document is not new, what is new is the fact that it was crafted entirely by one side of the aisle. Our side, quite simply, had no opportunity or no invitation, in fact, no participation in drafting the final document. And rather than letting the sun shine in, as President Philip and Speaker Daniels had promised, the sun, in fact, has been eclipsed by a dark cloud of exclusion, in fact, the politics of exclusion on the budget bill. In my eight years in the Senate, such exclusion on the budget has never happened. In fact, I would challenge anyone to find a year in our history that it has ever happened. And while no one has ever accused the current Governor of being courageous, he should have demonstrated the leadership to require that both sides of the aisle be represented at the negotiating table, for it is Republicans and Democrats who work in Illinois, it is Republicans and Democrats who pay taxes in Illinois, and it is Republicans and Democrats who elect all of us to this Chamber; yet, only Republicans were represented at the table. For the twenty-six Members on our side, who also represent one hundred and ninety-three thousand people in each of our respective districts,

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it is appropriate to say that a total of five million eighteen thousand Illinois citizens had no representation at the table at all. And before anyone casually dismisses our concern as politics as usual, let me suggest that there is nothing usual about total exclusion at the budget table and, in fact, it is politics at its worst. While no one in this Chamber would consider the budget acceptable if it was the product of only one Chamber, neither should we consider it acceptable as the product of one party. While most, if not all, of us would agree that any budget in Illinois is going to be a difficult one to digest, given our fiscal difficulties, are you prepared to carry on your shoulders the entire responsibility for what this totally Republican budget will do? Let me cite just a few examples. Educational funding dominates much of the political debate in our State; yet, when working and when looking at the SBE report on the State aid formula, most of our districts could sing the song of Professor Harold Hill in The Music Man: "We got trouble right here in River City." In fact, Superintendent Spagnolo said that one hundred and eighteen school districts in Illinois will see their general State aid formula drop from Fiscal Year '95 to Fiscal Year '96. I suspect, Senator Maitland, with all due respect, that given your role in this budget document, it will be difficult to explain how you support a budget that slashes eight hundred and thirty-nine thousand and sixty-three dollars from the Normal Community Unit, not to mention the 37.19-percent decrease in the formula at Rooks Creek And for the Crain report that I just read on the "Fab Five", I suspect many of your school districts will think your performance is less than fabulous when they look at the State Board of Education formula report. Frankly, Chairman Rauschenberger, with the respect that I hold for you, I wouldn't want to be in your shoes when you have to explain how School District 46 lost one million two hundred and seventy-one thousand

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and thirty-eight dollars in the school aid formula, under your helm. And, Senator Syverson, it is even worse to your district. Rockford, who celebrated in this great Capitol only a few weeks ago, goes down by one million three hundred and sixty-three thousand four hundred and eighty-four dollars, and it doesn't stop there. Belvidere Community Unit down by six hundred thousand and sixteen -- six hundred and fourteen dollars. Senator Lauzen, your district will need a good accountant when they see how the numbers, especially in Aurora West Unit, where they lose two hundred and twelve thousand and eighty-two dollars. And, Senator O'Malley, I would join you if I were in your shoes to gut the formula too, if I saw the nearly eighteen-percent decrease the Worth District is about to take, not to mention the seven other school districts in your Senate District that will find a decrease. And, Senator Fitzgerald, I bet a lot of school districts, with all due respect, wish they owned a bank when they go through what this budget will do to their budget. Senator Raica, I don't pretend to know what is going on in Willow Springs. In fact, I doubt that I've ever been there, but with their 60.03 decrease in the general State aid formula, I suspect I'd consider skipping the Memorial Day parades there if I were you. The same is true in Brookfield where they take a 42.64-percent drop in the State aid formula from last year, and somehow Indian Springs will have to find nearly one thousand dollars a day for the next year to make up for their three-hundred-and-sixty-thousand-eight-hundred-and-sixty-four-dollar loss. Senator Geo-Karis, as a Leader, you're not even exempt from the bad news. All of us admire -- admire your dedication to your local communities, and that is why it must be difficult to explain why -- why your hometown of Zion is getting slashed one hundred and ninety-four thousand dollars in general State aid formula. Of course, they should know that Antioch Community High School is getting

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clobbered even more with a seven-hundred-and-twenty-thousand-seven-hundred-and-forty-five-dollar reduction. And, Senator Hasara, finally it is a good thing that you ran for mayor and not school superintendent, because the Springfield schools get whopped -- the Springfield schools get whopped one million seventy-six thousand eight hundred and thirty-one dollars. And, Senator Weaver, all of us hold respect for you, and I held respect as you worked with the people of Rantoul on the closing of Chanute to introduce important economic development legislation, but it is clear that Rantoul is going to need it when they look at this budget. Rantoul City schools get a six-hundred-and-sixty-five-thousand-and-seventy-dollar decrease, and Rantoul Township High School goes down by a hundred and four thousand. Senator Donahue, I heard many times when I traveled in western Illinois about the concern of -- of Forgotonia and I know that you've worked very hard to make certain that that doesn't continue, but when you go home to your hometown and see that Quincy gets a cut of four hundred and ninety-five thousand one hundred and fifty-six dollars in this State aid formula and Macomb gets stripped two hundred and fifty-seven thousand seven hundred and eighty-one dollars, frankly I think people are going to be surprised. To my remaining colleagues' school districts, you'd better take a look before you vote at the State Board of Education distribution of formula dollars. It's not my figures. It's not the Democratic staff figures. It's not even your figures. It's the State Board of Education that put this list together, and nearly everyone except you, Mr. President, Senator Watson, this evening, did poorly, except, quite frankly, for our new colleague -- everybody always said you could play ball and I think that you must have. With all due respect to our new colleague, Senator Parker, I want to congratulate you, because every school district in your Senate District gets an increase in

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the State aid formula, most notably Winnetka, Kenilworth, Wilmette and New Trier High School.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Severns, we appreciate you bringing your remarks to a close.

SENATOR SEVERNS:

I will wrap up very quickly, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you.

SENATOR SEVERNS:

Our hospitals are going to be hurt - no doubt - and I fear some may close. To each of us outside of the City of Chicago who have constituents who make the trip to the Big City for needed specialized care or to the children's hospitals, this budget guarantees the trip just got more expensive; that is, if the hospitals stay open. I think that those who were reluctant a few years ago - and I'll wrap up my comments, Mr. President - to support the granny tax ought to think twice before they support the tax as proposed in this budget document, because I suspect the grannies and their families will be providing a revolution on the prairie when the details are provided on this tax. Mr. President, in closing, I don't know why you'd want your caucus to carry the full burden of this budget, but I do want to appeal to the best in decency and honor in each of you, for this process was never intended to have the participation of only one party at the budget table, for the budget document more than any other single piece of legislation, the goals of our State and, if done properly, the hopes and dreams of our people are represented. Mr. President and my colleagues in this Chamber, let us resolve to make this the first and the last year that any statewide budget is developed, drafted and decided by only one side of the aisle. If we fail to meet this challenge, I suspect we will be left with a hollow

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apology of T. S. Eliot when he wrote: That is not what I meant at all; that is not it at all. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? I want to remind the Members that the timer is on. Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I've been here a little over a month. I've recognized the fact that we have a difficult task in making choices. Some choices we believe are for the betterment, and some choices have their consequences. As one author put it, liberty permits choices; however, genuine freedom is the power to make the right choice from existing options. Clearly, this budget does not recognize that freedom. We have made drastic cuts in DCFS. We have made cuts in Medicaid that will jeopardize the existence of at least two hospitals in my district. We have put incarceration over educating our children. Abraham Lincoln once said the legitimate object of government is to do for the people that they would like to have done, however they cannot do in their separate and individual capacities. In reading this budget, I have a devastating problem in my area. We currently have problems of flooding. In reading this budget, there's an indication that almost two million dollars will be -- are cut from help and assistance in my area. There's a loss of a water development project, the loss of design and implementation to reduce urban flooding, the loss of federal flood control projects because of the lack of -- of matching funds. We have chosen to cut out Medicaid versus reducing corporate welfare. We have chosen to excuse thirty to forty million dollars for a hotel deal. The most important thing is that we were chosen, as stated in Theologians, to comfort the frightened, to help the weak, be patient with everyone, see that none of you repay evil for evil,

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but always seek to do good for one another and to all. I can only say that this budget has been rationalized by you on that side of the aisle. Rationalism is the belief that human reason is the source of knowledge. In your case, rationalism has been used to permit the proponents of this budget to decide that what is right -- what is right in his own eyes. Rationalism on this budget will ruin lives, will destroy families, will create an unsafe society and choke the dreams out of many people in this society. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator del Valle. Just want to remind the Members that the green light's on for two minute, the yellow light comes on you have one minute left and the red light means it's over. Senator del Valle.

SENATOR DEL VALLE:

Can you put the green light on? Okay. Thank you. Thank you. I guess today we're supposed to be making history here, because we're supposed to be wrapping things up. And a lot of my colleagues on the other side of the aisle, if not all, are going to be patting themselves on the back and talking to the press about what a wonderful job was done. But what I'll be saying back in my district is that the only good thing about this budget is that we Democrats had absolutely nothing to do with crafting it. We were totally excluded, as has already been stated here. We weren't consulted. We weren't asked for opinions. One of the hospitals mentioned by Senator Carroll is in my district: Norwegian American Hospital. That hospital may be closing, but I'm going to call that hospital and say I had nothing to do with it. I had nothing to do with it. But it's still in my district, and I'm still going to have to live with the consequences. And I'm going to have to deal with your path of destruction, because your path of destruction goes right down the middle of my

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district, just as it goes down the middle of everyone's district here. And yet - and yet - motions to move the previous question get made to limit debate, and the whole Session has come down to this Senator and other Senators here having three minutes, having to watch a red light. How do I explain that back in my district; that when you turn on the red light, I couldn't speak anymore and that all I got, to talk about the most important action of this legislative Session, was three minutes? And you call that democracy? You call that democracy, or are we headed for a dictatorship here in the State of Illinois? Are we going backwards here? Is that what we have? Is that arrogance that I see day in and day out even from those who were mentioned earlier in that Crain article, the "Fab Five", the ones who came - "Fab Five" - who I saw in committee present bills in unison to increase accountability and to make government responsible? What happened? How did the transformation take place in such a short period of time? How could you look at anyone straight in the eye and say that you believe in good government? You can't do that - you just can't - not when you're locking out half -- almost half of the legislators in the Illinois Senate. It is wrong. It is irresponsible. And I think you ought to be ashamed of yourself, because I'm ashamed having to talk about it back home. I'm embarrassed. I'm embarrassed. Now, there are a lot of legislators here who won't talk about it, not because they don't like it, but because they have a hard time facing it and facing their constituents. How do you think it feels to tell a constituent, "Listen, I'm in Springfield, but I have no voice; I have no say; it doesn't matter what I do"? And that's all you hear. That's all you hear. Arrogance. As Senator Palmer said, power corrupts. Power corrupts, and that's exactly what has happened here during this Session. And I think history will show, and it's your history, not my history, because I'm not going to

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help write it. It's your history. And history will show that you did wrong.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I won't take as long as some of the previous speakers, but, you know, I can understand the anger in Senator del Valle. I don't have that anger. I don't have that anger. But I do have a lot of disappointment, and I think we all share in that disappointment. Even that side of the aisle has got to share in the disappointment that they just saw a budget of thirty-three billion plus dollars a few scant hours ago. We all have to be disappointed with that. Senator Rauschenberger said a few minutes ago - and God bless him - we're going to give local governments, school districts, et cetera, a whole month - a whole month - to look at this budget. You know, wouldn't it have been nice if we'd have had that whole month? Wouldn't it have been nice even if we'd have had twenty-four hours? But we didn't have that. Again, I'm a practical person. I understand the inevitable. I understand that side of the aisle is going to vote Yes, but I'm a little surprised at some of my Members over there that I have the utmost respect for; that they very well may come out and vote for what I consider to be a budget that may or may not be good. But it's ludicrous for -- for us to stand here and make determinations at this late point. Let me just close, if I -- if I could, with what I heard today, and to me, it just hit me between the eyes. And basically it says, why do they always do these things in the middle of the night? The answer is: Because certain things you just cannot do in the sunlight. And this is an issue that I think fits that very well. I ask for a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

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Further discussion? Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. I heard some groans over there when you called my name, but that won't be necessary because I'm not going to rant and rave or nothing like that tonight. I haven't done it all Session. Why should I start tonight? Oh, you want to hear it? I don't think so. I've chosen to live -- I've chosen to take Senator Geo-Karis' advise and survive what's going on right now, because I wasn't here when the Democrats had control and I truly doubt if they treated you as bad as -- as you're treating some of us. I do. I'm -- I'm pleased that the -- the -- the President finally began recognizing some of my colleagues. You know, I have the highest esteem for Senator Shaw and Senator Palmer, and to not allow them to talk I thought was -- wasn't quite right. And God be willing, if I survive till the Democrats take control and I'm sitting in that Chair, I will never do any of you like I've seen some of you do some of us. I just rise to say that we really need to think about the children back at home. When you talk about cutting transitional assistance and making a difference, you got to look at what effects that's going to have on the Correction's budget, 'cause that's a pretty large budget. And people are going to do what they have to do to survive. There's a new mood I spoke with you all about earlier out there in the community. When Black folks riot, they're not going to tear -- burn up their own community anymore. They sat down and talked about that. I've -- I've been in some of them discussions. When people get out and get crazy, they're not going to do their own. I am mentioning this simply because I have a fear for this country, and I have a fear right now for this State. I noticed one thing, and I'll be finished. And I waited to see if this would eventually happen, but when they did the bombing in Oklahoma, do you know there was not resolution out of this Senate?

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Not one. Not one show of compassion for the people in Oklahoma from this Senate. Not one. And I just sat in amazement, and I came to the conclusion that the reason why it wasn't - the reason why it wasn't - is because there is a coldness in this Chamber this year. There is an antihumanistic, anti-love feeling in this Chamber this year. And I have just decided, personally, my friends, and I respect every -- every one of you, and I voted for business, pro-business. You know that. I voted for tax breaks for businesses, for research and all of that, because I believe that it's right. But just like I believe that's right, I believe it's very, very wrong to cut off and hurt the poor, the elderly and the mentally ill. It is wrong, my friends, and I just pray that we all survive it. And I -- and I -- and I pray that the people survive what we're doing here today. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just want to make a respectful suggestion to all of us; that when we go home and we issue our press releases regarding this budget, I hope that we are very, very specific when it comes to education funding. I know that a lot of us want to trumpet the fact that there is a hundred-and-ninety-six-million-dollar increase in education funding for FY'96 compared to FY'95. But, Ladies and Gentlemen, I've got to tell you something: That is very, very nominal from the point of view of what was our discretionary new money for education. And the reason I say that - and it amounts to virtually zero - is that when you take the increased gaming revenue - that's the -- the substantial increase from the riverboats - the Lottery, interestingly, last year was flat; there was virtually no increase last year compared to the year before, so there -- there is no additional money - but the --

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but the riverboat gaming was substantial. The requirement that that money automatically go to education was a bill that we passed last year. The requirement that we fund the pensions, that's included in this money. So when you -- when you figure out the leeway, the discretionary money that is in this budget regarding education, it's not even worth the paper that your press release might be on. So to be honest with your parents, to be honest with your children, to be honest with your voters, I wouldn't even issue a press release regarding any increase in education funding under this budget.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President and fellow Members of the Senate. I rise in opposition to the proposed budget because it fails to address two of the most important issues and concerns of the people in my district and I know in districts throughout the State of Illinois. I have more kids in my district than anybody else in the State of Illinois. Have the youngest district in the State of Illinois. And the budget that we are debating tonight fails to even meet one of the most modest goals that the Governor campaigned on in his reelection bid. It doesn't even meet the campaign promise of allocating thirty-six percent of General Revenue toward education in Illinois. In addition to that, we have coupled the hurt on the children in my district and in your districts all over this State because we have legislated a punitive bill that will make it more difficult for Chicago schools to improve themselves. We have approved taking money from the kids who need it most in the City of Chicago by not guaranteeing a promise that we made a few years ago that this year they would begin to receive one hundred percent of the money from Chapter I funds. In addition to that, the second most important concern of

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the people in my district is access to health care. And what we've done so far in this closed budget process is ensure that community hospitals, which have been most accessible to people in my area, hospitals like Mount Sinai and St. Anthony, may be endangered and on the verge of closing because of our irresponsibility and because we haven't had the courage to face up to adequate reimbursement of the bills that they have to pay. It will further burden and overburden hospitals like Cook County Hospital and the badly needed trauma unit of that hospital. It will overburden neighborhood clinics, the City's health facilities throughout the City of Chicago. This budget, because of its closed process nature, will further erode the quality of life of senior citizens, mothers and fathers and children all over this great Land of Lincoln. And I think a good example of what this closed process has done, and I think it rests the case certainly for the Members on this side of the aisle, was the workers' compensation bill. You did not -- we were not able to put together a consensus among the Members of your own party because it was a closed process. It was a closed process. Why, the House, after having had the opportunity to hear the debate that we put forth and informing them that they were going to hurt working men and women throughout the State of Illinois, said no to the Senate version of workers' compensation, and that's why. And thank God we do not have that bad bill. So, Ladies and Gentlemen, and to close, Mr. President, I'm voting against this budget because it has failed the people of the State of Illinois and because it lacks the courage and integrity that is required to ensure that the Land of Lincoln will guarantee a better quality of life for its people.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. Chairman. I do not intend to debate this

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budget. I merely intend to comment. I came from a governmental environment where the budgets were posted, statutorily required to be posted, at least thirty days prior to their adoption. We -- and I feel overwhelmed as a new Member of the Senate, having been here just about a year and a half, that was dropped on my desk a budget that I was supposed to evaluate in a matter of not thirty days, not two weeks, but about five hours. I'm embarrassed when I am contacted by my constituents, by agencies, representative agencies, asking me to support this or not support this or -- or be supportive of getting something into the budget, and I have to tell them I have no part. I have not part in that budget process. Absolutely none. I can't even begin to tell you what's in the budget, much less participate in having any part of input into the budget. I feel, in all sincerity, to those of you who have been here a number of years - and I respect every one of you - I feel exactly as Senator Smith feels. We are the House of Lords, and we should treat each other accordingly - with respect. And I respectfully submit to you that I would suggest that some consideration be given to the preparation of a budget that is made available to the Members of this Body and available to the agencies and the people whom this budget affects. At least have it posted at least ten days to one week prior to the time that we're being asked to adopt it. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Shaw.

SENATOR SHAW:

Thank you -- thank you, Mr. President. Certainly, I agree with many of the speakers, but I wanted to talk about something else that are in this budget or maybe what's not in the budget. I want to talk about the four million dollars that -- of GRF reduction grant to the RTA. And I want to talk about how that's going to impact upon the handicapped, the elderly and students

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that are in school. What you are doing here, you are telling senior citizens that we are going to -- you can no longer get the discount bus passes for the RTA and CTA and the other transit systems around this State. That's what you're telling them. Kids will -- children will have to walk to school, because they only was getting twenty-three million dollars -- twenty four million dollars for that program. Senior citizens who are on fixed incomes cannot afford to have a reduction here. But there is no compassion in this Body when you take that. The CTA up in -- up in Chicago just went up on the fares not too long ago by reducing the -- the rides of senior citizens. But if you've wanted to do the right thing on your side of the aisle, you would have talked to somebody and you would not have cut this program for kids who are trying to get an education, for the handicapped who cannot help themselves, many of them. You shouldn't want to take their ride from them, but you're doing this. And certainly I think it's deplorable that we should do this -- that you should put a budget together like this. And I wanted to ask a final question of the sponsor, if he would yield.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor will yield, Senator Shaw.

SENATOR SHAW:

Did the -- did the Democrats have anything with -- to do with putting this budget together?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Shaw, we had extensive committee meetings at which both sides of the aisle asked questions, questioned directors. Both sides of the aisle had copies of the Governor's proposed budget. Both sides of the aisles have access to the amendment process. Absolutely.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

Mr. -- Mr. President, that's the answer that -- that's the answer that I thought he was going to give, because I'm a Member of this Body and I know I had not seen the budget, had no participation in this budget until about four or five hours ago. And I want the world to know that the Democrats did not participate in this process. It was a closed process, not because we didn't want to participate, because you would not permit us to participate. And I want people of Illinois to know when they feel the effects of the budget that you put together, that you did it alone, and you can't blame anybody else, particularly on this side of the aisle. The Republican, the elephant, got to where this saddle himself.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch. Senator Welch, yes. I guess you -- I believe you had your light on.

SENATOR WELCH:

I did. I thought you said Walsh, so I was sitting here waiting. But thank you, Mr. President. On November 8th, 1994, the New World Order was instituted here in the State of Illinois, in which Republicans took over the House, the Senate, to go with the governorship, and you have been consistent. I'll give you that. You have been consistent in your philosophy about what you want to do with government, and what you have done is instituted social Darwinism here as the law of the State of Illinois. It's the survival of the strongest against the survival of the weakest. Your side believes that government is there to help business, to help them become stronger, and perhaps some of the benefits government gives to business by the tax breaks, by the exemptions, by the redistricting, will trickle down somehow to the poor and

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that that way, they will be helped and lift themselves up by the bootstraps somehow, if the crumbs fall off the table. You think that's a theory that you are following from Ronald Reagan. Those of us on this aisle know it's really a theory you're following from Herbert Hoover. It doesn't trickle down, friends. It doesn't get that far down. It stays in the pockets of the wealthy, and it doesn't go down to those who need it. The President, Senator Watson, is often fond of saying how seldom we talk about the children, when we talk about legislation. Well, let's talk about them. Look at the lack of funding for education. Once more, gimmicks with the funding of education have shorted the amount we should be giving to education. Well, that's money that goes to children, and they're not strong and they can't survive. Look at the money that would go to foster parents. We've cut that back, and that helps children. But they're not part of the strong, in your philosophy. They can't survive by themselves. Look at the money for seniors. They're not part of the strong. They can't survive under your social Darwinism. Look at the injured workers that you took care of this week with one of the worst workers' compensation bills in the country. The weak, the children, the seniors, the handicapped, every one of them are those who can't survive in the survival of the fittest. That's the Darwinian theory that you have embraced here and have pushed upon us since you took control. You know, we Democrats believe that government is not instituted to help business trickle down benefits to those who can't help themselves. We believe that the individuals who need help should get it from government, when necessary, so they can lift themselves up. You know, it's very fortunate that we're voting on this budget at night. We've been in the dark on the budget all year. I'm just surprised that you folks are leaving the lights on so we can see what we're doing from here on out. Thank you.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. There shouldn't be any pride in passing this budget. Unfortunately, it has become -- unfortunately, it's become an accounting exercise, and unfortunately, the people who will experience the consequences of this budget seem to be faceless in this Chamber. And it's not just the poor - my colleagues have spoken eloquently about them - but it's the working people as well, and particularly higher education. I just want to read you a few of the cuts that will be in this budget. The minority educational achievement grants which are used for increasing the number of minority faculty at Illinois colleges and universities, preparing minority students for medical and other health professions, particularly in life sciences, physical science, mathematics, engineering, at public and private doctoral institutions, has been cut by four hundred thousand dollars. The Consortium for Educational Opportunity, which provides financial assistance to minority students, African-Americans, Latino, Native Americans, has been cut by two hundred thousand dollars. Engineering grants, which serve all students and provides financial assistance, has been cut by one hundred thousand dollars. Cooperative work study programs - these are the -- the means by which financially strapped students can go to school and become part of the work force in this State - they have been cut by two hundred thousand dollars. You have, indeed, made choices, and you have decided that the glass is half empty and that most of us will just have to be thirsty. Maybe we should have the prayer at the end of this Session, rather than just at the beginning.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

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SENATOR DEMUZIO:

Well, thank you, Mr. President. Let me, first of all, congratulate you for having all winners in your school district and your -- your district, so you'd better watch out when you're messing around with that formula. ...start losing. Let me say thanks to you also that my school district, Carlinville, will get ten thousand nine hundred and twenty-eight dollars. I notice that there's a new math and science instructor here, for the Illinois Science and Math Academy is going to get fifty thousand dollars, so something sounds like it's a little out of whack. Let me make my remarks to -- to education, and I will try to be brief. I'm delighted this evening that Joe Spagnolo, our Superintendent of Education, is here in the gallery this evening so that he can be afforded the opportunity to have a on-site experience of how we feel -- how strongly we feel about education in this State. I thought during the last campaign, during the last year, and I felt that because of the issues that were raised between Edgar and Netsch, I felt because of the polls that I was looking at and the academic research and the public commentary about what was happening with Illinois schools and the fact that there was a high degree of concern about the quality and effectiveness of public education in Illinois, that truly this year was going to be the year that we were going to do something about addressing the concerns of education as we look toward the twenty-first century. But despite all of what we have learned about the importance of resources to education and despite all the blue-ribbon panels, all the task forces that are created, all the alternatives that had been developed and all of the education Governors, Illinois still lacks an adequate, equitable, and stable school funding system which ensures high-quality educational opportunities for every child in our State. Illinois does not have an average commitment to education in this State. And so, there's another task force

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created. And this inadequacy and this inequity, that will continue in the State of Illinois, and I think that that will diminish our ability to meet our economic challenges for the future. So I'm disappointed tonight with the actions that we are taking here, and I'm more disappointed, as I join the chorus of those of my colleagues who said that we were, in fact, shut out of the process. The thirty-three Members on the other side of the aisle were the persons who were making all of the decisions, but it didn't thwart our opportunity for Senate Democrats to come forth with our budget blueprint, to show that we had an alternative - alternative to this budget that is before us tonight. And on a lighter moment, I might say, when I woke up this morning, I thought to myself what a truly historic day this is going to be. I had never before met a billionaire, and today I was going to meet thirty-three of them. Thirty-three billionaires on the other side of the aisle in the Majority. The new billionaires' club that crafted this thirty-three-billion-dollar budget all by themselves. And I congratulate all of you, because now I can go home and tell my children and my grandchildren that I met some billionaires. I don't think the people of Illinois are going to approve what you have -- handed us here this evening, and I am truly disappointed that we were not allowed the opportunity to amend bills, that this was slapped together and on our desk on the last legislative day. And I think it's an outrageous way to conduct business in the State of Illinois.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. No, I'm not, Vince, one of those billionaires you just met, contrary to some popular belief around this Chamber. But let me say, as we talk about the budget process, and we've heard a lot about it, I admit I was accused of

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a lot of things as I chaired the Appropriations Committee for many years. Some of those were true, but never, ever did we craft a budget without input from the other party. The prior Chairman from the Republican side knows that he spent weeks with us working through every detail and on -- yes, on certain occasions, it was this Chamber versus the other side of the Rotunda. We would craft a joint Democrat and Republican proposal to re-craft the budget and fight with the House 'cause they always seemed to want to spend more. But never, ever was there a conference committee report, as this purports to be, where no one else was allowed in the room, whether it was us or other groups that might have an interest - ever in history. Shame on you for having crafted this in such secret. And I go back to my inbreeding <sic> speech. This is a product of inbreeding. A budget is a political document. No one doubts that. We happen to believe your mistakes are good for us politically. We think your inbreeding will end up changing the results around this General Assembly. And to those who say we could have had input, you fly in the face of your own rules. This -- the subject matter of this bill was never in controversy between the two Chambers, as is required under joint action, because we never voted on a budget. It never came out of committee at any time. There could not have been amendments. There isn't even a controversy in this bill between what it did and the other Chamber, because neither one of you ever did anything. Let's talk a little bit, for just a brief second, about what it does do though. You know, you talk about managed care and it's a wonderful concept. I am the original sponsor of it, 1989, as you know, never implemented by this Governor or his predecessor. How you going to implement it when the hospitals you need are going to be closed, because of what you did? You can't have managed care if there aren't people out there to give the care. And let's look for a second what you did to long-term care,

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to the mentally ill. Ten dollars a day you took away from those who are treating mental -- mental ill people in their nursing homes. Senator Sieben, for example, Tammerlane loses seven hundred thousand dollars. Senator Ralph Dunn, Park Haven loses two hundred thousand. Let me just finish, since my time is running out, by saying, the one thing around here that's supposed to be important is our word. Our word is supposed to be good when given verbally and even better if reduced to writing. This Governor once said to the Mayor of the City of Chicago that the word given by the prior Governor didn't count. It wasn't his. Well, what about his own? What about his own? He signed a letter to the Mayor of the City of Chicago - this Governor, Jim Edgar - saying that the circulator would be funded. You took out the reappropriation, the money that honored this commitment, signed by this Governor, and took it out of this budget. He signed a memorandum of understanding, as did the Mayor of the City of Chicago on the 30th day of June, 1993. Where is his word? In writing, he says, he will still keep funding the 2.1 million for the mental health clinics in the City of Chicago. The Director testified that's what you cut out of the budget. Yes, the budget is the General Assembly and the Governor, but the Governor had a press conference where he said he adopts this budget, he agrees with it. And you and I know he gets what he wants out of a budget. His word isn't worth the paper it was written on.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Just so that Senator DeAngelis and Senator Viverito know, their lights came on after the previous question had been moved; therefore, we will go to our final -- final speaker, Senator Jones.

END OF TAPE

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SENATOR JONES:

Thank you, Mr. President. After listening to the comments on -- my Members on this side of the aisle, as they talk about the process, but not being included in the process, as it relate to crafting this budget, let me say to my Members on this side of the aisle, I pray and thank God that we were not included, because I don't want our fingerprints on this document. They wanted it; they got it, and it's their responsibility. Unfortunately, you know, the Members on that side of the aisle was also kept in the dark, and I want to commend the freshman legislator, Senator Rauschenberger, for keeping his Members in the dark equally as well, because -- because you didn't know what was in this budget. We recognize that this budget was crafted in the night. You promised to have it to us last night. We got it 8:30 this morning. And I know you caucused and you were told what to do, but you -- you haven't read - the same way you did on workmen's compensation. You got a document, when we told you it was bad against the people in Illinois. By the time it left this Chamber, the House Republicans had time to read. They didn't want to act like a bunch of Stepford wives. They wanted to think, and they thought, and they rejected. You should be ashamed of yourselves. I know you're terribly disgusted from being hung out on a vote against the people of Illinois. So this budget was kept in the dark not only from Democrats, but it was kept away from you because, I believe, especially the "Fab Five" who came here with all this great intellect and knowledge about budgeting, they would have rejected it as we have. But they haven't read. They don't know what's in it. But as it always has been said, what is done in the night shall be shown in the light, and the light has been

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shown on this particular budget. We recognized that we had a serious problem in the State, and I think most legislators in this Senate, or in the General Assembly, are responsible. We recognize that. So we sat down and crafted a blueprint, a corporate blueprint, a blueprint that would have gotten us out of this mess. Instead of you trying to deal with the situation, you shunned it aside. I gave it to the Governor just this past Monday, because I know he had a problem, but he didn't have the courage -- or courage to come forward and say, "Let's solve this problem." If we can continue to provide corporate welfare to the tune of two billion dollars in this State, certainly we can take a portion of that to help provide for better education for our children, to -- to provide health care. Why should one have to -- a elderly citizen have to go without dental -- dental care, at the same time we constantly pass legislation on top of legislation to help the wealthy in this State? It's unfortunate that we did not take the time to take care of the people's business here in Illinois. For example, I was reading the budget - and we talk about education and crime - but in this budget there's a big increase in the Department of Correction's budget, also a big increase to make sure that all the prisoners have the state of the art computer equipment. Lot of dollars. But we cannot give that same increase to students going to public schools in the State of Illinois. So we don't mind our children growing up stupid, but we can go around and say we've got the smartest criminals in the world. That's our priorities. It's terribly unfortunate that we are caught in this dilemma, but I want to thank you - I want to thank you, Senator Rauschenberger - for keeping this thing under wraps not only from Democrats, but from Republicans. But I suggest very strongly to you, the Republicans on the other side of the Rotunda saw what happened when they had a chance to read that workmen's compensation document that you voted for in the blind, but I'm

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quite certain that you may not have the courage to do as they have done, 'cause we're going to reject this budget. I'm going to see if you have the courage to do likewise.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

The hour is late. I'm going to try to -- try to be brief, but there's a -- just a few things that I think it's kind of important to mention. This budget is about hard choices, some of which that we've made and some of which you made. We won't go into it for very long. I'll kind of spare you reading lists, but just remember you made hard choices about the capital budget of the State of Illinois, made choices that will affect the construction projects throughout the State of Illinois because you decided that you didn't want to participate in the process. This budget's about hard choices. The choices we made were to provide health care for the poor, to make sure that there was a system and a network established to support the MediPlan Plus Plan if the federal government approves, choices -- hard choices to make sure that there was a network that was intact to serve the people who need medical care in the State of Illinois. We reduced optional programs to do that. We cut bureaucracy to do that. We eliminated G-4 and G-5 government jobs to do that. We put our money where our mouth was. Senator Severns, I want -- Senator Severns, I just want to thank you for your prepared remarks. It's a little disingenuous though to read the State Board allocations from the State formula that -- that you were here with for the last eight years and pretend that that's a budgetary item. I think maybe you owe your Members on your side a little bit more consideration. Senator Clayborne, the drastic cuts that you discussed in DCFS are, in fact, thirteen-percent growth in the FY'96 level from FY'95. That's a hundred and one million of new

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spending in the Department of Children and Family Services. I'd call that a commitment to welfare -- to the welfare of children in our custody. Senator del Valle, I'm not ashamed. We're the Majority because the voters on November 8th no longer believe your side of the aisle. You'll only become an effective Minority caucus when you guys embrace change. Senator Jacobs, this is not a new budget. This budget's been under review for over three months. Many agencies of State government never changed one single dollar in the -- from the introduced level over three months ago to what you're going to vote on tonight. Vote however you feel. Corrections didn't change a dime. Department of Mental Health is exactly as introduced. The Illinois Department of Transportation didn't change. The Illinois Planning Council on Developmental Disabilities - I could go on and on and on. To pretend that this budget was somehow produced and dramatically different from what you've had to look at for three months is disingenuous. And it's not midnight - you referenced, late in the night. This debate began at 6:30 this evening after a two-hour public hearing. Senator Hendon, I really believe this budget is about children. There's two hundred million new program dollars for education. A hundred and one million new dollars in DCFS. Senator Carroll, I'm truly amazed that you could be outraged by any procedural action. And I'm sorry, but it's no longer your turn to broker the budget of the State of Illinois. Senator Jones, I don't know how your caucus works, but to -- to say that this caucus, the people in -- on my side of the aisle didn't have access to the information is just simply not true. We had many, many optional briefings. They had access to me in my office. Come and ask a Member here if this was done in the dark. And I'm not surprised -- or, I am surprised, in a way, that you wouldn't want credit for an honest balanced budget. I could go on and on and talk about each of your remarks, but I guess -- I don't want to

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get partisan about this, but I guess maybe you can't avoid it in the budget. I am sorry. I'm sorry that -- that we're no longer honoring the old deals that past Democratic Majorities made with City of Chicago or the Health Department for blind grants, deals that left our State pension system in a shambles, spending out of control. The only real art sometimes in those twenty years must have been the Arts Council. That and the art of the deal. The winners in this budget are not in the side aisles of this Chamber. They're not the old interest groups that -- that the Democrats used to cater to. The winners in this budget are the poor who need a secure health care system, the children in the care of DCFS and in our schools, and most of all, the families and children back in our districts, the all but forgotten, law-abiding, hardworking taxpayers of Illinois. This is a good budget. This is a good budget, and I urge a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt Conference Committee Report on Senate Bill 925. Those in favor, vote Aye. Opposed, 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, there are 33 voting Yes, 26 voting No, no voting Present. Senate does adopt Conference Committee Report on Senate Bill 925, and the bill, having received the required constitutional majority, is declared passed. Madam Secretary, Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislature Measure has been assigned to committee: Be Approved for Consideration - Conference Committee Report No. 2 to Senate Bill 1039.

PRESIDING OFFICER: (SENATOR WATSON)

It's the intention of the Chair to go to Supplemental Calendar

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No. 3. Senate Calendar, Supplemental Calendar No. 3, with today's date. That should have been distributed. Madam Secretary, do you have on file a Conference Committee Report on Senate Bill 907?

ACTING SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 907.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Conference Report No. 1 to Senate Bill 907 contains several noncontroversial provisions, and I will add that it just passed the House with a 109 Yes votes and no No votes. In Conference Committee No. 1, it amends the MWRD Act...

PRESIDING OFFICER: (SENATOR WATSON)

Excuse me. Excuse me, Senator Walsh. Let's give the Gentleman our attention and take our conferences off the Floor. Senator Walsh.

SENATOR WALSH:

It amends the MWRD Act to allow the use of bid bonds instead of deposits, as long as the bond is issued by an authorized surety company. It amends the Condominium Property Tax <sic> Act to permit the creation of condo units subject to the provisions of the Act on leased property. It authorizes the Cook County Forest Preserve District to swap land parcels with Acme Steel Company. It allows any downstate forest preserve district to sell land which is a -- which is a -- an acre or less than an acre. It allows the MWRD personnel director to limit the duration of eligible lists to one year for student programs and entry level engineering positions. It amends the Public Officers Prohibited Activities Act. It amends the County Code to provide that if Cook County purchasing officer is purchasing supplies or contractual services which can be obtained through correctional institutions,

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the purchasing agent is expressly required to solicit sealed bids from DOC for supplies or -- or services. It amends the Property Tax Code to allow county boards in counties which have been designated, in whole or part, as disaster areas by the President or Governor to adopt an ordinance, postpone the due date for the property tax amendments <sic> and not charge interest on that -- that amount. That is Senator Shadid's legislation. Furthermore, it allows certain villages to receive confidential sales tax information. Changes the High Impact Business sales tax credit to an exception -- to an exemption. Makes administrative changes to the Manufacturer's Purchase Credit. Clarifies tax treatment of designated dividends, and it directs the Department of Revenue to respond to income tax inquiries. This is all noncontroversial and has passed the House, as I said, 109 to nothing, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. I just want to say this is a good bill. There's a lot of good things in it. It is agreed bill. Just one point: It's just a little disingenuous to call this a conference committee, because there was no conference committee put together. I mean, there should have been some discussion. Again, I'm going to vote for the bill, and I'd urge everyone else to vote for it. But once again, we're saying that we're not communicating on both sides, and I wish we would start doing so.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Mahar. Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President. Very briefly. It's that time of year. We have a big conference committee. There must be

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fifteen things in there, and maybe fourteen of them are not controversial. There is one that's, I believe, very controversial. Has to do with an amendment to the Condominium Act. I understand that the bill is going to pass. All we can do is add -- try to bring in new legislation next year to correct some of it. There's a major, major change in condominium law. You now, under this bill, will be able to build a condominium on leased property. It's something which has tremendous pitfalls for consumers. It's something that will have to be corrected next year. I'm going to personally vote No on the bill for that reason only, but you'll hear about this issue next year.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Senator Walsh, do you wish to close?

SENATOR WALSH:

Thank you, Mr. President. I'd just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 907. The voting -- all those in favor, vote Aye. Opposed, 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, there are 58 voting Yes, 1 voting No, no voting Present. The Senate does adopt Conference Committee Report on Senate Bill 907, and the bill, having received the required constitutional majority, is declared passed. We're going to go back to the regular Calendar. Today's regular Calendar, on page 5, House Bills 3rd Reading - page 5 - is House Bill 803. Senator Rauschenberger seeks leave of the Body to return House Bill 803 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 803. Madam Secretary, are there any

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Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Amendment No. 1 to House Bill 803 is the Court of Claims awards. It's been separated from the budget so that Members who might have a conflict because some of their firms do business with people who have an award in the bill could vote Present or not vote on the bill. It was noncontroversial. It deals with the -- just the awards made by our Court of Claims from people who tried to execute lapsed appropriations. It passed out of committee with a -- an attendance roll call. I urge its favorable -- its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Mr. President. Just to announce that the firm that employs me was involved in one of these awards, and so I have a conflict of interest and will be voting Present.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are now on 3rd Reading. Madam Secretary, please read the bill. House Bill 803.

ACTING SECRETARY HAWKER:

House -- excuse me. House Bill 803.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

House Bill 803, as amended, is the amendment that we just discussed. It's the awards bill for the Court of Claims. It's noncontroversial. It passed out of committee on an attendance roll call, and I urge a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 803 pass. All those in favor, vote Aye. Opposed, 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, there are 57 voting Yes, no voting No, 2 voting Present. House Bill 803, having received the required constitutional majority, is declared passed. On your desk, you should have Supplemental Calendar No. 4. Supplemental Calendar No. 4. Madam Secretary, do you have on file a Conference Committee Report on Senate Bill 1039?

ACTING SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 1039.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a -- an amendment that Senator DeAngelis knows more about than I do, since he's on the Audit Commission, and I would like him to explain it, please.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs. Further discussion?  
Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I think it's ironic - and maybe

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everybody ought to stop and pause for a minute. Can I get a little bit of order? A little bit of order, if I could, just -- just a little.

PRESIDING OFFICER: (SENATOR WATSON)

Certainly. Certainly. That's a request that is in order.

SENATOR CARROLL:

Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Would you please give the Gentleman your attention. Thank you.

SENATOR CARROLL:

I appreciate being called a gentleman. Thank you, Mr. President. If you first look at the Supplemental Calendar No. 4, you see the title: Amends the Toll Highway Act - the one agency of State government that should be audited. Every newspaper has talked about the scandalous things that have gone on at the Toll Highway Authority, and that's the one they choose for an audit, but not of themselves. That's the part they took out of the bill. I think this shows what a sham it is.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Petka.

SENATOR PETKA:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. There are four additional speakers, and one for the second time. Senator Cullerton.

SENATOR CULLERTON:

Yes, just very briefly. The -- when I first saw this, I said, well, they're probably going to include the DuPage County Airport Authority to have them investigated too, but I really kind of thought the answer was pretty innovative. I think Senator Philip gave it. He said the DuPage County Airport Authority shouldn't be

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audited because they're already under investigation by the FBI. So, maybe -- maybe if Chicago's O'Hare Airport was under investigation by the FBI, we wouldn't have to pass this, but unfortunately, they're not. I don't think it's a good idea. I think we ought to vote No.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. We'll be brief. This is not an issue that I really give two hoots about 'cause I'm from downstate, but I -- but I do have some questions -- not questions, but a question. Appears at this point, Senator, the City of Chicago, the people of the City of Chicago -- the City and the people of Chicago are going to be paying for an audit. We passed Senate Joint Resolution No. 47 that's in the House, which will have the General Assembly pay for an audit. And now we're attempting to pass Senate Bill 1039, which will have the Auditor General pay for an audit. Are you going to have each one pay a third, or is the Auditor General, if this bill is passed, going to be the only one that audits the books of the -- of O'Hare Airport? I don't care who does it, but I'm just curious which one of us -- the City, the General Assembly, or the Auditor General -- who's going to pay for the audit that's going to be done -- the outside audit that's going to be done on O'Hare Airport?

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis, are you to -- answer the questions? Senator Fawell, you -- you have leave to answer the question.

SENATOR FAWELL:

I would...

PRESIDING OFFICER: (SENATOR WATSON)

Would you please answer the question.

SENATOR FAWELL:

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I would -- I would like Senator DeAngelis, since it is his amendment, to answer the question because I honestly don't know.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Jacobs, I think your question is in regard to who's going to pay for the audit. The Auditor General's Office will pay for the audit.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Senator, that's under this bill. But also we have a resolution that says the General Assembly's going to pay for an audit, and the City of Chicago, who is currently doing the audit, they're also going to pay for an audit. So the taxpayers, evidently, if this bill passes, the resolution passes, and the current activity goes on, the people of the State of Illinois and the people of the City of Chicago are going to be paying three times. I think that's -- that's ludicrous. I don't care about who does the audit, but I think we should have one person do it, whether it's the Auditor General, and -- and do away with the resolution, do away with the City of Chicago's audit, do whatever you want. But let's only have the taxpayers' money used once.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I don't know why we are doing this again. The Audit Commission has already passed a resolution, unanimously, bipartisanly, saying basically the same thing. It was Senator DeAngelis' motion, his resolution, and the Audit Commission. This proposal that is before us, frankly, is redundant. It's

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absolutely unnecessary and not needed.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, Senator DeAngelis, to close.

SENATOR DeANGELIS:

Thank you, Mr. President. Just to clear up a few points. Senator Carroll, I think your being in Minority has diminished your brain power as well. The Toll Highway is audited by the Audit Commission, is audited on a regular cycle. To turn around and imply and infer that the Toll Highway is not audited is absolutely incorrect. Senator Demuzio, yes, we did pass a resolution; however, I have a letter from the Auditor General that says without statutory language, he cannot conduct that audit. So therefore, this is the statutory language. And this audit is a management and compliance audit, which I don't believe in the investigation resolution that's what's required. So, this is something totally different, and I would urge the Body to comply with the request of the Auditor General, who suggests that in order to comply with the resolution you and I cosponsored and passed unanimously, he had to have statutory authority. That's all I'm doing.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 1039 pass -- shall we adopt the Conference Committee Report on Senate Bill 1039. The voting -- those in favor, vote Aye. Opposed, 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, there are 32 voting Yes, 25 voting No, 2 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1039, and the bill, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, I was wanting to get a verification, but -- but since

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Senator DeAngelis said I was a cosponsor of this thing, which, in fact, I wasn't, I probably won't ask for one. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The Chair will stand at ease to make sure all business is completed. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, on -- on a point of personal privilege. Mr. President and Ladies and Gentlemen of the Senate, I'm going to be losing my seatmate 'cause this is her last day in office as a Senator. And our loss will be Springfield's great, great gain. And I just wanted to say how much I've enjoyed and I'm sure all of us have enjoyed working with Karen Hasara in the Senate. And all we -- I can do is say good luck, Godspeed, and I know you'll make one of the greatest mayors that Springfield will ever have in the history of Illinois. And congratulations again and God bless you.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hasara, for what purpose do you rise?

SENATOR HASARA:

Thank you, Mr. President and colleagues in the Senate. You know, everyone leaves here at one time or another, in one way or another, and I consider myself extremely fortunate because I'm leaving pretty much on my terms, after ten wonderful Sessions with most of you. However, I'm particularly lucky because I'm not leaving Springfield and I will have the opportunity to be around a lot. You'll probably see me lobbying now around the Rail for Springfield. And I'll be able to maintain a lot of those friendships. I'll particularly miss the seven House Members that came over here with me three years ago. We had some very, very interesting times in the House. We keep reminding ourselves these last few days that it kind of seemed like maybe we were back there. I just want to thank each and every one of you for all the kindnesses and support you've given me, particularly this Session,

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because I've needed a lot of kindness and support, going through two elections in just a few months. I also want to thank Pate and Carter, not only for all their support, but also for letting me take several of your people along with me. Certainly, Brian McFadden and Mark Gordon and my secretary, Sandy Hecht, who are going with me, will be missed here, I know, and certainly will be an asset to the City of Springfield. So, thank you and God bless to all of you.

PRESIDING OFFICER: (SENATOR WATSON)

The -- the business of the Senate is not complete at this point. The business of the Senate is not complete. Messages from the House, Mr. Secretary.

SECRETARY HARRY:

Message from the House by Mr. McLennand, 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 45.

(Secretary reads HJR No. 45)

Adopted by the House, May 26th, 1995.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz moves to suspend the Rules for the purpose of immediate consideration and adoption of House Joint Resolution 45. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Dudycz has moved for the adoption of House Joint Resolution 45. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following bills are, pursuant to Senate Rule 3-9(b), exempt from

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the automatic re-referral provision of that rule: In the Committee on Environment and Energy - Senate Bills 47, 53, 631, 638 and 1058; Committee on Executive - Senate Bills 123, 154, 187, 474, 475, 547, 633, 655, 705, 800, 806, 957, 1003, 1117, 1137, 1184 and House Bill 2106; the Committee on Financial Institutions - Senate Bills 351, 353 and 400; the Committee on Insurance, Pensions and Licensed Activities - Senate Bills 218, 554, 605, 609, 651 and 734; the Committee on Judiciary - Senate Bills 6, 12, 13, 156, 381, 402, 415, 438, 522, 551, 603, 792, 844, 861, 862, 863, 935, 936, 937, 938, 939 and 1090, and House Bills 234, 1023 and 1437; the Committee on Local Government and Elections - Senate Bill 959; the Committee on Public Health and Welfare - Senate Bills 309, 385 and 1114, and House Bill 1140; the Committee on Revenue - Senate Bills 62, 572 and 668; and the Committee on Transportation - Senate Bill 1076 and House Bill 1124.

PRESIDING OFFICER: (SENATOR WATSON)

Resolutions Consent Calendar. We will 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 any resolution on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

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. Senate Bills 1st Reading.

SECRETARY HARRY:

Senate Bill 1219, offered by Senator Syverson.

(Secretary reads title of bill)

1st Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
A point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

Please state your point, Senator Philip.

SENATOR PHILIP:

Yeah. I'd like to make -- make an observation. And I think we've broken two records this year that probably most people haven't thought about. The first record, this is the first time in sixty-two years that the Illinois General Assembly will adjourn ahead of time. Quite a record. The second record, believe it or not, we have been in Session fifty-nine days. We normally are in Session anywhere from ninety to a hundred and twenty days. And I think that we've only had two nights that we've been here late, and I guess I would call this a late night, although it's only 9:15. And we've done everything in the open, where everybody could see it. And I suggest this to the other side: that we had an election November 8th, we got the message. It's the first time since I've been around that we elected the Republican State ticket from the top to the bottom, increased the Senate one Member, took over the Illinois House with thirteen Members for the first time in twenty years. We not only did that, we went down to Washington, D.C.; took back the House and the Senate - the first time in my lifetime. And you know what, we got the message. The silent majority spoke. And you know what they said to us: Don't increase my taxes; government is too big, it's growing too fast, cut it down; and the thirty-year experiment in public welfare does not work - do something about it, change it. And you know what? We got the message and that's what this budget's all about. No tax increases. We reduced the hospital tax by one-third. We

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balanced the budget. We did tort reform, Structural Work Act. We did charter schools. No, we didn't do charter schools; we did Chicago school reform. We did University of Illinois board reform. And I'll tell you one thing: We have the greatest legislative record this General Assembly has ever seen. And you know what? We're going to get reelected on that record. I want to compliment both staffs. They worked long and hard. And...(applause)...and we're going to miss Karen. She has been a great Member. She's going to do well as the Mayor, I will tell you that. And my press secretary for eleven years, Mark Gordon, is going to -- bigger and better things; he's going to work for the new Mayor, so we're going to miss him. But we have a good group; we have a lot of fun. Have a great summer, and drive very carefully on the way home, because you might run over a Republican.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver, for what purpose do you rise?

SENATOR WEAVER:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

Please state your point, Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. I want to commend President Philip for the orderly and responsible manner in which he managed the Senate, worked with the Governor and Speaker Daniels, to move forward this aggressive agenda - all in a record amount of time. Two years ago, President Philip set May 22nd <sic> as the goal for adjournment. Tonight we beat that deadline by two days. As you know, today is President Philip's eighty-fifth birthday. Happy birthday, President Philip.

PRESIDING OFFICER: (SENATOR WATSON)

No other business to come before the Senate, the Senate will

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adjourn until Friday, October 20th, 1995, at 11 o'clock a.m. Have  
a great summer.

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