

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 2, 1988

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Doctor John S. Kay, Westminister Presbyterian Church, Springfield, Illinois. Doctor.

DOCTOR JOHN S. KAY:

(Prayer given by Doctor John S. Kay)

PRESIDENT:

Thank you, Doctor. Reading of the Journal, Madam Secretary. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I would like at this time, Mr. President, to yield the reading of the Journal to Senator Zito.

PRESIDENT:

His...his time has not yet come. Oh. Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President. I move that the reading and approval of the Journals for Tuesday, May the 17th; Wednesday, May the 18th; Thursday, May the 19th; Friday, May the 20th; Tuesday, May the 24th; Wednesday, May the 25th and Wednesday, June the 1st, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Zito. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. (Machine cutoff)...have the attention of the membership, the Chair is pleased to introduce and ask to be recognized thirty-four students from the Sayer Language Academy on North Newland Avenue in my district. They're in the President's Gallery with their teachers, Mrs. Woodlouski, Mrs. Hall and Mrs. McKnight. Will our

guests please stand and be recognized. Welcome to Springfield. Committee reports, Madam Secretary.

SECRETARY:

Senator Savickas, chairman of the Committee on Assignment of Bills, reports the assignment of the following bills to committee:

Appropriations I - House Bills 3201, 3207, 3244 and 3846; Energy and Environment - House Bills 1584, 3179, 3564, 3565, 3668, 3683, 3685; Executive - House Bills 2569, 2930, 3260, 3662, 3695, 3735, 3895, 3896, 4068; Finance - House Bills 2293, 2793,...pardon me, 3891 and 4192; Higher Education - 4233 and 4234; Insurance, Pensions and Licensed Activities - House Bills 253, 917 and 3544; Judiciary - House Bills 3338, 3592, 4125, 4179; Local Government - House Bills 196, 1279, 3311, 3586 and 3785; Public Health, Welfare and Corrections - House Bills 741, 3279, 3552, 3553, 3572, 4005; Revenue - House Bills 2913, 3522; Transportation - House Bill...House Bills 3914 and 3466.

Senator Jones, chairman of the Committee on Insurance, Pensions and Licensed Activities, reports House Bills Noed. 3024, 3161, 3477, 3763, 3789 and 3840 Do Pass.

And House Bills Noed. 2755 and 3096 Do Pass as Amended.

Senator Netsch, chairman of the Committee on Revenue, reports House Bills Noed. 2909, 3417, 3418, 3420 and 3512 Do Pass.

And House Bill 2918 Do Pass as Amended.

Senator Rock, chairman of the Committee on Rules, reports the Rules Committee met at 11:45 a.m. on Thursday, June 2, 1988. The attached list of House bills were unanimously recommended for referral to the Committee on Assignment of Bills.

House Bills 849, 1576, 1729, 1844, 2004, 2159, 2555, 2917, 2921, 2931, 3007, 3055, 3104, 3125, 3149, 3273, 3278, 3286, 3297, 3303, 3331, 3335, 3345, 3349, 3372, 3389, 3395,

3427, 3455, 3489, 3527, 3557, 3570, 3598, 3612, 3620, 3626, 3666, 3671...72, 3733, 3800, 3806, 3835, 3911, 3926, 3930, 3931, 3933, 3943, 3946, 3951, 3969, 3987, 4000, 4014, 4045, 4075, 4094, 4107, 4108, 4116, 4154, 4180, 4191, 4256, 4269, 4277 and 4286.

PRESIDENT:

Resolutions.

SECRETARY:

Senator Resolution 1155 offered by Senator Davidson and all members.

Senate Resolution 1156 offered by Senator Kustra.

Senate Resolution 1157 offered by Senator Kustra.

Senate Resolution 1158 offered by Senator Severns.

Senate Resolution 1159 offered by Senator DeAngelis.

Senate Resolution 1160 offered by Senator Lechowicz.

Senate Resolution 1161 offered by Senator Philip.

They're all congratulatory.

Senate Resolution 1162 offered by Senator Carroll. It's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 137 offered by Senator Geo-Karis, Barkhausen, Philip, Weaver, DeAngelis, Davidson and Schaffer. It is congratulatory also.

PRESIDENT:

Consent Calendar. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, 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 Noed. 2202.

I am further directed to inform the Senate that the House of Representatives has requested a first committee of conference to consist of five members from each House to consider the differences of the two Houses in regard to the amendment to the bill. John F. O'Brien, Clerk of the House.

PRESIDENT:

Senator Friedland. Senator Friedland, yeah.

SENATOR FRIEDLAND:

Thank you, Mr. President. I'd urge a conference committee.

PRESIDENT:

All right, Senator Friedland has moved to accede to the request of the House that a conference committee be appointed with respect to House Bill...Senate Bill...2201. All in favor of the motion to accede indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to ask leave of the...of this House to be hyphenated cosponsor with Senator Kustra, who's the main sponsor, on House Bill 3179 and I would...I have obtained his permission.

PRESIDENT:

All right, the lady seeks leave to be shown as the cosponsor on House Bill 3179. Without objection, leave is granted. Senator Jacobs, for what purpose do you arise?

SENATOR JACOBS:

Thank you, Mr. President. With leave of the Body, I'd like to be added as a cosponsor to House Bill 4059.

PRESIDENT:

4059, the gentleman seeks leave to be added as a cosponsor. Without objection, leave is granted. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I'd like to request leave of the Body to be added, with the permission of the sponsor, as a hyphenated cosponsor on House Bill 3915.

PRESIDENT:

House Bill 3915, the lady seeks leave to be added as the hyphenated cosponsor. Without objection, leave is granted. Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. To House Bill 1374, I would like to add some cosponsors and they are Rock, Newhouse and Zito.

PRESIDENT:

All right, gentleman seeks leave to add Senators Rock, Newhouse and Zito to House...cosponsors of House Bill 1374. Without objection, leave is granted. Senator Dunn, for what purpose do you arise, sir?

SENATOR TOM DUNN:

Thank you, Mr. President. If it's in order, I would ask that we move to the resolutions to HJR 186.

PRESIDENT:

All right, the gentleman has sought leave to move to the Order of Secretary's Desk Resolutions to take up House Joint Resolution 186. Without objection, leave is granted. Madam Secretary, on the Order of Secretary's Desk Resolutions is House Joint Resolution 186.

SECRETARY:

House Joint Resolution 186 offered by Senators Thomas Dunn, Severns, Holmberg, Poshard, Kelly, Netsch and Savickas.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This is the House's resolution rejecting the pay raise, and since there has been some question raised whether or not the Senate's rejection of the pay

raise is sufficient by and in itself, I would ask that we pass the House's version as well which disapproves the Compensation Review Board's recommendation and I would, therefore, ask for an Aye vote.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall House Joint Resolution 186 be adopted. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all vote...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Point of order. If I understand correctly, if we vote Yes we're voting against the pay raise. Am I correct?

PRESIDENT:

You are correct.

SENATOR GEO-KARIS:

That's what I wanted to know.

PRESIDENT:

Have all voted who wish? Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Yes, Mr. President, I had my light on and I at least wanted to ask the sponsor some questions and...and...and have a little debate on this. I can't see why we're voting against pay raises for ourselves.

PRESIDENT:

Well. Have all voted who wish? Your request is not timely. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, 2 voting Present. House Joint Resolution 186 having received the required constitutional majority is declared adopted. Senator Berman, are we ready? Ladies and gentlemen, with leave of the Body, we'll move to page 2 on the Calendar on

*S.B. 1839
1840
1840
2nd Reading*

the Order of Senate Bills 3rd Reading for the purpose of taking up Senate Bills 1839 and 1840, and then House 3rd reading for the purpose of the supplemental appropriation request of the Governor to be contained in House Bill 761. On the Order of Senate Bills 3rd Reading...Senator Berman, which bill would you like to proceed with? 1840. On the Order of Senate Bills 3rd Reading is Senate Bill 1840. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1840.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 1840 is a shell bill addressing the State Aid Formula. The purpose of our request to pass it today is to keep a vehicle alive to see what happens regarding any tax increases. I would, therefore, solicit your Aye vote.

PRESIDENT:

Any discussion? Discussion? Senator Zito. Any discussion? If not, the question is, shall Senate Bill 1840 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 3 Nays, 5 voting Present. Senate Bill 1840 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1839, Senator Berman. Senator Berman on 1839. Senator Berman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of amendments. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1839, Madam Secretary.

SECRETARY:

Senate Bill 1839.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

No, 2nd reading.

SECRETARY:

2nd reading, pardon me, of the bill. (Machine cut-off)...amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Berman offers Amendment No. 1.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is a proposal that has evolved through the deliberations essentially on the Democratic side of the aisle. Let me give a short recap of how we have arrived at this point. As you recall, the Senate Elementary and Secondary Education Committee along with the House Committee and the Citizens' Council held hearings in Chicago following the settlement of the school strike last October, and then in April after the mayor's summit process took place, we held hearings in Chicago to hear from the various groups that had reform proposals. When we convened in Springfield, there were five bills introduced dealing with the subject of Chicago school reform and I convened those four sponsors and myself in order to reach a consensus of the many proposals that had been considered during the mayor's summit process. The product that you see today was a product that was first surfaced in its...substantially in this form two weeks ago and then we had additional meetings, both in

Chicago and in Springfield, of interested legislators essentially on the Democratic side to reach a consensus. Now, let me explain what I mean by consensus.

PRESIDENT:

Can I ask the staff to take the conferences off the Floor, please.

SENATOR BERMAN:

There were literally thousands of citizens of Chicago that have participated, both in Chicago and down here, in suggesting reforms to the Chicago public school system. Amendment No. 1 is not any one group's product. It is a consensus in which there are varying ideas from various groups and does not embody all of the ideas of any single group and probably represents a difference of opinion among a...among all of the groups, but one of the things that it does represent is a consensus of the ideas that came forth from Chicagoans for the reform of Chicago public schools, and you will hear me state that several times during this debate this...this afternoon. Let me try to sketch what Amendment No. 1 does. We make several basic changes in the way Chicago schools will operate. We discharge all of the members of the present Board of Education. We set up a nominating committee from the grassroots up through the city level for the nomination of new school board members. That nominating committee will have one parent from each of the twenty-three school districts presently in existence in Chicago and five additional members appointed by the mayor with expertise in management, finances, other type of citywide concerns. Those twenty-eight members will be the nominating committee that will recommend replacements for members of the Chicago Board of Education that will be chosen by the mayor. We do not have an elected school board either centrally or at the district level, and for purposes of our discussion today, the districts are the twenty-three subdistricts in Chicago. We

have greatly expanded the role of the principal at the local school level. He has control over all of the personnel in his building. We have provided for accountability at all levels by requiring school...requiring performance based contracts for all the administrators including the principal, the district superintendents and the general superintendent. We have made a important recommendation here regarding the allocation of Title 1 funds so that a hundred percent of the Title 1 money which is generated by economically deprived children will, in fact, follow those children into those classrooms. It is a...four-year phased-in program for the forty percent which is presently not targeted and provides for the local school councils to address and utilize those additional Title 1 targeted funds. We approve...we give the local school council approval of expenditures from discretionary funds which are outlined in the...in the bill. That includes desegregation funds, Chapter 1, Chapter 2,...State Title 1, bilingual education, gifted education, school supplies, textbooks, materials, substitute teachers' supplies and energy costs. That is a substantial allocation of power to the local school councils. We provide for veto power of the principals' and district superintendents' contracts by local school councils and district advisory councils. We have mandated here a dramatic and unprecedented reduction in the bureaucracy of the Chicago school system. We have mandated here a redeployment of one thousand jobs, that is over a one-third...redeployment of jobs from Pershing Road. If...we are awaiting the details based upon the Pete Marwick study as to the number of jobs that will, in fact, be eliminated and the number of jobs that can be redeployed into the classrooms and local schools for assistance directly to students. We have made meaningful changes in the problem of inadequate teachers. We have reduced from one year to forty-five school days the amount of time...the minimum amount of

time that a teacher who is found to be unsatisfactory shall be in the classroom. If after forty-five days with...which is nine school weeks, a teacher is determined by the principal and the consulting teacher to be irremediable, that teacher can be removed from the classroom. Charges can then be brought by the school board and that teacher upon the bringing of charges is removed from the payroll. If there is outside the classroom remediation that the principal and the consulting teacher feel will be productive to shape that teacher up, that can also be employed as opposed to the firing process. There is a discretionary fund provided out of Chicago money to the extent of fifty dollars per student to allow the needs of Chicago schools on an individual basis to be addressed by that local school council; for example, if there are three hundred kids in a...in elementary class...classroom building, there would be fifteen thousand dollars of Chicago money, and I want to underline that there is a provision in here that we're talking about allocation of Chicago money, not a state mandate which has to be funded out of new state dollars but Chicago money, a reallocation of their funds within their budget. (Machine cut-off)...Amendment represents a consensus of the recommendations coming from Chicago parents and concerned citizens for the reform of the Chicago school system. I would be glad to respond to any questions.

PRESIDENT:

Discussion? By the way, Channel 5, WMAQ-TV has requested permission to shoot some film. With leave of the Body, leave is granted. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. And I will try not to belabor the point and get right to what I have to say on this particular amendment, Amendment No. 1, to 1839. I'm looking over sections of Senator Berman's bill

here and I would point out, first of all, that the remediation issue, it seems to me, is central to what we're trying to do in the Chicago schools. Senator Berman, you and I just came from a meeting where the chairman of the Chicago Board of Education addressed us, and Senator Fawell, after I left, asked a question of the chairman as to how many teachers in the Chicago system were fired last year. And out of twenty-three thousand teachers, twelve, according to the Chicago board, were removed. Anybody who has read the Chicago Tribune series of the last week or so would find it hard to believe that given the problems of that school system they could arrive at only twelve firings. This remediation issue in your bill, Senator Berman, creates a real serious problem, as far as I'm concerned. As you know, the bill which we presented last week and which passed out of here provided for sixty days of remediation in the classroom, and if after those sixty days the teacher wasn't remediated, that was it. Now that teacher has had an opportunity to teach his regular courses throughout the entire school year and then an evaluation is made and then the remediation period walks in...or kicks in for sixty days under this proposal which we have sponsored. Your proposal provides for forty-five days in the classroom but then allows for one hundred and forty school days of remediation outside the classroom. For starters, I do not understand the value of remediating teachers outside the classroom, number one; number two, I don't see the need for an extra one hundred and forty of them. It seems to me that this is simply an attempt to deal with the sacred cows who have been feeding at the public trough for a long time. This bill doesn't deal with the problem. It doesn't deal with accountability. The bottom line is that there is no accountability mechanism in this legislation. There is no opportunity for the people of the City of Chicago at either the central board level or at the district board

level to elect people who can control their schools. That's what we already did in this Body; with forty-one votes, we did that. There is also no opportunity for any parent, for any community member, for any taxpayers to have any input into the collective bargaining process. Again, the purpose of our proposal was to provide at the district level an opportunity for parents and community members and taxpayers to decide how they would bargain with their teachers and none of that in this bill. This is a flawed bill. I would urge its rejection and remind the members that I have an amendment to Senate Bill 1839 which will incorporate what we did here last week with some minor changes that some of the members from the other side of the aisle have asked for, but in the meantime, I'd ask for a No vote on Amendment No. 1 to Senate Bill 1839.

PRESIDENT:

All right, question is the adoption of Amendment No. 1 to Senate Bill 1839. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I just have a couple of questions I would like to pose to the sponsor, Mr. President...

PRESIDENT:

Sponsor indicates he will yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Berman, I'm looking at page 51 which is the last page of the amendment, Section 8.13, "Notwithstanding the provisions of Section 6 and 8 of this Act, no reimbursement by the state shall be required by the implementation of any mandate created by this amendatory Act of 1988." I assume that that goes directly to the heart of the mandates with respect to the promotion and rewarding to the achievement of the individual school districts which has an estimated price tag in the millions as well as a report to be rendered back to the General Assembly which, again, the estimated cost is

three to five million and it also refers, I assume, to the fifty dollar per student discretionary spending which is estimated to be twenty-one million. Those three...new mandates by virtue of this language on the last page is not an obligation on behalf of the State of Illinois for any additional or new revenues to the City of Chicago for their public school system. Is that correct?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes, and let me expand upon that yes. We discussed this yesterday in caucus and I want to be very clear on the record and I've stated that this morning in committee to the president of the Chicago Board of Education. The items that Senator Demuzio refers to are items that under this amendment the Legislature is saying out of two billion dollars of appropriations that you run your schools with, Chicago, we want this done from your money. This is not new money. It's not additional money. It's not state money. It is a reallocation by...by our determination of three items that should be...that part of that two billion dollars of Chicago's money should be spent on.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Finally, the...the response that you got from the gentleman, as I was there, was that they would absorb...whatever new mandates without any new money that they would just have to live with. Is that correct?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

You're talking about Doctor...Gardner's response to me? Well, no, I think...to be honest, I think Doctor Gardner said

he would prefer to have new money, but regardless of what he would prefer, if there's no new money and this amendment passes, they must reallocate it from their resources.

PRESIDENT:

Senator Demuzio, have you concluded? Senator Demuzio.

SENATOR DEMUZIO:

Well, notwithstanding the fact that there is to be any new money, we as a...we, as a state, by virtue of the language in this bill are not obligated at all to fund these mandates. Is that correct?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

That's correct.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Just to clarify something that Senator Kustra touched on and that we touched on yesterday, many of us in the Democratic Caucus, an issue of great import and that had to do with the remediation period, and I think it's only fair to disclose that to my colleagues on this side as well as to those on the other side. We were concerned and then there was some question about the need for remediation beyond a forty-five day period, what the costs were, who...what school was...was that charge against the school, against the board and there was some talk about additional amendments. For those on this side of the aisle who are looking for that amendment, let me direct you to page 20 of this amendment...page 20 of this amendment, line 20 and read as follows regarding this remediation period, "That provided that the additional remediation shall be undertaken only in those cases where at the termination of the forty-five school days

remediation within the classroom...where at the termination of the forty-five school days remediation within the classroom, the principal and the consulting teacher," and there's both, "determine that based on the teacher's progress," that's within the forty-five-day period in the classroom, "based on the teacher's progress that the teacher is remediable, and further provided that such additional remediation, if required, shall be for a period of no more than a hundred and forty school days." So, this means that the additional second remediation period outside the classroom, the one hundred and forty day period will be allowed only if...only if both the principal and the consulting teacher determine that during a forty-five-day classroom remediation period that that teacher is, in fact, remediable and is making progress, then and only then will the second remediation period kick in. Thank you.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Senator Berman indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

You provide in this amendment on page 25 for the election of local school councils, that those...local school councils are advisory. Is that right?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

No, they have some power of their own as well as being advisory. For example, they submit to the district superintendent the names of principals. They have vested...discretion as to all of the lists of categorical

monies that we have listed in the...in this bill. They have the power to sit and work out the terms of a contract with the principal. They nominate to the district level and then downtown the nominating process for the Board of Education, so it's not advisory...purely advisory, they have substantial powers given them by this amendment.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

...other words, they have input...they don't have the final word, do they?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes, they have the final word on a number of the issues that I've just explained.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, we passed a bill here about a week ago where we provide over twenty subdistricts. Chicago is the only city I know in Illinois that has one school district for four million people. It seems to me we should have twenty subdistricts, and that's not provided for in this amendment, because I do feel...like we have in Lake County and DuPage County, we have our school districts...the very school districts they...they run the business of their schools. How can the City of Chicago really run their schools adequately when they haven't been able to do so before without doing a very radical piece of surgery such as dividing their city into twenty subdistricts? I don't feel that this amendment goes far enough at all to redress the wrongs already found in the Chicago school district, and I do feel that this is a bad

amendment and I don't feel it'll do the job that we want to do. We're not going to get education reform in Chicago with this amendment, hardly, it'll be business as usual.

PRESIDENT:

Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. My concern followed the lines of Senator Demuzio in the funding. I had raised that privately with Senator Berman. I'm delighted to see on page 51, lines 17 through 20, Section 8.13 the understanding that this is not...these programs are not to be mandated and funded by the State of Illinois. As a Senator that represents an all-suburban Cook County district, I have heard loud and clear from my constituents that said, yes, the City of Chicago needs to reform its school system but we should not be supplying the additional dollars to make sure that reform happens; therefore, with this proviso, I feel safe in allowing reform to happen from Senators that are within the City of Chicago, understand the school system and I can support this as long as suburban taxpayers and downstate taxpayers are not paying anymore for these reforms, and I appreciate Senator Berman adding that section to make that clear. Thank you.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDENT:

Senator Berman, will you yield? Senator Fawell.

SENATOR FAWELL:

Senator, on page 22, line 27 it says and I quote, "In school districts...subject to collective bargaining agreement as of the effective date of this amendatory Act of 1988 the

changes made in the section by this amendatory Act of 1988, which are in conflict with that agreement shall go into effect only upon expiration of or termination of that agreement." Now, for...in other words, this isn't any good until the Chicago school system's contract is up. Is that right?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

There is a provision in the Constitution which talks about not being able to abrogate contracts, so that what we have said here is that the changes that we want to make will take effect, realistically, if this bill passed tomorrow, will take effect when the Chicago contracts expire. Now, that will expire on one of two dates, either...August 31st of 1988, if they don't get the money necessary to do what the contract calls for or August 31st of 1989, which is the expiration date even if they get the money that they need, but there is no law that we can pass that could make it effective any earlier, it would be unconstitutional.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

So, for...in other words, if we pass this now, the best we could hope for would be in August of 1988, we would start...really talking about what kind of reforms we could get in because wouldn't they in turn come back and try and...and bargain about some of these provisions and if they don't get what they want, they could go out on strike.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

No. If we pass this bill, when the contract expired on August 31st of '88, any new contract would be subject to this law because it was in place at the time of the expiration.

PRESIDENT:

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. No one disagrees that Chicago reform is needed as long as it is not made at the expense of suburban and downstate schools. Would the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Severns.

SENATOR SEVERNS:

Without being redundant, because I know we've been through this several times before but it is important, is it your absolute intent that through Section 8.13 that the reform is outlined by this bill will be achieved within the existing allocation to Chicago schools?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Let me be totally candid, the word that bothers me in your question is "existing." If we give them no more money, the answer is yes. If we give them in any way that we see fit to appropriate more money, it's within the money that they get, it's not an add-on...I hope that...that addresses...if you want...ask it again but...the word "existing"...if we give them more money and they've got a bigger pot, they can address these mandates within that pot, but it's that...their pot of money, not the state's.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Through their existing formula is what you're saying. Thank you.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, just for further...clarification...I couldn't find the...the fifty dollar per student allocation. I found it on page 43, but to reiterate the...the sections that refer to by virtue of the language in...page 51, notwithstanding provisions of Section 6 and 8 are...are those that cover the entire mandates and therefore make it a voluntary program...I...I found it. Thank you.

PRESIDENT:

All right, any further discussion? Further discussion? If not, Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 1839. All in favor indicate by saying Aye. All opposed. Roll call has been requested. That request is in order. Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 1839. Those in favor of the adoption of the amendment 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 29 Ayes, 25 Nays, none voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz on Amendment No. 2.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. In this process, we have been talking for a long time about increased involvement of the parents, increased involvement of the locals and if, indeed, we're talking about that, that is exactly what this amendment does and that is what all the people that I have been talking to, all the parents' groups, the community groups from across the state, they have all be urging this. Now, we're creating local

school councils. If we are creating local school councils and we're going to give the parents input, we ought to be giving those parents and those councils the opportunity to choose their principals. That's what this amendment does. It says that those councils can choose their principals on a performance contract. That's all it says. The amendment that we just passed says that the councils nominate three and send it to the subdistrict superintendent, another layer of bureaucracy, in effect, taking it away from the parents. Yes, the parents have the right by a three-fifths vote, I think, to overturn the decision, but the fact is, all the parents that I have talked to said, why are you creating these councils if you're not giving us the chance to appoint the principals on a performance contract basis? Let us do it if you want us to get involved and that's what this amendment does. It says that those school councils, those parents, those community people get to pick their principal without going to another level of bureaucracy. That's all this amendment does and I solicit your Aye vote.

PRESIDENT:

All right, Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 1839. Discussion? Senator Berman.

SENATOR BERMAN:

This is one of the proposals. I have no objection to it. We can adopt it by voice vote.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I've...I've discussed some of Senator Marovitz' proposals with him and from the looks of some of them, they do attempt to make a bad bill better. I don't think anybody on this side of the aisle wants to get in the way of trying to give

parents more power, but, again, essentially, the bill is...is flawed but I can't disagree that if Senator Marovitz wants to help Senator Berman get this in a little better shape, I suppose that that's his prerogative.

PRESIDENT:

All right, Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 1839. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...thank you, very much, Mr. President and members of the Senate. Amendment No. 3 deals with the School Finance Authority and the composition of the...of that finance authority. In the present bill, it...it allows the chairman to live outside the City of Chicago and I do think that that individual who currently is on the authority and lives outside the boundaries of the City of Chicago has done an outstanding job and deserves all of our credits and all of our plaudits. All this amendment says is when that individual is no longer on the board, then all members would have to be from the City of Chicago. I want that individual to stay as long as he can but when he is no longer on that board, then all members have to be from Chicago. That's all it says. I solicit your Aye vote.

PRESIDENT:

All right, Senator Marovitz has moved the adoption of Amendment No. 3 to Senate Bill 1839. Discussion? If not, all in favor indicate by saying Aye. All...I beg your pardon. Senator D'Arco.

SENATOR D'ARCO:

Senator Marovitz, why does he have to be from the City of Chicago?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

'Cause he is dealing solely and strictly with the Chicago schools and I think our people, our residents should decide the policy for our schools.

PRESIDENT:

Further discussion? If not, Senator...Senator D'Arco.

SENATOR D'ARCO:

You just said the present chairman is doing a great job and he doesn't live in the City of Chicago. Now, you're saying that a future chairman has to live in the City of Chicago because he's dealing with our schools in the City of Chicago. Would you try to make sense out of this for me?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I'll do my best to make sense so you can understand it. The...the...the present individual who lives outside the city has done a terrific job and there was no limitation on the board at that time and I want that individual to stay and continue to do the job that he's done, but I think that there...that once he decides no longer to be on that board, there are enough quality people within the boundaries of the City of Chicago where all the kids come from and where all the parents are and where all the local school councils are that we can find somebody, when that individual steps down, within our own borders to do a quality job just like that individual did. That's all I'm saying.

PRESIDENT:

Any further discussion? Further discussion? If not, Senator Marovitz has moved the adoption of Amendment No. 3 to

Senate Bill 1839. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz on Amendment No. 4.

SENATOR MAROVITZ:

This has to do with the Board of Education, the tremendous bureaucracy downtown, and in the amendment, Amendment No. 1, we reallocate one thousand jobs from the Pershing Road Board downtown throughout the district. This amendment says that there is a cap on employment and spending at that level. If the attendance at the Chicago schools go down, you certainly can go down in number, but you can never go up from that number so as to put a limit on the Chicago Board of Education downtown, their spending and their employment habits; and if we're going to do something about that board, this certainly does something in capping the spending and employment at the level that we are...we have adopted in Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator...all right, Senator...Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in opposition and let me explain to you what the differences are between the Marovitz amendment and the...Amendment No. 1. In Amendment No. 1 that we adopted, we called for a redeployment of a thousand jobs and then...and then the administrator to pupil ratio shall not change. What that means is that in a couple of years when we expect a substantial increase in the attendance at Chicago schools because of the population factor, we're not arbitrarily capping the number of reduced personnel

to address their problems and, in addition, if we keep passing some mandates as we are today and in the future, there's going to have to be some additional personnel but no more than the ratio that exists after we reduce it by a thousand. The Marovitz amendment would put an absolute cap. I don't think that's either realistic, it makes...makes...may...may sound great today but I don't think that we should have to come back every couple of years to readjust their responsible approach to education and, therefore, I stand in opposition to this. It's not practical. It's not realistic. A practical approach is in the amendment we already adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If...if not, Senator Marovitz may close.

SENATOR MAROVITZ:

This...this amendment puts us in control of what's happening on Pershing Road downtown, not the bureaucrats in control of what's happening; and if we really want to get a handle on those bureaucrats, their spending and their employment practices, this is the way to get a handle on those people and put a cap there. If they...if they need additional people, they can redeploy existing people from the board in order to hire people, they can redeploy them back into the classroom, but this gives us the control that we want, because for a long time we've allowed the board to control itself and now we see what's happened, employment and spending has gone on willy-nilly, uncontrolled. Now, we get control by this amendment. I urge you to vote Aye on this amendment to cap the spending and employment at the Chicago Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 4 to Senate Bill 1839. Those...those in favor will indicate by saying Aye. Opposed Nay. Opinion of the Chair, the Ayes

have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I...is this the amendment which just eliminates the section authorizing the closing of the Chicago schools if the Oversight Committee does not believe that reforms are being carried out? I think...it must be and although I think that's the right, ultimate resolution, we all know that the bill is going to go through considerable metamorphosis before it finally sees the light of day, so I will withdraw the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch has sought leave to withdraw Amendment No. 5. Leave granted? Leave is granted. Amendment No. 5 has...been withdrawn. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senators Kustra, Schaffer and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The amendment before you at this time is essentially the same bill which we passed out of here last week by a vote of forty-one votes. There were some of you who had some concerns and I have made some amendments to the bill and I wanted to point those out to you. Some of you were concerned about Superintendent Martwick of Cook County getting involved in this issue. He is no longer involved with...with this amendment. He has been...been removed and this transfers the language back to its original language which says that he is

to be...elected by the entire body of Cook County. There is also some language in here which Senator Rock requested regarding whether or not public officials are allowed to run for the school board. This would not place any prohibitions on who can run to the...for the school board. Senator Carroll was concerned about language that...that might not go far enough in allowing the individual school districts to cooperate with...with each other and establish interdistrict agreements for joint programs. Specific language is included now which would allow that. Administrative expenses are frozen but not at the FY '85 level which was the original proposal of mine but FY '81 level which takes the numbers back to even more...in more drastic fashion. The language concerning future administrative expenditures has been rewritten. I won't go through the rest. There is also language added which requires the allocation budget adopted by the central board to reflect the distribution of State Title 1 monies to local schools already required by the School Code. There was some concern that the central board could override the requirements for Title 1 monies to track the students. Well, I don't think we have to belabor the point. The issue is a simple one. You either choose between a bill which allows the mayor of the City of Chicago to continue appointing school board members or a bill, the one before you right now in Amendment No. 5, which gives the people of the City of Chicago the power to elect their school board members. You choose between a bill which is still weak in form and doesn't really delegate the power to people at the local level to elect or you choose one that actually decentralizes and gives to people all across Chicago the power to elect their own school boards, that's the one before you in Amendment No. 5. In other words, you choose between politics as usual, as we've seen it for too many years, or you choose between a system which finally lets the people of the city

play a role. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra has moved the adoption of Amendment No. 5 to Senate Bill 1839. Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in opposition to this bill...to this amendment. One of the things that we have tried in most cases on this Floor is to allow the sponsor to have pretty much control over his bill. Two weeks ago this amendment was presented to us in bill form and was approved in bill form. Those of you who liked that, either because you liked it on its merits or because it was the only game in town on that day, you voted for it. Today, this is what I will call a Democratic proposal. It represents the thinking of the Democratic side of the aisle and the thinking of the people from the City of Chicago. The Kustra amendment is not. That proposal of dividing Chicago into twenty some districts and elected school boards was rejected by the people of the City of Chicago in their grassroots summit process. I ask you to allow us to vote our proposal out today, not a duplicate of the proposal that was already voted out two weeks ago. This is the Senate. I ask, especially the members on my side of the aisle, stand with our product, not with the Republican product. I urge a No vote on Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

It somewhat saddens me to see the...aura of partisanship suddenly cast down on this particular issue. In the debate on the Kustra bill a couple of weeks ago, I...I think we tried very hard to emphasize that we didn't perceive the ultimate solution to the Chicago school situation as being

either a Democrat or Republican problem, we perceived it as a problem for all the people of this state and I certainly don't recall anyone asking for votes on that bill based on partisanship. The simple fact is that we have sent what I think is a meaningful and tough bill over to the House that calls for some major reforms that puts the control of the Chicago school system in the hands of the people of the City of Chicago for the first time, at least in my lifetime. This bill as it currently exists without this amendment is...probably has some good points in it, but the bottom line is, it's a little more than rearranging the furniture in the superintendent's office. It's meaningless now and by the time it gets through the process, it'll mean even less. If we are sincere, if we care about reforming in the Chicago school system, we need to send the strongest possible bill to the House calling for the enth degree of reform that that system can effectively handle. If we send a basically meaningless bill over there and submit it through the rest of the...compromise process of the legislative system, what will eventually reach the Governor's Desk will be a bad joke. I would urge the adoption of this amendment, not on the basis of partisanship but on the basis of trying to achieve something with reforming the Chicago school system. If we send a tough bill to the House to move through the rest of the process, and...frankly, I don't care whether that bill has a...a Republican sponsor or a Democratic sponsor, if we send a tough bill over there, we know it's going to be compromised, we know there's going to be give and take in the final...the working through the House and the conference committee stage, but it's possible if we at least start with a tough bill that we'll end up with something meaningful. If we send mush over, well, we're going to end up with pabulum, and this bill is mush without this amendment. Let's send something meaningful over. Let's adopt this amendment, send this bill over

with this amendment on and send a strong message not only to the House but to the leaders of the educational community and those...vested interest groups that we love so dearly that run the Chicago school system that we're serious about doing something meaningful. It's not the last step in the process or the trip, but if we are really serious, we'll adopt this amendment and send this bill and with the amendment to the House and hope that something meaningful will come out of this Session in a form of reform of the Chicago school system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, doesn't anybody care about the school children? Are we going to care because we're Democrats or Republicans? Which comes first the chicken or the egg? I think it's about time that we got some meaningful reform and I don't see why the people aren't good enough to elect the school boards under this amendment when they're good enough to elect us in the Legislature. I do think there must be some fallacy somewhere. So, I say, Ladies and Gentlemen of the Senate, this is a good amendment and this really has good, constructive reform, and if we're really interested in caring about the children of Chicago and their education and...really interested in real reform, this is the amendment and I speak in favor of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I rise in opposition from this amendment and most of it I discussed or mentioned to you last week when the bill was introduced. To divide the City of Chicago up into twenty smaller district will become more

costly, more inefficient and harder to run. The same...administrators that you need for one district, you'll need twenty times that many. Also, we talk about accountability and giving the...the people of the City of Chicago the ability to elect school board members, but we can look across the state and see other counties and other school districts where elections are held and we notice that the turnout in those elections are very low, the interest in them is not taken for granted...it's taken for granted and there is no interest put into it by the people that are charged with electing those school board members, this is a fact. Also the cost of the elections themselves is expensive and would take from funds that could go toward the education of the kids rather than in...in electing school officials. For those and more reasons, I stand in opposition of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to Amendment No. 5 and I think I can recite virtually what Senators Geo-Karis and Schaffer recited. Yes, we are serious about school reform in the City of Chicago. No, I do not think the bill as presented without Amendment 5 is meaningless or mush or pabulum, and I think, as Senator Berman so rightfully pointed out when he addressed the first amendment, that this is an attempt to present what the consensus of the...parents, the summit, the mayor's office and virtually...we must have had twenty reports that I'm sure all of you are familiar with. There wasn't any single one of those reports that called for the twenty district plan, as it's now known. More than that, if you go through Amendment No. 1 of the fifty-six or fifty-seven different changes that are made, you can virtually

track what the recommendations of the summit and the parents' groups from Chicago really are concerned about. If, indeed, Amendment No. 5 is adopted, I'm going to request that Senator Berman not even pursue the bill, just let it sit here. There isn't any question that this is...this is not the final work product. The negotiations will continue. As late as this morning the members of the Chicago board were addressing and discussing with the Senate Education Committee and those discussions will continue, but I would ask that we defeat Amendment No. 5 and allow Senator Berman's bill to proceed as that bill which best represents the thoughts and the feelings and the concerns of the parents of the...kids in the City of Chicago. So, I would urge the defeat of Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...I'm sorry, Senator DeAngelis.

SENATOR DeANGELIS:

I don't think I...I don't think I'll ever light my light up again after that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I...I'm sorry, Senator DeAngelis, but Senator Geo-Karis talked about which came first the chicken or the egg, and I was trying to figure out what did come first. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I'm a little reluctant to speak up on this particular issue, but having had the opportunity to chair the investigation of the Chicago board about eight years ago, I concluded at that time and wrote in a minority report that even if we were to take care of the financial problems of the City of Chicago, in the end, we would find the system unmanageable, and, frankly, Senator Berman, I do not find anything in your proposal that indicates to me that you have made it more manageable. In Sena-

tor Kustra's amendment, there is an attempt...an attempt to make it more manageable by putting it at the hands of a smaller group of people and what they say in the business world, if a big problem is unresolvable, you make it a bunch of little problems and maybe you can solve those little problems a lot easier than you can the big one. Now, I can also recall when that report was submitted, and I will not incur the ire of the Body by asking how many because it's been suggested that the Chicago people know the solution better than anybody. How many Chicago legislators have their kids in public school? I'm not going to ask that question. Nor I'm going to ask how many have had them in Chicago public schools because I know full well what that answer would be. The point is, at the end, when you start analyzing Senator Berman's amendment or Senator Kustra's amendment, ask yourself one question, if you had to put your kids in that school, which system would you like better, Senator Berman's system or Senator Kustra's system? And I have to tell you, that does not evoke a partisan response. It requires a thoughtful response and I think that's the way this amendment ought to be judged, not whether you live in the city, because I know many who live there don't go to their schools, nor whether you're a Democrat or Republican, because I think we all like good schools. The question is, when you're done, which one offers the better product. And I might make one other comment. The Speaker of the House has determined that Senator Kustra's bill that went out of here overwhelmingly is not worthy of being released for consideration, and I have to submit to you that perhaps what we have here is something less and the fact is that the only way to give any consideration to Senator Kustra's bill is to now have it on as an amendment on this bill. I ask for your support on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

PAGE 35 - JUNE 2, 1988

Further discussion? If not, Senator Kustra, you may close.

END OF REEL

REEL #2

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I'd like to pick up right where Senator DeAngelis left off. We all know what happens this particular year, it's a limited Session, bills go to Rules Committees, they're held up there until they're deemed to be either of an emergency nature or a financial matter. Over in the House is the bill that by forty-one votes this Senate sent to that Body, and just yesterday it was quoted in the paper that the Speaker has determined that bill shall lie in Rules. Now, at this moment, all that means is that the Speaker of the House of Representatives has said that the reform of Chicago schools in the manner we chose two weeks ago is not sufficiently important or an emergency in nature to send out of that Rules Committee for a fair hearing, and that's the reason why Amendment No. 5 is being discussed right now and why I offered it today, because they apparently need an even stronger message than we sent over there two weeks ago. That bill is buried and they say themselves it will not come out. That's not what the people of the City of Chicago are saying, they're demanding much more, and most importantly, ladies and gentlemen, Chicago school reform must not and cannot be partisan. It wasn't two weeks ago and it wasn't last year and the year before when Senator Carroll introduced the same bill we're debating here right now, and it isn't in other areas of the state where downstaters have the very experience we're trying to give Chicagoans and those of us in the suburbs as well. We elect our school boards, that's what we're trying to do by Amendment No. 5 and if we fail on Amendment No. 5 and Senator Berman's bill goes over to the House, it's back

to business as usual, but we need a stronger message than the one incorporated in 1839 prior to the adoption of this amendment. So I urge you to think about that, think about what we're about here. We must get the House to consider the toughest reform possible or a lot of other things aren't going to happen in the State of Illinois in the next thirty days. I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra has moved the adoption of Amendment No. 5 to Senate Bill 1839. Those in favor will indicate by saying Aye. Opposed Nay. The Nays...all right, a roll call has been requested. Senator Kustra moves the adoption of Amendment No. 5 to Senate Bill 1839. Those in favor will vote Aye. Those opposed will vote Nay. The...the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 30, none voting Present. Amendment No. 5 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Bottom of page 2, House bills 3rd reading. With leave of the Body, we will advance to that order of business. Leave is granted. On the Order of House Bills 3rd Reading is House Bill 761. Senator Etheredge on the Floor? All right. Senator Maitland is...Senator Maitland, you request leave to handle that bill in Senator Etheredge's absence? Is leave granted? Leave is granted. So ordered...Senator Maitland on the House bills 3rd reading has requested House Bill 761 to be returned to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 761, Madam Secretary.

SECRETARY:

Senators Carroll and Maitland offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the amendment and then the legislation to solve the medical crisis in public aid that has existed in the State of Illinois throughout this fiscal year and most particularly since the Governor's action on the supplemental appropriation. What this amendment would do is to provide for sixty million dollars to be spent...sixty million dollars to be spent within the remainder of this fiscal year so that in a hardship account, all providers, hospitals, pharmacists, nursing homes, doctors, dentists and so on can be paid based on true crisis cash need. In addition thereto, we have provided for the ninety-eight million dollars to be effective July 1. As you will recall, when we talked about this before one of the issues was if we waited till Fiscal '89 to do any of this, that meant that the bills could not be processed till that bill was signed into law sometime mid-July and payments therefor near September. By doing it this way, if the cash is available to pay between now and June 30th including some transfers and lapses that we know will occur in some of the medical lines, if that cash is available, the monies will be paid between now and June 30th; if it is not...or that portion of the sixty that is not will of course be picked up during the lapse period spending which would be the normal course of events. They can start the paper work today if the Governor...if the House approves and the Governor signs it today to begin a payment cycle July 2nd for the remaining ninety-eight million dollars that is owed to these providers. So what we are doing is saying that, yes, we owe a hundred and fifty-eight million dollars; yes, we know that some of

HB 1839
3rd Reading

these people are in crises situation and we know if we do not give the appropriation authority for the sixty million dollars, if the money was there, the Governor wouldn't be able to spend it if he wanted to. This gives him the appropriation authority to spend sixty million dollars in the next three and a half weeks and the remainder the day after so that we meet our financial responsibility, and more importantly, our moral and social responsibility to keep a network of health care providing alive in this state. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 761. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. I think Senator Carroll has adequately explained the amendment. This is an issue that we debated quite vigorously a couple of weeks ago. We have reached a compromise that satisfies the opposition on that side of the aisle. I would urge members on this side to pass in a favorable way on this amendment. This will help to eliminate the Medicaid crisis that we're facing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 761. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With leave of the Body, we'll...we'll return to Senate bills 3rd reading, Senate Bill 1839. Madam Secretary.

SECRETARY:

Senate Bill 1839.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. We've debated it long and in detail. This bill represents a consensus of opinion brought to us by the parents and community of Chicago for Chicago reform. It is not the final package and discussions will carry forward. Many of the things that are in other bills very well may wind up in this one. I solicit your Aye vote on behalf of the children of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Now let me just reiterate once again how absolutely important it is that whatever we send out of this State Senate, whether it be two weeks ago or today, be nothing short of the strongest message we can possibly send the House of Representatives on the subject of Chicago school reform. The bottom line is this bill is not it, this is not the strongest message. That message was sent two weeks ago, it's still there. The House can still act on it. If you act on this favorably, you send a second, much more confusing message. Number one, that maybe we're not really sure of what we're doing over here; number two, that maybe we're not as serious about what we want to do to and for the people of the City of Chicago when it comes to the governance of their schools. Once again, the bill that you have rejected today but approved two weeks ago returned the power to the people at the local level. This bill does not do that and I would urge a No vote.

PRESIDENT:

Further discussion? Senator Berman, you wish...I beg your pardon, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll be very, very brief, since my name came up quite often in the debate on the amendment et al. As everyone in this Chamber knows, I have been a strong advocate of a change in the power structure down to the local districts in the Chicago public schools for some four or five years now. As I had discussed with Senator Kustra in his bill of two weeks ago, though I supported it I was not pleased then, and said so on the Floor of this Chamber, with an election process at the district level because of the problems that I was convinced were about to transpire and..., in fact, amended my version last year to make it a locally chosen at district level from the local school councils as we're now calling them where they submit the names up to a mayor and he appoints for...what I call district, what this bill calls subdistrict level. So that I think the issue is that the people still come forward from the grassroots and not through a very convoluted election method, though it's a method that we all come from and a potentially expensive one though it's a method that we all come from, and last year I said that and I said it two weeks ago. I must say that I believe this bill accomplishes the vast, vast majority of the things that my legislation did a year ago, two years ago, three years ago and four years ago in that it does create very strong local districts of education...subdistricts. I may have liked them to be a little bit more autonomous than this does but this does give to those districts the authority of curriculum, the authority in the principal of choosing new teachers, the authority in the community of...of assuming the responsibility for educating their children, choosing their principals, their district superintendent. You have that type of

accountability in this new approach that was not the approach of two weeks ago. I commend Senator Berman for adopting those ideas though very different than what came out of his committee in prior years, but it is what's here now, and I think it is a...an approach that deserves to go forward in that it does, in fact, give the power, authority and responsibility to the local levels where they appropriately belong, where they can be watched and monitored and the people most directly affected can determine the fate of the education of their children and I would urge support.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I think most of us that have been around here a little while know how this process works, and I...I sincerely hope that the people of Chicago aren't going to be bought off if this little scheme works by people telling them, well, geez, I voted for a nice bill when it left the Senate. Now we all know that the House is nowhere near as serious about reforming the Chicago school system as we are or at least the leadership from that part of the world hasn't shown any great interest in it. We all know that whatever we send over there that our friends in the union and the bureaucracy are going to do some more work on. So now we put a few amendments on to pick up a few individual members and then we're going to send it over to the House and then those amendments are going to go bye-bye. They're going to go bye-bye and all those things that you're now saying are your justifications for voting for this aren't going to be there when the conference committee comes up. I sympathize with some of the freshman members, they may not have been fooled by this technique in the past. Some of the older members understand what's going on, I hope the public does. This bill is mush and when it gets to the House, it's going to be watered down and then

it's going to be watery mush, and that's going to be the end of school reform. This roll call is the high point in school reform for the City of Chicago. If you genuinely are concerned about keeping a meaningful reform process going and if you have any hope, any hope of getting anybody who cares about education to vote for a tax increase, we better deep-six this bill and get on with meaningful reform for that most important, largest school district, the City of Chicago. I urge the rejection of this bill. That at least will send the House a continuing message that the Senate has not buckled in to the unions and the bureaucracy.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Briefly, Mr. President and Ladies and Gentlemen of the Senate. This is truly a bill for the bureaucracy and I'm sick of bureaucracies. We're not taking care of the kids the way we should, I speak against it.

PRESIDENT:

Further discussion? Any further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

Thank you, Mr. President. It's a...it's a strong bill. I urge an Aye vote. Thank you.

PRESIDENT:

The question is, shall Senate Bill 1839 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 25 Nays, none voting Present. Senate Bill 1839 having received the required constitutional majority is declared passed. Senator Kustra, for what purpose do you arise, sir?

SENATOR KUSTRA:

A verification of the affirmative roll...

PRESIDENT:

That request is in order. Senator Kustra has requested a verification. Will the members please be in their seats. Madam Secretary, please read the affirmative vote.

SECRETARY:

Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Savickas, Severns, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDENT:

Senator Kustra, do you question the presence of any member?

SENATOR KUSTRA:

Senator D'Arco.

PRESIDENT:

Senator D'Arco is on the Floor. All right. The roll has been verified. On that question, there are 30 Ayes, 25 Nays, none voting Present. Senate Bill 1839 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 761. Madam Secretary, read the bill, please.

SECRETARY:

(Machine cutoff)...Bill 761.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, members of the Senate. House Bill 761 as amended is our attempt to resolve the serious hardships facing the Medicaid providers in this state. As we've already talked about today, it provides for sixty mil-

lion dollars in hardship payment to medical providers immediately, and then will provide another additional 98.2 million dollars that will be available to all providers after the beginning of the new fiscal year and, I, Mr. President, would seek from the Body their support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 761 pass. 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 55 Ayes, no Nays, none voting Present. House Bill 761 having received the required constitutional majority is declared passed. We have, ladies and gentlemen, two motions that members have indicated they wish to pursue and then we have the adjournment resolution and the Resolutions Consent Calendar, so we should be concluding here in a short time. With leave of the Body, we'll go to the Order of Motions. Motions in writing, Madam Secretary.

SECRETARY:

A motion to reassign House Bill 3010. I move to discharge House Bill 3010 from the Committee on Local Government and reassign to the Committee on Executive...Senator Frank Savickas, chairman of the Committee on Assignment.

PRESIDENT:

All right. The motion is to rerefer House Bill 3010 to the Committee...Executive Committee from the Committee on Local Government. All in favor...Senator Fawell.

SENATOR FAWELL:

Could you explain...as our minority leader, I haven't even been asked. Could you explain why we're changing this?

PRESIDENT:

Well, we'll have to wait until Senator Savickas gets on the Floor. Take it out of the record. Further motions in

writing?

SECRETARY:

Motion to reassign House Bill 3900. I move to discharge House Bill 3900 from the Committee on Transportation and reassign to the Committee on Rules...Senator Earlean Collins.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. I...I move to have House Bill 3900 transferred from the Transportation Committee to the Committee on Rules to be assigned to its appropriate committee. It is a bill that deals with insurance and I personally feel that it should be heard in the Insurance Committee along with the other insurance bills and, therefore, I am asking this Body to transfer that bill back to the Assignment of...of Bills so that it can be assigned to its proper committee.

PRESIDENT:

All right. Senator Collins has moved to rerefer House Bill 3900 to the Committee on Rules for reassignment. Discussion? Senator Woodyard. Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I rise to oppose the lady's motion and to remind her and the rest of the Body that House Bill 3900 came out of the House after being approved in the House Transportation Committee. And so it seems to make good sense that if a bill coming out of the House was approved by the Transportation Committee and then out, then when it goes to the Senate it's assigned to the Transportation Committee, and I'm sure that's the logic that prevailed in the President's Office when this assignment is made. I...I oppose the motion.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just want everybody to know this is the mandatory insurance bill and what the previous speaker just stated was correct. I will be opposing this motion but I'll be supporting it...the next motion that will be forthcoming, because I'm afraid that even if this bill remains in Transportation Committee and the majority of the committee members would like to have the bill heard and called, the chairperson may have a different idea. I will oppose this motion at the present time and support Senator Marovitz' motion for the transfer. Thank you.

PRESIDENT:

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I rise in strong opposition to the motion. The time is long overdue to have mandatory auto insurance in this state. Thirty-nine other states already have it in...in effect, and to those who say it won't work, it's not working now. To those who say that the uninsured or underinsured policies in this state will cover the motorist who does not carry insurance, it simply isn't true. I speak from firsthand experience. Two individuals in the last five years who have hit me, who have been at fault, who have been ticketed and who have been...uninsured. On Tuesday of next week...on Monday of next week, I'll be in the hospital for a second surgery due to a previous accident and who's going to pay the bills? I am, not the responsible party. It's time that the consumers in this state have mandatory auto insurance, let's wake up and do what's right.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I feel compelled to

speak in favor of the motion. If we have the committee process and we respect the committee process in the Senate, then the bill should go to the Senate Insurance Committee as all previous bills have gone, and I see the sponsor of the bill is now in strong support of the House when just a couple of bills ago he was criticizing the House. So it all depends on...on what action the House take as to whether or not he support. But, however, the previous bills have gone to the Insurance Committee because they dealt with the subject matter that the members of the committee are thoroughly familiar with, and I think you have very competent legislators in that...on that committee who know that subject matter quite well, but when you...when you set precedent...and you set precedent by rerouting bills of this nature, then who is to say that next month...or next Session sometime the same thing may happen with other pieces of legislation. So, therefore, let's follow the traditional way we've done business in this Senate and vote in favor of this bill, because one day...and particularly those on my side of the aisle...on this side of the aisle in particular, if...this...these are the games that you want to play, you know, I...I'm basically nonpartisan. I'd as soon sit next to Judy Baar Topinka, you know, we make a good couple, but I'm basically nonpartisan. So, therefore, if you on this side of the aisle want to vote for a piece of legislation of this nature which really doesn't do anything, which will cause more harm to the people of the State of Illinois, and not follow the rules and the tradition and putting the bill where it belongs, remember, your ox may be going next.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I concur with what Senator Jones has said. I've

been around here a long time and now I see that in order to get bills out, we're sending them elsewhere. I think we should stay within the realm and I would ask that we give an affirmative vote for this motion.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, I would just take issue with Senator Kustra's thinking. Maybe we should just dispense with all of our committees and whatever the House sends over just read the report where their bills come out of committee and put ours in it. Obviously, Senator Kustra prefers the House operation better than the Senate and maybe we should just change our rules to accommodate all of that.

PRESIDENT:

Further discussion? Any further discussion? Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Body. I...I really thought that we would be able to kind of do this kind of in a clean, nice, honorable way and get it done. I think Senator Jones said it. If we are going to maintain the integrity of the committee process around here, we cannot afford to refer and assign bills to committee based on how many Senators sit in on that committee is pro or con on an issue. That is just not the way to run this Body and that's what has happened with this bill. I was not consulted about this bill being transferred to the Transportation Committee and, quite frankly, I am not opposed to mandatory, compulsory or whatever you want to call it, insurance, I am not. For years I have been talking about what is missing from this bill and it still remain the same, and that is unlike any other state in this nation, Illinois has no rate control provision and, really, based on what we've seen in the Sun

Times, no real control over the insurance industry in this state and so now we want to talk about compulsory insurance. Let's clean up the whole insurance industry. Let's bring about fairness in that industry and then we can talk about compulsory insurance but not until then. This bill is in the Transportation Committee for only one reason and that is because the votes have been counted and tabulated and there enough votes to get it out, and that is not fair to the people of my district and, therefore, I say that this...motion should prevail.

PRESIDENT:

All right. Senator Collins has moved to discharge the Committee on Transportation from further consideration of House Bill 3900 and asked that the bill be rereferred to the Rules Committee. All in favor of the motion 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 14 Ayes, 37 Nays, none voting Present and the motion fails. Further motions, Madam Secretary?

SECRETARY:

I move to discharge the Committee on Transportation from further consideration of House Bill 3900 and that House Bill 3900 be assigned to the Committee on Judiciary. Senator William Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, as long as the chairman of the Transportation Committee doesn't want the bill in her committee and really doesn't feel that that's the appropriate area, as chairman of the Judiciary Committee, I do feel that that is the appropriate committee and will be very happy to give that bill a full

and complete hearing, testimony on both sides, and I think that the Judiciary Committee is one of the committees that would be a appropriate committee to have this bill heard, and I would move that this bill be transferred from Transportation to the Judiciary Committee to be heard next week in committee.

PRESIDENT:

All right. Senator Marovitz has moved to discharge the Committee on Transportation from further consideration of House Bill 3900 and requests that it be rereferred to the Committee on Judiciary. Discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of...of the Body. Let me say this to the members on this side of the aisle. You know, it...it makes me no difference who be...who sits where, who...who is in majority or the minority, but if you're going to support...if you're going to support the majority on this side as far as having the committee chairs and so forth, I suggest that you respect that because it doesn't make me any damn difference as to how this...this operation works out. Now if you don't...if you don't respect the members who sit on the Insurance Committee, then you vote for this motion, but...but if you're going to play games around here and reroute bills just to satisfy certain individuals, that's wrong, that's not right. I don't play those type games and...and there...if...I don't see a microphone sitting next to Judy over there, you know, but if I had a mike I'll go on the other side of the aisle. So...so to the Democrats on this side of the aisle, this bill has an adverse impact on my constituents, an adverse impact, and I've heard that from so many individuals on this side of the aisle about what they can't vote for and what they are for. So if you're going to support this motion on this side of the aisle, be prepared in the future to suffer the consequences of...of

your vote.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. If I can just clear up one matter. It is not simply a matter of a bill getting shoved around from committee to committee. As the sponsor of this particular piece of legislation, I approached Senator Collins earlier today and asked her if my bill could be posted for Transportation where I thought it was and where I thought it should be. I was told that since she is opposed to the bill she has no intention of calling the bill. Now, that was...precisely her...her language and at...at...with that kind of result, the only thing I can do is support a motion to put it into a committee where I can at least get a hearing.

PRESIDENT:

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I think that common sense is not going to prevail here and I may be wasting my time, but I would only hope that you eliminate the subject matter from your mind and realize what you're doing here today. This is our second attempt to put it in a different committee, and if we want to play these games, I think we're really going to hurt us and it will come back to haunt us. And I would only hope that the subject matter, whether you're for it or against it, I'm not going to argue that point, but I would hope that some common sense would prevail and remember the structure of this Senate and the rules within which we operate and hopefully allow us to follow a course of reason. Thank you.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you. I...I have to take different, I...I'm really sorry that the sponsor of this bill said what he did. He came to me this morning and asked me will I...he sent a note, will I post the bill for the next committee hearing. I saw him...came to him and said, no, because I have a motion filed to transfer that bill so that it can be assigned to its appropriate committee. I did not say that I would not post it, but if it stays in there, I guarantee you, I won't.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Let...let me get this straight now. I heard Senator Collins indicate that if the bill remains in Transportation, that you don't intend to call this bill. Is that correct? I'd like to ask the sponsor of the motion a question, if I might, for the record. Is it my understanding that you will not call this bill in Transportation?

PRESIDENT:

The chairman indicates she will not yield. Senator Demuzio.

SENATOR DEMUZIO:

Well, all right. It's getting a little more complicated now because if...if that is the intention of the chairman of the committee and that is not to call this bill, then I think that changes everybody's posture here, and if she doesn't want to answer the question, why, it's fine and dandy with me.

PRESIDENT:

Further discussion? Senator Zito.

SENATOR ZITO:

(Machine cutoff)...Mr. President. The bill clearly...House Bill 3900 clearly amends the Vehicle Code. I can see justification for the bill to be in Transportation

but would ask the sponsor of this motion where the justification to go Judiciary Committee is.

PRESIDENT:

Senator Marovitz. Senator Marovitz.

SENATOR MAROVITZ:

I happen to think it's a legitimate place for this subject matter to be discussed.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Just a question of the Chair. Does a chairman of any committee have the right not to call a bill unilaterally?

PRESIDENT:

I...I would say under the rules the answer to that probably is yes.

SENATOR DeANGELIS:

Can I have a reference so I...not...I mean, later on, but can I have a reference on that rule?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, if...if you will, I just, I suppose, have a question and it's kind of voiced as a statement. As a member of the Transportation Committee, I mean, I would think that somehow we're not all chopped liver, that if there is a bill floating around that committee, I would like to hear it. I would think other members of the Transportation Committee would too if it were legitimately assigned there, and I would really feel rather uncomfortable if this were not brought up before us to go up or down and let it be.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank...thank you, Mr. President and members of the Senate. I'm a freshman Senator here and I guess you learn quick and you learn the terms of targeted, and I think that we've all protected...attempted to protect our targeted members in every way we can. I think it has been expressed and expressed well concerning this bill that this is a targeted type bill, targeted for members of the Democratic side of the aisle. I think Senator Jones said it well, that if it went to Insurance where it has been going for the last four or five Sessions, that committee is in a better position to deal with the insurance...to deal with people that is insurance, to put into that bill sections that could allow me and other legislators to vote and champion that cause. I have had two accidents in the last year and neither one of the persons had any insurance. One of the most famous one was...made the front page of the Tribune and the Reverend Jesse Jackson was riding with me. But what I'm saying...the next President of the United States...but what I...what I am saying is that...what I'm saying that this bill should go into the Insurance Committee where it should be, and we just recently mentioned the operation of the House. Now I've been...I was a House member for four years, none of these discussions and none of this action took place, bills went where they were supposed to go. What happened in those committees is a different question, but they did go where they were supposed to go. I stand in opposition of this motion.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Just briefly, Mr. Chairman and...Mr. President and Ladies and Gentlemen of the Senate. When a...when a person is a chairman of a committee, I think it's an obligation on that chairman whether she or he likes the bill or not to have it called. There's nothing in the rules that says that she or

he has the discretion not to call it.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I noticed you were perusing through the rules, and I thought perhaps you might enlighten me...enlighten me as to where in the rules, other than the fact the Chair can do anything they want to do, it is indicated that the chairman has the right not to call any of the bills.

PRESIDENT:

No, there...there is nothing in the rules that affirmatively states...or affirmatively addresses that question. Traditionally, chairmen have had the...pretty much autonomy around here. I suggest to you the chairman wouldn't last very long if he stops calling bills, just a fact of life. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. All of you know that sometime or another you had bills that were not called, and you stood up on this Floor and had them taken away from that committee. Now what's so...you...you know, that's happened to many of us around here. The point about it, I feel that it's in the wrong committee, like many might feel here, but you know what we've done. We've done that down through the years and it's taken thirty votes on this Floor and it's happened more than one time, any of you been here know this has happened.

PRESIDENT:

All right. Any further discussion? Senator Marovitz, you wish to close? All right. Senator Marovitz has moved to discharge the Committee on Transportation from further consideration of House Bill 3900 and requests that it be rereferred to the Committee on Judiciary for hearing next

week. All in favor of that motion 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? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 18 Nays, none voting Present and the motion prevails. Further motions, Madam Secretary? (Machine cutoff)...Jones, I'm sorry. Senator Jones.

SENATOR JONES:

Thank you, Mr. President. How soon will my mike be installed over there next to my friend, Judy?

PRESIDENT:

Emil, it wouldn't be the same without you. Further motions, Madam Secretary?

SECRETARY:

House...motion to reassign House Bill 3010. I move to be discharged House Bill 3010 from the Committee on Local Government and reassigned to the Committee on Executive. Senator Frank Savickas, chairman of the Committee on Assignment.

PRESIDENT:

All right. I understand Senator Fawell's...inquiry has been answered. So the motion is to discharge the Committee on Local Government from further consideration of House Bill 3010 and asked it be...reassigned to the Committee on Executive. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. So ordered. Senator Woodyard, for what purpose do you arise, sir?

SENATOR WOODYARD:

Thank you, Mr. President. On a point of personal privilege.

PRESIDENT:

State your point, please.

SENATOR WOODYARD:

In the gallery to my rear are some guests from Vermilion

County, Illinois, Mr. and Mrs. Dick Chaney and...and Mr. and Mrs. Pankey and so I'm glad you came to Springfield today.

PRESIDENT:

Will our guests please rise and be recognized. Welcome. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd ask the record to indicate that Senator Etheredge is in Washington D.C. on legislative business and Senator Dunn is back home on personal business.

PRESIDENT:

All right. The record will so reflect and also reflect the fact that Senator Alexander is absent due to illness. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to be added as a cosponsor on House Bill 3900 and I have the consent of the sponsor.

PRESIDENT:

All right. The lady seeks leave to be added as a cosponsor, House Bill 3900. Without objection, leave is granted. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to change the sponsorship of House Bill 3104 from Senator Kustra to myself. I've discussed the matter with Senator Kustra.

PRESIDENT:

All right. Senator Luft seeks leave of the Body to be shown as the chief Senate sponsor of House Bill 3104. Without objection, leave is granted. Committee reports.

SECRETARY:

Senator Savickas, chairman of the Committee on Assignment of Bills, reports the assignment of the following bills to committee.

Energy and Environment - House Bills 2917, 3125, 3372, 3389, 3620, 3666, 3733 and 3800; Executive Appointments - House Bill 4269; Executive - House Bills 2004, 2555, 3278, 3297, 3951, 3969, 4014, 4107, 4108, 4154, 4277; Finance - House Bills 4180 and 4191; Higher Education - House Bill...3557; Insurance, Pensions and Licensed Activities - House Bills 1844 and 3806; Judiciary - House Bills 1576, 1729, 2159, 2931, 3331, 3335, 3598, 3938, 3987, 4094, 4116 and 4286; Labor and Commerce - House Bill 3149; Local Government - House Bills 3055, 3273, 3286, 3427, 3489, 3527, 3671, 4045, 4256; Public Health, Welfare and Corrections - House Bills 849, 2921, 3303, 3345, 3349, 3570, 3612, 3911, 3930, 3931,...3943, 4000, 4075; Revenue - House Bills 3007, 3104, 3395 and 3926; Transportation - House Bills 3455, 3626, 3672, 3835 and 3946. Senator Frank D. Savickas, chairman.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 1163 offered by Senator Lechowicz.

Senate Resolution 1164 offered by Senator Marovitz.

Senate Resolution 1165 offered by Senator Karpziel.

They're all congratulatory.

PRESIDENT:

All right. With leave of the Body, we'll add those to the Consent Calendar. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, Mr. President. With...leave of the chief sponsor, I'd like to be added as a principal hyphenated sponsor to Senate...House Bill 3900.

PRESIDENT:

All right. The gentleman seeks leave to be shown as the hyphenated cosponsor of House Bill 3900. Without objection, leave is granted. Senator Kelly.

SENATOR KELLY:

I...a similar request, Mr. President.

PRESIDENT:

To be shown as a cosponsor of 3900? All right. The gentleman seeks leave to be added as a cosponsor of House Bill 3900. Without objection, leave is granted. Senator Severns. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Two items; number one, I'd ask that Senator Brookins be added as a hyphenated cosponsor to House Bill 3683.

PRESIDENT:

All right. The gentleman seeks leave to show Senator Brookins as the hyphenated cosponsor on House Bill 3683. Without objection, leave is granted. Senator Welch.

SENATOR WELCH:

I'd like to announce that the Committee on Energy and Environment will be holding two meetings next week. The first one will be Wednesday morning at nine o'clock in Room A-1; the second meeting will be Friday morning at nine o'clock in Room 400. We have over twenty-five bills and we're going to have to hold two hearings.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I'd like to move to suspend the rules for the posting requirements...waive the six-day posting requirements.

PRESIDENT:

All right. The gentleman has moved to suspend the rules requiring the six-day posting notice. Without objection, it's so ordered. Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. I'd like to be included as a hyphenated cosponsor on House Bill 3900.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor of House Bill 3900. Without objection, leave is granted. Senator Watson.

SENATOR WATSON:

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

PRESIDENT:

State your point, sir.

SENATOR WATSON:

Thank you. I'd like to remind the members that next Tuesday night is the annual tennis tournament and each of you should have gotten an application in your office, and if you don't, you can certainly contact me or probably Senator Berman or others who have participated in the past in regard to this. It's next...next Tuesday night and it's sponsored by the Southwestern Illinois Industrial Association and Whitter and Cook and you're all welcome to come on out. Thank you.

PRESIDENT:

All right. Any further business to come before the Senate? Resolutions.

SECRETARY:

Senate Joint Resolution 138.

(Secretary reads SJR 138)

PRESIDENT:

All right. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is the adjournment resolution. It calls us back next Tuesday, June the 7th, at the hour of noon, at the conclusion of our business today. I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 138.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the

rules for the immediate consideration and adoption of Senate Joint Resolution 138. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 138. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Ladies and gentlemen, we have just two more items of business but, in the meantime, we have a number of special guests. Ladies and gentlemen, I'm sure you're all aware that the State of Illinois has been hosting and will continue to host a delegation from the Soviet Union. Senator Philip and I have had the opportunity to have lunch and/or dinner with these ladies and gentlemen. It is my pleasure to introduce to you the leader of their delegation, Mr. Anatoli Gerasimov. He is from Leningrad and he's a member of the Soviet Federated Presidium and please give our guests from the Soviet Union a welcome. Mr. Gerasimov.

MR. ANATOLI GERASIMOV:

(Remarks given by Mr. Gerasimov)

PRESIDENT:

(Machine cutoff)...of the Body, we'll move to the Order of House Bills 1st Reading. Madam Secretary, House bills 1st reading.

SECRETARY:

House Bill 972 offered by Senator Jerome Joyce.

(Secretary reads title of bill)

House Bill...1809 offered by Senator Newhouse.

(Secretary reads title of bill)

House Bill 2996 offered by Senator Zito.

(Secretary reads title of bill)

House Bill 3063 offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 3267 offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 3343 offered by Senator Welch.

(Secretary reads title of bill)

House Bill 3534 offered by Senator Newhouse.

(Secretary reads title of bill)

House Bill 3560 offered by Senator Collins.

(Secretary reads title of bill)

House Bill 3697 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 3706 offered by Senator Poshard.

(Secretary reads title of bill)

House Bill 3828 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 3870 offered by Senator Lechowicz.

(Secretary reads title of bill)

House Bill 3989 offered by Senator Smith.

(Secretary reads title of bill)

House Bill...pardon me, 4122 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 4144 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 4165 offered by Senator Newhouse.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Resolutions. Madam Secretary, any objections...Rules Committee. Resolutions. Any...have any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

There have been no...no objections filed.

PRESIDENT:

All right. Senator Hall has moved the adoption of the Resolutions Consent Calendar with the additions that were added, with leave of the Body. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions

are adopted. Further business to come before the Senate? If not, Senator Vadalabene moves that the Senate stand adjourned until Tuesday, next Tuesday, at the hour of noon. The Senate stands adjourned.

STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 02, 1988

HB-0761 RECALLED	PAGE	37
HB-0761 THIRD READING	PAGE	44
HB-0972 FIRST READING	PAGE	62
HB-1809 FIRST READING	PAGE	62
HB-2996 FIRST READING	PAGE	62
HB-3063 FIRST READING	PAGE	62
HB-3267 FIRST READING	PAGE	62
HB-3343 FIRST READING	PAGE	63
HB-3534 FIRST READING	PAGE	63
HB-3560 FIRST READING	PAGE	63
HB-3697 FIRST READING	PAGE	63
HB-3706 FIRST READING	PAGE	63
HB-3828 FIRST READING	PAGE	63
HB-3870 FIRST READING	PAGE	63
HB-3989 FIRST READING	PAGE	63
HB-4122 FIRST READING	PAGE	63
HB-4144 FIRST READING	PAGE	63
HB-4165 FIRST READING	PAGE	63
SB-1839 RECALLED	PAGE	7
SB-1839 THIRD READING	PAGE	39
SB-1840 THIRD READING	PAGE	7
SR-1155 RESOLUTION OFFERED	PAGE	3
SR-1156 RESOLUTION OFFERED	PAGE	3
SR-1157 RESOLUTION OFFERED	PAGE	3
SR-1158 RESOLUTION OFFERED	PAGE	3
SR-1159 RESOLUTION OFFERED	PAGE	3
SR-1160 RESOLUTION OFFERED	PAGE	3
SR-1161 RESOLUTION OFFERED	PAGE	3
SR-1162 RESOLUTION OFFERED	PAGE	3
SR-1163 RESOLUTION OFFERED	PAGE	59
SR-1164 RESOLUTION OFFERED	PAGE	59
SR-1165 RESOLUTION OFFERED	PAGE	59
HJR-0186 ADOPTED	PAGE	5
SJR-0137 RESOLUTION OFFERED	PAGE	3
SJR-0138 ADOPTED	PAGE	61

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - DR. JOHN KAY	PAGE	1
JOURNAL - POSTPONED	PAGE	1
COMMITTEE REPORTS	PAGE	2
MESSAGE FROM THE HOUSE	PAGE	3
HB 3900 - REASSIGNED TO COMMITTEE	PAGE	46
HB 3010 - REASSIGNED TO COMMITTEE	PAGE	45
HB 3010 - REASSIGNED TO COMMITTEE	PAGE	57
HB 3010 - OUT OF RECORD	PAGE	45
COMMITTEE REPORTS	PAGE	58
PRESIDENT ROCK - INTRO. OF GUEST	PAGE	62
RESOLUTIONS CONSENT CALENDAR - ADOPTED	PAGE	63
ADJOURNMENT	PAGE	64