

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

117th Legislative Day

November 15, 1990

PRESIDENT ROCK:

The hour of nine having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery kindly rise. Prayer this morning by the Reverend Frank O'Hara, St. Peter and Paul Catholic Church, Springfield, Illinois. Father.

THE REVEREND FRANK O'HARA:

(Prayer by the Reverend Frank O'Hara)

PRESIDENT ROCK:

Thank you, Father. Reading of the Journal. Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I move that reading and approval of the Journals of Thursday, November 8th; Tuesday, November 13th; and Wednesday, November 14th, in the year 1990, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. 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.

SECRETARY HAWKER:

Resolutions 14...

PRESIDENT ROCK:

Resolutions.

SECRETARY HAWKER:

Senate Resolutions 1447 through 1461 offered Senator Hall.

Senate Resolution 1462 offered by Senator Lechowicz.

Senate Resolution 1463 offered by Senator Raica.

Senate Resolution 1464 offered by Senator Lechowicz and President Rock.

And Senate Resolution 1465 offered by President Rock and all Members.

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They're all congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar. Senator Madigan, for what purpose do you arise, sir?

SENATOR MADIGAN:

Point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point, please.

SENATOR MADIGAN:

Thank you, Mr. President. Visiting with us today in the visitors' gallery is a group of students from the American Problems and American History Class of Lincoln High School and their instructor, Ida Johnson. If you would welcome, I would appreciate it.

PRESIDENT ROCK:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Thank you, Mr. President and Members of the Senate. There'll be a Democratic Caucus immediately in Room 212. Immediately in Room 212.

PRESIDENT ROCK:

All right. I would point out that request obviously is in order. I would point out that if you take a look at the Calendar on Page 16, we have only eight items remaining on the agenda with the possibility of a ninth and probably a tenth. So we can handle our business with dispatch. I would encourage everybody to please get to Room 212 in a hurry so we can get this over with. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there

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will be a Republican Caucus immediately thereafter in Senator Philip's offices.

PRESIDENT ROCK:

All right. Republican Caucus immediately in Senator Philip's office. Democratic Caucus immediately in Room 212. The Senate will stand in Recess. Senator Brookins, for what purpose do you arise, sir?

SENATOR BROOKINS:

Yes. Mr. President, on a point of personal privilege. In the gallery over the Republican section, we have members of the BCU, Black Contractors United with their President, Glen Halston, and their Vice President, Larry Huggins.

PRESIDENT ROCK:

Will our guests please rise and be recognized. Welcome. All right. Ladies and Gentlemen, the respective caucuses in 212 and Senator Philip's office immediately. The Senate will stand in recess for approximately thirty minutes.

(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

Ladies and Gentlemen, if I can ask you please to take your seats, we have some special guests. And before we begin, Channels 2, 5, 7, 9 and 20 have requested permission to shoot some film. Without objection, leave is granted. The Chair will yield to Senator Newhouse for the introduction of our special guests. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. My colleagues in the

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Senate Committee on Commerce and Economic Development, Senator "Babe" Woodyard and I, are please to have today's guests present in these Chambers. Leading them is Wang Li, Consul General of the People's Republic of China. Illinois enjoys trade relations with its sister province of Liaoning and with China. A few weeks ago a trade delegation from China came to Illinois to further extend the purchase of Illinois commodities. We hope that such fine groundwork will serve as the base for building even better and broader trade between Illinois and China. I hope you all will join us in welcoming Mr. Wang Li and his colleagues to the Senate. Consul.

CONSUL GENERAL LI:

(Remarks by Consul General Li)

SENATOR WOODYARD:

Thank you very much, Consul General, and if I could just briefly mention a word of thanks also to the People's Republic of China, and particularly Wang Li. I had the opportunity to visit mainland China in 1987, and again in 1990. In January of this year, I was out there about two and a half weeks. I was in Caterpillar plants and Dresser Corporation plants, and so we do do a lot of business with China. And it certainly is an honor for me to have this entire delegation here. As a matter of fact, the university of my district, Eastern Illinois University, is sistered with a university in China, and some of the delegation here today are professors and instructors at that University - Northwest Polytechnic University at Xian China. So we have kind of a twofold delegation. Thank you very much for your attention.

PRESIDENT ROCK:

Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 1466 offered by Senator Hawkinson.

Senate Resolution 1467 offered by Senator Savickas, President

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Rock and all Members.

And Senate Resolution 1468 offered by Senator Mahar.

They're all congratulatory.

PRESIDENT ROCK:

Consent Calendar. If I can have your attention, Ladies and Gentlemen. There's been a request to go to the Order of Secretary's Desk, Resolutions. Senator Collins has an amendment to Senate Joint Resolution 2-1-8. With leave of the Body, we'll move to the Order of Secretary's Desk, Resolutions. Madam Secretary, Senate Joint Resolution 218.

SECRETARY HAWKER:

Senate Joint Resolution 218. Amendment No. 1 offered by Senator Collins.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. I'm sure that most of you saw -- received a letter from me, and also a copy of the -- of a resolution. And yesterday we amended the resolution, and it is my understanding that it has been approved by that side of the aisle, but which it simply reduce the size of the membership on the committee from twenty-one to sixteen. And we provided for co-chairs rather than a single -- the -- the chairperson of the State Board of Election Committee. We have two co-chairs -- two people from that. We have two members. We eliminated the position of Executive Director from the Chicago Board of Elections, and we reduced the size of the public members appointees from 8 to 4. And I would move from -- for its adoption.

PRESIDENT ROCK:

All right. Senator Collins has moved the adoption of Amendment No. 1 to Senate Joint Resolution 218. Discussion?

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Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I just have one question of the Senator. Senator Collins, where -- where you have it membership -- by the Chairman of the Republican Party and Chairman of the Democrat Party, does that include their designee, or just the chairman themselves?

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

No. The -- the bill itself speaks to the Chair, whoever that is, not -- you mean, their -- yes, yes, their designee can be on the -- it's the Chair, but if they -- like in most cases, it didn't say that. But they can send a representative in case they can't make a meeting. That's all it's about.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you. Just to clear -- just to clear the record, you or -- it is your intent that it's either the Chairman or their designee of either party?

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

It is my intent that the Chair be the official person on the committee, but it does not mean that they cannot designate someone to sit in on a meeting.

PRESIDENT ROCK:

All right. Senator Collins has moved the adoption of Amendment No. 1 to Senate Joint Resolution 218. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Senator Collins, we will get

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back to this order, once people have a chance to take a look at the amendment. Senator Luft, for what purpose do you arise, sir?

SENATOR LUFT:

Thank you, Mr. President. I would ask that the Senate go the Order of Consideration Postponed, Conference Committee Reports, which is at the bottom of Page 11 of the Calendar, for the purpose of considering House Bill 2030.

PRESIDENT ROCK:

All right. The Gentleman seeks leave of the Body to move to the Order of Page 11, Consideration Postponed on Conference Committee Reports, for the purpose of requesting a Second Conference Committee on House Bill 2030. Senator Luft, on House -- Conference Committee -- First Conference Committee Report on House Bill 2030. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask that we defeat or dump the Conference Committee -- the First Conference Committee Report on House Bill 2030 for the purpose of creating a Second Conference Committee Report.

PRESIDENT ROCK:

All right. The question is, shall the -- is there any discussion? We have done this procedure before. We have to literally defeat the First Conference Committee Report and ask for a second one, and that will be back before us. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. With leave of the Senate, I would ask to be removed as a hyphenated co-sponsor of House Bill 2030.

PRESIDENT ROCK:

That request is in order. Madam Secretary, with leave of the Body, Senator Kustra will be removed. All right. The question is, shall the Senate adopt the Conference Committee Report on House Bill 2030. Those in favor, vote Aye. Those opposed, vote

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Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 15 Ayes, 14 Nays, none voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. And Senator Luft has requested the appointment of a Second Conference Committee. Senator Collins, do you want to go back to yours while we've had intervening business? Ladies and Gentlemen, again we're on the Order of Secretary's Desk, Resolutions. Senate Joint Resolution 2-1-8, Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution 2-1-8.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. I am sure that each of you received a letter from me and each of you probably shared the same feelings that I did and many citizens across the State, during the last election in this State - that there is most certainly, I think, a general feeling across the State that it is past due for Illinois to seriously pass some legislation that will reform and make the electoral process fair and equitable, and hopefully we can bring back some dignity to the whole process. There have been several attempts over the past several years to pass some legislation, but it is my personal opinion those efforts died and gave way to partisan politics and we didn't have any success. So what this resolution attempts to do to neutralize the politics and to provide for the opportunity for broad participation from a cross section of people, including legislators, and other elected officials in this State, to really seriously sit down together and come to and reach some kind of common grounds by which we can develop some legislation that would

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make the electoral process more meaningful in the State of Illinois. This resolution simply establish a sixteen-member task force to do just that. I think it is evenly split among Democrats and Republicans, and also the selection process of the members are evenly and equally split, so that we would from that perspective eliminate the politics from that whole process. This committee will not usurp the regular committee process. Whatever recommendations come forth, they will most certainly go through that process. That's why it's important that we pass it at this time, so that the task force can get about the business of its work and come back before the deadlines for bills, and come up with some meaningful reform that we all can live with. So I would ask for your favorable consideration. I would be happy to answer any questions, if you would have any.

PRESIDENT ROCK:

All right. Senator Collins has moved the adoption of Senate Joint Resolution 218. Discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. Just for the Members on the Republican side, Senate Joint Resolution 218 is a good and a very fair idea, and I commend Senator Collins for coming up with it, and in view of -- the highly negative campaigns in the most recent election, it is clear that we must review how elections have been conducted and how we can improve in the process. Again I commend the Senator, and I -- I think that everybody should vote for it.

PRESIDENT ROCK:

All right. The question is the adoption of Senate Joint Resolution 218. Those in favor will vote Aye. Opposed 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 52 Ayes, 3 Nays, none voting Present. Senate Joint Resolution 218, having received the required

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constitutional majority, is declared adopted. All right. Ladies and Gentlemen, again, as I indicated earlier, there truly is not a lot on the Calendar. So my suggestion is we start at the top, understanding that this is the last day for the Senate to deal with messages returned to us by the Governor, with respect to Senate Bills. Top of Page 16, Ladies and Gentlemen. Top of Page 16. Senate Bill 784. Senator Topinka has informed the chair she does not wish to call that. Senate Bill 1496. Senator Lechowicz. Indicates he does not wish to call. Senate Bill 1501. Senator Netsch. Does not wish to pursue it. Senate Bill 2050 will not be called. Middle of Page 16. Senate Bill 2222. Senator Welch. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to accept the Specific Recommendations of the Governor as to Senate Bill 2222 in manner and form as follows:

Amendment to Senate Bill 2222

in Acceptance of Governor's Recommendations

Filed by Senator Welch.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill was up yesterday. It had in the provision about the airport in New Lenox. The override didn't work. It also had the provision about the Quad City bonding provision. That is what the Governor vetoed out. The underlying bill was supported by everyone pretty substantially. It passed 55 to 2 in the Senate, and I would urge that we accept the Governor's recommendations.

PRESIDENT ROCK:

Is there any discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 2222, in the manner and form just

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stated by Senate Welch. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. The specific recommendations of the Governor as to Senate Bill 2222, having received the required constitutional majority vote of Senators elected, are declared accepted. Senator D'Arco. 2217. Doesn't wish to pursue it. 2036. Senator Luft. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to accept the Specific Recommendations of the Governor as to Senate Bill 2036 in manner and form as follows:

Amendment to Senate Bill 2036

in Acceptance of Governor's Recommendations

Filed by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate accept the specific recommendations of change by the Governor. Those changes were the elimination of the possibility of creating a TIF district: the elimination of the possibility of creating an enterprise zone; and the elimination of the State having to accept the moral obligations of the bonds issued by the Authority.

PRESIDENT ROCK:

Senator Luft has moved to accept the specific recommendations of the Governor. Is there any discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 2036, in the manner and form just stated by Senator Luft. 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?

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Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 2036, having received the required constitutional majority vote of Senators elected, are declared accepted. Senator Maitland, you had a motion you wished to pursue? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. I have spoken with both sides of the aisle, and I do wish to move to discharge the Committee on Rules for further consideration of House Bill 3037 to place -- to -- to gut that bill -- take the -- take the substance out of it and place in it some necessary language to address -- to address the students -- Student Assistant Commission. I have talked with Senator Rock, Senator Philip and other Members, and I would therefore, Mr. President, remove -- renew my motion.

PRESIDENT ROCK:

All right. The Gentleman has moved to discharge the Rules Committee from further consideration of House Bill 3037, and asks to be placed on the Calendar on the Order of 2nd Reading. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1469 offered by Senators Davidson, Karpiel, Weaver and all Republican Members.

Senate Resolution 1470 offered by Senator Marovitz -- Senators Marovitz, Carroll and Berman.

They're both congratulatory.

PRESIDENT ROCK:

Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

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

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I'd ask that the record indicate Senator DeAngelis is out of town on family business.

PRESIDENT ROCK:

The record will so reflect. All right. We're -- we're still awaiting some further paper distribution, as always happens around here it seems, so, in the meantime we have a couple of very important resolutions. Senate Resolution 1469. The Chair recognizes Senator Davidson.

SENATOR DAVIDSON:

Mr. President, Members of the Senate. This is sponsored by all of us. This pays tribute to an outstanding person who works for the Republican staff appropriation area. It reads as follows:

(Senator Davidson reads SR 1469)

PRESIDENT ROCK:

Senator Davidson has moved the adoption of Senate Resolution 1469. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted, and congratulations to Michael Bass, wherever he is. Senator Savickas, you had a resolution you wish to present? Madam Secretary, please.

SECRETARY HAWKER:

Senate Resolution 1467 offered by Senators Savickas, President Rock and all Members.

(Secretary reads Senate Resolution 1467)

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President, Members of the Senate, it's -- I think it's gratifying to see that we do have people that believe in the institution of marriage. Faith is our telephone operator, for those of you that don't realize it, on the Democratic side here. Her and Carl have been together fifty years. Her attitude

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evidently is a great contributing factor, because she is one of the sweetest persons that we've had here, on the Democratic staff. And I would just like to congratulate her and her husband. Faith. Faith.

PRESIDENT ROCK:

Faith, congratulations. Senator Savickas has moved the adoption of Senate Resolution 1467. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Luft. All right. With leave of the Body, Ladies and Gentlemen, a Supplemental Calendar has been distributed. On that Calendar is a Second Conference Committee Report on House Bill 2030, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 2030.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move that we adopt the 2nd Conference Committee Report on House Bill 2030. The Conference Committee Report creates a supplemental downstate school financial assistance fund, and it requires a fifty-million-dollar GRF appropriation in FY'92, '93, '94, into that fund, and distributes that monies to all school districts with the exception of the City of Chicago. A supplemental downstate financial assistant rate shall be calculated by taking the ratio of a district's formula entitlement to the entitlement of all districts, with, as I stated earlier, the exception of the City of Chicago, and that ratio then be applied to the total available monies. The monies shall be paid to districts on the same schedule as State Aid payments.

PRESIDENT ROCK:

All right. Senator Luft has moved the adoption of the Second

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Conference Committee Report on House Bill 2030. Discussion?
Senator Schaffer.

SENATOR SCHAFFER:

Well, this is an interesting proposal. I'm not quite sure, perhaps the sponsor can tell us where the -- the money is going to come from. I'm also curious, would the Byron School District and the other nuclear power plant districts in the State receive additional funds through this supplemental program? It occurs to me, we have just had a lawsuit filed, and the implications of that lawsuit are not yet clear. But one thing is clear, and that's that the current way we finance schools is likely to be invalidated by the courts, and that we will in fact be here - possibly as early as next spring - totally redoing the education finance system. Now this proposal may make it more palatable for certain people to vote for other proposals to fund schools in large urban centers, but I don't think anybody can take it as a serious proposal. Obviously I -- I would imagine the Governor would have to veto the bill, because the money is not here. The action is precipitous, considering the lawsuit that's pending, and it appears to me to be nothing but a little political eyewash to make it easy for some people to do something that they in good conscience should not do. A little later, on another bill.

PRESIDENT ROCK:

Further discussion. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senator Luft, you've been around here a long time, and I -- I -- I really can't believe that -- that some of you on that side of the aisle have -- have fallen for this -- this smoke and mirrors attempt. Everybody knows why this is being done. It's an attempt to buy off and get support from some downstate legislators on a situation that exists in the City of Chicago. It is very, very

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serious. Without question, it is serious, and we all understand that. But what we are doing here in the Veto Session today falls on the heels of some of the comments made by a lot of our constituents - both Republican and Democrat - as we went through the election process. We are doing something here that's morally and ethically wrong. First of all, the -- in the beginning, I think you all thought that the money was going to be put in for this school year to start with. Well, it does not. It commits next year and '93 and '94, and never before has one legislative year committed another to an action and that's what we are doing here. The fact of the matter is, after this all blows over, this isn't going to happen. And for those of you from downstate who are viewing and attempting to make a -- take a position on this issue today, don't forget -- don't forget, it can be changed in yet another year, and will be. The commitment may be here today by your colleagues from the city, but I'm not sure it will be here when the time comes to really put the money up front. We've all been through the appropriations process; we know how it works; you're being sold a bill of goods, and you're going to have to explain your action today to your constituents one day down the road. Mark my word.

PRESIDENT ROCK:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT ROCK:

The sponsor indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, is there some new revenue stream that would fund this -- this fund that is being established?

PRESIDENT ROCK:

Senator Luft.

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SENATOR LUFT:

I would suggest to you, Senator, that in the past that we've always been able to identify revenue streams to satisfy many wants in this Body. And I am hopeful that my next fiscal year, we will be able to identify the fifty million dollars so desperately needed by our school districts.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, is the answer the no?

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

The answer is not no. The answer is that we are hopeful that within the billions of dollars that are generated as revenues to the State of Illinois that we will be able to find, locate and appropriate the fifty million dollars so desperately needed by the downstate schools.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I -- I - to my colleagues on the other side of the aisle, I'm really surprised that you're falling for this. This -- this is nothing but -- but a shell game. To make a promise now that has no revenue stream, no hope of a revenue stream to fund it. It's -- it's an amazing attempt to try to -- to bamboozle downstate Illinois, and -- and I'm sorry that you're presenting it at this time. I -- it's surely nothing I can support.

PRESIDENT ROCK:

Further discussion? Senator Keats.

SENATOR KEATS:

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Needless to say, we're all rising in opposition to this particular silliness. Leaving aside the fact that a legislature in November of 1990 cannot commit a legislature that's sitting in 1992. Leaving all that aside, I'd just say to your downstate colleagues, "Gang if you ever wanted to look a little silly, I mean, how many times do you have to be fooled." How many times do you really have to think when -- when it's alleged they're going to give you something and you don't get it? How many times? Senator Demuzio, I remember something about that list of water projects that you put together that wasn't really all that bad an idea. Where did that go? Where are all these different promises that have been made? If you really trust -- if the Speaker of the House, when he will be looking at a Chicago school system in serious trouble, that he's going to take money from his pocket to give it to yours, I have a bridge in Brooklyn that I would like to talk to you about. And I want to tell you if you believe that, you're going to buy this bridge, too.

PRESIDENT ROCK:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, let me just say that we just went through a very expensive gubernatorial contest, in which both worthy candidates had indicated that there was waste in State Government. As a matter a fact, as I recall, correctly, our candidate indicated that there was an excess of some three hundred million dollars. Your candidate, to the best of my recollection, indicated that there was some one hundred million dollars in additional reductions that should be made. And, obviously, they both were of the same priority of making education number one in Illinois. What this does - it says that we put an additional -- it sends -- it sends a message saying guidance -- that in 1992 there will be an additional fifty million dollars appropriated for each of those

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'92, '93 and '94, that will go into the Common School Fund, excluding one -- one school system in Illinois, because we are afforded them the opportunity to do something that they wish to do. But at the same time, I think it says, "Yes", we are addressing both that system and we are addressing the downstate systems; that we are sending a message saying we want education to be the number one priority. If we are going to be spending any of this new found wasted revenue that can be found by the Governor-elect, we want to say that fifty-million of it, at least for the next three years, for sure ought to go into the school system in Illinois. And that's -- that's where the money will come from. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. To my colleagues who sit on the Appropriation Committee with me that sit on the other side of the aisle and who have charge of the Appropriation Committee, if indeed there has been all this waste over the last couple years, where have you guys been?

PRESIDENT ROCK:

Further discussion? Senator Luft, to close.

SENATOR LUFT:

Thank you, Mr. President. To my colleagues who suggest that I have been here a long time, maybe too long, I would suggest that all commitments here, and most all commitments here are ephemeral in nature, and this commitment is one that I am confident that all of us will be supporting next June during the appropriation process. I think that we can go home and morally and ethically justify what we are doing for the children of this State of Illinois and I would ask that you support the adoption of Conference Committee Report No. 2 to House Bill 2030.

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PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 2030. 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 31 Ayes, 20 Nays, 7 voting Present. The Senate does adopt the Conference Committee Report on House Bill 2030, and the bill, having received the required constitutional majority, is declared passed. If I can turn your attention, Ladies and Gentlemen, to Page 16 on the Calendar. Madam Secretary, on the Order of Motions in Writing to Accept Specific Recommendations for Change, there's been a motion filed with respect to Senate Bill 1591, read the motion, please.

SECRETARY HAWKER:

I move to accept the Specific Recommendations of the Governor as to Senate Bill 1591 in manner and form as follows:

Amendment to Senate Bill 1591

in Acceptance of Governor's Recommendations

Offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1591 was amendatorily vetoed by the Governor. The Governor took out two provisions in the bill. The first provision that he removed was a -- was a provision that provided the same guarantee by the State of the sanctity or stability of the Chicago Teachers' Pension Fund, as we have afforded to every other Pension Fund -- State Pension Fund. The second change was to remove what we call the early-out provision. At the present time a teacher, either in Chicago or downstate, who wishes to retire before the age of sixty must pay a penalty. Senate Bill 1591, as we passed

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it in the spring, provided that a teacher could retire at age fifty-five without incurring that penalty. That provision was also removed by the Governor's Amendatory Veto. This motion is to accept the -- the Governor's changes. The bill, with the removals that I have outlined, provides authority for Chicago to utilize two of its own tax funds in a different way than in the past. One is the - what we call the excess money levied by the School Finance Authority to pay off its bonds. Every year its bonds, which started back in 1980, there is retirement of those bonds. There is now approximately fifteen million dollars of levy to the School Finance Authority that has been going into the Building Fund. This would be diverted, instead of to the Building Fund, to the Educational Fund. That's fifteen million dollars. The second diversion is of fifty million dollars, which presently is raised by Chicago property tax payments, and is put into, as additional contribution, to the Chicago Teachers' Pension Fund. That fifteen -- fifty million dollars under this bill would be, instead of going into the Chicago Teachers' Pension Fund, would go to the Education Fund. The purpose of this sixty-five million - sixty-six million dollars of reallocated funds is to fully fund the three-year contract that has been entered into between the Chicago Board of Education and the unions servicing the Chicago Public School System -- lends a great degree of stability and -- which is necessary to carry out the great progress of school reform that we are experiencing in Chicago. I solicit your Aye vote on accepting the Governor's action on Senate Bill 1591.

PRESIDENT ROCK:

All right. Senator Berman has moved to accept the Governor's recommendations for change. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. First of all, I guess, a question of the -- of the Chair. The

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bill does have an immediate effective date. It shows -- that I'm wondering how many votes it will take to -- to pass Senate Bill 1591.

PRESIDENT ROCK:

All right. In the opinion of the Chair, it will take a constitutional majority of those of us elected or 30 votes to adopt the Motion to Accept the Governor's Specific Recommendations for Change. This ruling is based on the Chair's interpretation of the Constitution, and is in conformity with the longstanding and heretofore unchallenged practice and custom and ruling of this Senate. Senator Maitland.

SENATOR MAITLAND:

That was -- that was -- I understand your ruling -- I don't understand your ruling, but I'm not surprised that you were so articulate in telling us what your position would be. Mr. President, it seems to me...

PRESIDENT ROCK:

I've done a lot of studying over the past couple...

SENATOR MAITLAND:

...that -- that that -- right. I understand that. The bill does have an immediate effective date and it shows that any bill passed after -- after June 30th does require an extraordinary majority. That was -- was my -- my thought, and you disagree with that. Well, Mr. President, I -- obviously we don't agree, and I think the ruling is -- is wrong. Senator Berman, once again, we stand strongly in opposition to Senate Bill 1591. And I guess the same discussion we had on the previous bill could be held right now. I don't know, and you well -- know as well as -- as the rest of us the pension systems in the State are in bad condition, and the -- and the Chicago system has enjoyed a slightly better position over the years, and it's that way because the contributions have, in fact, been -- been made. I have received - and many of the

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Members of this Body, on both sides of the aisle, have received letters and phone calls of concern from annuitants and members of the system with respect to what we are doing here. The revenue generated -- the property tax system in the City of Chicago to pay for pensions is there for a reason. And I would suggest to you, and all of you who are climbing on board attempting to support this, may one day find this issue in court. The ruling, in my judgment, would be against what we are doing here. And ultimately, we'll pay this money back, and I think that's a real possibility given the discussion that I've had, Senator Berman, with some of the same people that I'm sure you've talked with. But the greater issue, as we said last spring in the closing hours of the Session, dropped in the laps of those of us on both sides of the aisle, was yet, once again, another band-aid approach to fund a school system that's having a very difficult time, and yes those needs need to be addressed. This is not the way to do it. This is a terrible thing. It's bad public policy, and we are sending this system, into the future, right down the tube. We don't want to do that. Let's kill this bill, and fund this system in the way it ought to be funded. And finally, I'm really troubled, Senator Berman, I go back, as you do to 1980 with the Chicago School System bailout. When a system was in terrible shape, because they had rolled dollars from one fund to another fund, and all of a sudden we found out that you were eight hundred -- over eight hundred million dollars in the red, and we put together legislation - Republican and Democrat - Chicago and downstate - to address the needs of the Chicago School System. We put in place a School Finance Authority that said schools simply will not open until they can certify a balanced budget. We have manipulated this system again with a teacher contract, and we all understand that, and they're going to file an amended budget if this bill passes and the money is going to be there. And I

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understand that, but that is a smoke'n mirrors game, and I'm anxious to see. I hope the media paints this picture as it truly is. We ought to be ashamed of ourselves. Absolutely ashamed of ourselves with what we are doing in this Veto Session. I urge strong opposition.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, will the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Under this bill, is fifty-one million dollars coming out of the -- the Pension Levy Fund for three years each year?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

And under this bill, is fifteen million dollars coming out of the Building Levy Fund for each year eternally?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Eternally? It's fifteen, 1-5 is the number. Yes.

SENATOR GEO-KARIS:

And you mentioned earlier about bonds, is that correct? Is that -- you mentioned -- if I recall correctly, those bonds are those General Obligation Bonds?

PRESIDENT ROCK:

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Senator Berman.

SENATOR BERMAN:

The bonds that I referred to are the -- were the bonds that were issued back in 1980 by the School Finance Authority to restructure the financial condition of Chicago. Those are obligations of the -- of the Chicago Board of Education. They have been paid off by a levy issued - it was money that was diverted from our Education Fund in 1980 - fifty cents given to the School Finance Authority to pay off the bonds that were issued.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, we're supposed to be here to protect pension funds, not to use them to have them pay -- use them for operational costs. I think it's very wrong to take pension funds - fifty-one million dollars a year for three years, the length of the school contract with the Chicago Teachers' Association. That's a hundred and fifty-three million dollars. When are we going to protect the people's funds of pensions. This is no way to do it. And then to take the money out of the Building Fund every year eternally, because there's no limit on it - fifteen million dollars a year. Now that's certainly the wrong, wrong, wrong approach. I -- I submit that we are here to protect people's funds, not to dissipate them for operational costs, if the school district itself doesn't start minding its business and cutting out the unnecessary waste that keeps going on and on. I certainly speak against this bill, and I urge my colleagues to vote against it, because we certainly are going the wrong way. And, Mr. President, much as I love you, I disagree with your interpretation. This should have 36 votes.

PRESIDENT ROCK:

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Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I will echo the comments of my two earlier colleagues on the implications of this particular proposal. Frankly, this is probably the scariest roll call I've seen here in many years. This is a awful precedent. I don't think anyone here can look at our past history and wonder, without some serious doubt in their mind, whether this will end at three years. Clearly things aren't getting better. I don't see a great ground swell for tax increases. Three years from now we'll be back here and they'll be saying, "Well we'll just keep diverting these funds," and one day that house of cards will come tumbling down, and that Pension Fund. And I don't think the City of Chicago is going to say, "Well, okay, it's our problem. We'll take care of it ourselves." I think they're going to say, "You people at the State level diverted these funds. It was your decision to sack this Pension Fund, to raid this Pension Fund, to bankrupt this Pension Fund, therefore, you, at the State level, shall pay to bail it out and put it back together." If we raid this Pension Fund - for those of us who don't happen to represent the City of Chicago, but represent downstate, is it not reasonable for our friends from Chicago to say to us, "If you have problems, follow our lead, make the kind of quote, "sacrifice," we're making here today. Raid your pension funds to solve this problem, or that problem. And how long can we do that with the level of funding we have right now, before the whole house of cards comes down on us, and we are down here in a special session by some luckless dog that got elected Governor, to double the State income tax to bail out -- let me tell you, I'm not sure who really won a week ago Tuesday. When I see this kind of activities, you've got to wonder who the real winner was. We cannot do this. This will come back to haunt us. Heaven forbid that a court challenge would be found

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that we have the power to do this. I realize that the Chicago Teachers' Union's got a lot more clout than a bunch of seventy- and eighty-year-old retired teachers living on very modest pensions, but that does not justify what you're doing here today.

PRESIDENT ROCK:

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor, Mr. President.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Berman, I just went through an election where I was criticized for voting for this bill last June, and the criticism was that this bill took eighty-five million dollars a year out of the Common School Fund for downstate schools and sent it to Chicago. Now just how much money is this bill taking out of the Common School Fund, as my friends on the other side of the aisle allege, and sending to Chicago?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Not one penny.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Well, you're not telling me that they made this up, are you? You're not -- they -- they just -- they just voted for this resolution about negative campaigning, Senator Berman. They wouldn't do that. Of course, they didn't bother to put my opponents name on the literature when they did it, by the way, and they -- they did have radio ads supplementing this direct mail piece, but certainly after voting for that resolution, they

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wouldn't lie to us, would they, Senator Berman?

PRESIDENT ROCK:

Further discussion? Senator Keats.

SENATOR KEATS:

Senator Welch, if you think some of the things they sent out on your were bad - I never saw them, you should see what your side sends out, sonny. Your stuff was nothing, but -- President Rock, I commend you. I really have got to commend for your unique ruling. Your imagination has no bounds, and I give you credit for coming up with still another idea. For a moment the kidding -- for a serious side, this is what the Chicago School System did prior to 1979. For those of us who've been here over a dozen years, and remember Joe Hannon, who somehow avoided indictment over the Chicago schools, went to McCormick Place, avoided indictment there, and then we got him at the international trade fund. He's now bankrupted three things. Comingling funds is exactly what happened. Why was the Chicago School System broke, 'cause they comingled their funds, and couldn't keep track of each building fund. What's our solution to their latest problem? Comingling funds. You know, each time the Chicago School System has a problem, they load a gun and shoot themselves in the foot, then they reload and shoot themselves in the same foot all over again. That's exactly what this bill does. I cannot even comprehend someone saying, "Let's solve our problem by doing exactly what we did that caused the last bankruptcy," and if some of our downstate brethren think that that last bankruptcy was paid off simply by the City of Chicago, you are not smoking Marlboros. It is the most ridiculous thing I have ever heard. Secondly, in the hispanic areas of the City, the schools in the hispanic areas of the City are grossly overcrowded. Taking money from the Building Fund guarantees continued gross overcrowding in those growth areas in the City. The Chicago Teachers' Pension Fund was

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not in that bad of shape till last year. It has lost fifteen percent of its total assets in one year. Let me put that in perspective again - fifteen-percent drop in one year, and now we're going to rob them some more. Boy, that's really logical. Fifty-one million a year, minimum three years, another hundred and fifty-three million taken out, you're looking at a pension fund that will be bankrupt. And anyone who thinks that you're not going to be bailing that Pension Fund out is simply silly. And the Chicago Teachers' Union should be considered. You don't have many members in the Chicago Teachers' Union who are much past their late forties who are in favor of this bill. I have been in meetings in the City of Chicago, and on the south side, and if you think those older teachers in Chicago are in favor of this bill, I just wish Jackie Vaughn had to face an election among her teachers over this bill. They would send her an interesting message. There aren't any teachers past the late forties who would support his legislation. Concluding to say, this is ethically unforgivable. We are robbing pensions funds. We are comingling funds so that we can lie to the people again, the same way the Chicago School System lied and got themselves in the last problem. Maybe we ought to come back with a solution. Maybe the Chicago School System should have referendums on their levies the way all the other school districts do, and let the people of Chicago show us how much they appreciate what their school system has done by being asked to vote on it the way every other school system does. Maybe that's how we should settle this issue.

PRESIDENT ROCK:

Further discussion? Ladies and Gentlemen, WICS-TV also has requested permission to shoot some tape. Without objection, leave is granted. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I have to make a couple of points,

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as it applies to the pensions. Some of the -- my downstate colleagues didn't believe - when we were voting on this bill last June - didn't believe us when we said that the bill would require the State of Illinois to assume the liability of the Chicago Pension System. I don't think -- I don't think all of you really believe that. We found out later that that was precisely what the bill did, and the Governor - thanks to him - vetoed that out of there. Now it seems to me that what we're doing by this bill is laying the groundwork for that provision to pass sometime in the future. I don't know when it's going to happen, but you are aiding and abetting, those of you who are downstate. And Senator Welch, your remarks were cute, but you know and I know that this bill will lead to the possible default of the Chicago Pension System, which will lead to another bill, on which you may vote to have the State assume the responsibility for the Chicago pensions. I don't think those of us from downstate ought to do that, and we ought to definitely not support this bill.

PRESIDENT ROCK:

Further discussion? Senator Topinka. Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate. I don't represent Chicago, but I do have the next district over, and I do have a number of annuitants from the Chicago public schools who are living in my district, and they have been calling and they have been calling quite a bit, and they are scared. Plain and simple, because I don't think this is very complicated, this bill, indeed, steals from my old folks. They object, and I object.

PRESIDENT ROCK:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. Just briefly, with Senator Keats, we heard from Senator Welch what some of the

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dastardly things that people were saying, and I -- I think that's terrible, and I think that probably, Senator Keats, what they've been saying about you is wrong too, and we ought hear what those things are so that we can get -- to the bottom line. But regarding this, I probably have as many annuitants in my district who are concerned about this legislation as anybody, and I've heard from them as many of my colleagues from Chicago have. And this certainly is not a good precedent, and we wish there were other ways we could do it, but there aren't. We all know this is the -- this is it. It's this or nothing. It's this or a school strike. We've got a three-year contract for the first time, but I think that despite my "Yes" vote on this important piece of legislation, I think it's important that we in the legislature send a message back to those who negotiate those contracts and the Chicago Board of Education and their officials that this will be, and should be, a one-time deal. A one-time hit on the Pension Fund, and that after this three-year contract is up, don't look for the Pension Fund, or from help from the legislature once again, because I don't like this precedent and I think we ought to send that message. And for those people who negotiate the contract, they ought to talk to the legislative leaders before they obligate those legislative leaders to things which we may not be in favor of in the first place.

PRESIDENT ROCK:

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator del Valle.

SENATOR DEL VALLE:

Senator Berman, what percentage of the Building Fund is going to be diverted into the Education Fund?

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PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Nine percent.

PRESIDENT ROCK:

Senator del Valle.

SENATOR DEL VALLE:

Nine percent. Thank you. And I -- my understanding is that nine percent makes up fifteen million dollars. I will be voting "Yes" on this bill, but I have to say that I'm not happy about my vote. I will be voting "Yes," because I think the most important thing is to finalize this contract, and to make sure that teachers are given a salary increase, and to make sure that we avoid a strike. But last week I visited three schools in my subdistrict with the Superintendent - Superintendent Kimbrough. And it breaks my heart to go into schools with mobile units - we still have multiple mobile units in a number of schools in my district where classes cannot be conducted because rats die in the walls of those mobile units, and the kids cannot stand the odor, and the teachers cannot teach in those mobile units. Superintendent Kimbrough saw this, and I want a clear message to go to the Board of Education, the new board and the Superintendent that we must deal with the problem of overcrowding in the communities, and we must deal with the problem of deteriorating school buildings in our community. I want this to be a one-shot deal, and I want to make sure that we here in the Illinois General Assembly, the next time we have to deal with a surcharge think about those kids that have to deal with those odors from rats that die in the walls of those mobile units, and are trying to learn under conditions that very few people, I think, could learn under. Thank you.

END OF TAPE

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TAPE 2

PRESIDENT ROCK:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

...(machine cutoff)...ruling, and whether or not it requires thirty-six votes. Someone else is concerned about the pensioners - and they should be - because...(machine cutoff)...to get money into the Chicago operation fund to fund the contract with the Chicago teachers. There's no question. We all agree that this is not the best way to do this. But how did we get here, Jack? You shake your head. How did we get here in the first place? How did we get to the point where we've got to take money out of Chicago Teachers Pension Fund in order to fund the Chicago school system? We got here because the State has never lived up to its obligation to fund schools according to the obligation that -- that the Constitution says it should fund schools. You know that, and I know that. Thirty-six percent funding is not adequate. We all know that. So who's kidding who about this? The fact of the matter is you, the State of Illinois, and every Senator in this room, has put Chicago in the precarious position it is in today. And you make us look like the bad guys, because we have to fund the system in order to educate our children so that teachers don't go on strike. Who cares about the kids? Not one of you mentioned the kids. Not one of you talked about the kids that are going to be affected if they don't get this money in Chicago. I know, we're the bad guys. But it's not a question of good and bad. It's a question of what has to be done. And I'm sorry to say, this is the only way that you put us in a position that we have to do this.

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PRESIDENT ROCK:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I adopt, by reference, the remarks of my colleague, Senator D'Arco. This has got to be one of the nuttiest votes I've cast since the twenty years I've been down here. I will vote Aye on it, 'cause I see no other solution at the moment. But it really makes this Body look absolutely ridiculous. And I apologize to the general public for it.

PRESIDENT ROCK:

Further discussion? Senator Weaver?

SENATOR WEAVER:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Weaver.

SENATOR WEAVER:

Senator Berman, you serve on Appropriations, and I presume that you'll be in the - you and your colleagues will be in the position next May or June to support sufficient appropriations to provide downstate teachers with three years of a seven percent increase. Is that correct?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Are we talking about the pension funding?

PRESIDENT ROCK:

Senator Weaver.

SENATOR WEAVER:

No. I'm talking about sufficient State dollars appropriated to the distributive formula to provide every downstate teacher with a seven percent increase for the next three years.

PRESIDENT ROCK:

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Senator Berman.

SENATOR BERMAN:

Can't - I can't make that commitment. I don't know what the revenue is going to be. And, on behalf of the Appropriations Committee, I don't think anyone can.

PRESIDENT ROCK:

Senator Weaver.

SENATOR WEAVER:

You're making that commitment to the Chicago schoolteachers. Why should we downstaters suffer?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

That's where your reasoning is a little confused, Senator. And let me point this out. We -- I have -- we are saying, by the vote of Aye on this bill, that Chicago negotiated its contract for its teachers and is using its resources to pay its contract. You're asking for my commitment regarding every other school district regarding State money. That's not this bill. And that's where you're confused.

PRESIDENT ROCK:

Senator Weaver.

SENATOR WEAVER:

We could argue about that -- whose money -- it's public money we're talking about. It's taxpayers' money we're talking about. But it seems to me that they seen a recessionary period taking money from pension funds that could be invested. And we've gotten used to living off of income from investments to pay pensions. Just this week we had a rather updated report of the last five years' activities of all public pension funds. And it's a rather bleak report. And here we are digging ourself deeper and deeper. And there's going to come a day that we're going to have to face

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funding of all state-supported pension funds. And this is only going to magnify your problems in Chicago, as well as ours.

PRESIDENT ROCK:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The importance of three years of stability for the success of Chicago School Reform has been well-documented. I don't need to add to that. The fact that this is very bad fiscal policy has been well-stated. I don't need to add to that. I think one point can be added, however, and that is that a three-year diversion of this much money from the pension system of the Chicago teachers, which is one of the better-funded pension systems, is nothing compared to what we do to our five State pension systems every single year, year after year, with the full concurrence of the Governor and the reluctant concurrence of those of us in the General Assembly. The Chicago Teachers' Pension System will survive this. It shouldn't have to take this hit, but it will survive. Ours we had better look to a lot more seriously, because they are in much greater jeopardy right now.

PRESIDENT ROCK:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, Members of the Senate. I thought maybe Senator Schaffer would like to hear what a luckless dog barks like. I certainly would have to concur with the remarks made by my distinguished colleagues on this side of the aisle, and also agree with the remarks made by Senator del Valle and Senator Newhouse. Senator del Valle's comments were especially on target, because I think they do address the issue of what happens when you take money out of a building fund, when you have schools in serious disrepair, and move it someplace else. But there's another issue which I'd like to raise with all of you, especially

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those of you who represent children in the City of Chicago. And yes, I want to talk about children, Senator D'Arco, because I think they are the main reason we're all down here trying to find a solution to this problem. A few weeks ago Senator Berman chaired a committee hearing in the State of Illinois Building. Some of you on that side of the aisle - I see Senator Jones over there, and I know Senator Collins was -- was sitting next to me - we listened to some testimony. In fact, it took most of the day. In fact, the testimony took so long that we had to postpone the hearing, and again this Tuesday, at noon I believe, Senator Berman, if I'm not correct, the testimony will continue. And the testimony was from the parents and the taxpayers who are serving on local school councils across the City of Chicago. I have a partial list of their problems, but I would sum it up very simply by saying that they were distressed that the central office of the Board of Higher Education has not lived up to the commitments they were supposed to live up to by Chicago School Reform. And I think many of you, had you been sitting there like Senator Maitland and I were, would have been disappointed to hear some of the stories. Unfortunately, I guess, they're stories that we in Illinois State Government hear every now and then ourselves, and -- and, needless to say, we're none too proud of. One particular piece of testimony said that schools - local school councils - were having a fight with the central board to get ghost payrollers off of their payrolls. In other words, local school councils have people in their budget who they've never seen, who work out of Pershing Road, who work downtown. Ghost payrollers take up spots that people could be using in local school councils to help children. We heard a number of complaints, and you've all heard them too, raised by Board employees who claim that there's a lot of hindering and sabotaging of reform efforts by the central office. I mean, we had substantiation that day. Senator Berman asked for

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documents to be presented to us. Over and over again, we heard of the failures. I don't want to stand up here and declare Chicago School Reform a failure. I believe in Chicago School Reform. And I think it can work. And I think it is working in some local school -- councils. But there is a long way to go. And what troubles me about what we do today is that we lock ourselves in, especially those of you who are trying to represent the children of the City of Chicago. You are locking yourself in to a three-year permanent agreement when, Senator Berman, I haven't heard you said one word yet about those hearings or about how we're going to accommodate those parents. And why now, at this moment? Why not in two weeks, or why not in January can we not reach some agreement which funds the City of Chicago schools, but at the same time addresses the needs of the parents of those children who are simply not being dealt with fairly and effectively by the central office of the Chicago Board of Education? That's what really disturbs me about this package. I don't like the fact that we are intruding on other funds and that we are violating some practices of good, sound government accounting. That's bad enough. But it looks like you have the votes to do what you want to do. What's most disturbing about what you're going to do is that you're going to do it without getting a thing for it. You're going to do it with not extracting one of those demands from parents across the City of Chicago who are simply saying, "Give us control of those local school councils. That's what you promised us." And now the Chicago Board of Education is keeping it from happening. Gosh, I just thought you were all a -- a lot tougher than that. And I wish that somewhere along the line you could stop and think about that result, because three years is a long time to hold more hearings and to tell more parents to wait until next year or the year after. I really do hope that many of you will reconsider your

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vote. Let's go back to the bargaining table - I mean the State's bargaining table - and come up with a solution that helps the children of the City of Chicago and their parents. This does not do that, Ladies and Gentlemen.

PRESIDENT ROCK:

Further discussion? Senator Keats.

SENATOR KEATS:

Sometimes you have to correct things that have been said that are untrue. Senator D'Arco, I did mention kids. And many of us mentioned kids. You're the ones forgetting the kids. You're the majority party who runs the city that runs the worst school system in America. Racism walking step by step down the streets of that city. A school system that guarantees failure among kids, 'cause it won't educate them. And this argument about the State not paying fifty percent. You don't even understand why that is. We pay over fifty percent of the Chicago bills - well over fifty percent. The reason the State does not pay fifty percent statewide is because districts such as my district, my area, Senator Kustra's area, DuPage - we pay ninety percent of our bills through our property taxes, which goofs up the way its counted. That's the reason we are willing to pay for those schools. And Senator D'Arco, do you know why our area is well-to-do? 'Cause we're well-educated. You guarantee -- you guarantee the failure of the children in your neighborhood, 'cause you guarantee they won't have the skills to compete in the marketplace. Remember, you said you guys did this. You're the majority party. For sixteen years you've chaired the Appropriations Committee. For sixteen years you've controlled the budget. And for sixteen years you said, "The heck with Chicago schools. The heck with pension funds. All I'm worried about is my political power base, and my pinstripe patronage and my control of what's going on in Chicago." That's great. Don't point over here. Point at the majority

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party, who for sixteen years has run this State. And remember, the Chicago school system has the money to operate right now. You're all being defrauded by being told this has to be done now. They have more than enough money to operate into next year's legislative Session. No problem whatsoever. And we could deal with this in reality. If the parents of the City of Chicago had a referendum vote on this, this thing wouldn't get ten percent. And Senator Newhouse, I got to commend you as an honest man. That was an excellent comment. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Just real quick. I guess I'm getting confused. We have Republicans calling the incoming Governor a luckless dog. We have everyone here trying to put all the blame onto us over here. Let me read something to you:

"Senate Bill 1591 does three things to help Chicago Public Schools. It allows the Chicago Board of Education to use fifteen million dollars of local tax authority for educational purposes which are no longer needed by the Chicago School Finance Authority to retired debt. This part also allows the Board to use approximately fifty-one million dollars of local tax authority to pay employee rather than employer contribution to the Chicago Teachers Retirement System.

"I approve of these changes which allow local discretion in the use of local tax monies and support efforts to increase teacher benefits and to open schools in Chicago on time."

Signed, James Thompson, Governor of the State of Illinois. Your Governor. This is your Governor's bill. He amendatorily vetoed it, so don't try to put the blame on us.

PRESIDENT ROCK:

Further discussion? Senator Berman, to close. Senator

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Berman, to close.

SENATOR BERMAN:

All right. Thank you. First of all, a couple of factual corrections. Senator Keats, approximately forty-five percent of the Chicago budget comes from the State, not over half. Number two, I want to appeal to the media. I've said this yesterday, and I will say it again today. Do me a favor. Do not mischaracterize this bill as a Chicago bailout. In 1980 -- in 1980 -- and I hope that those of us -- those of you on the other side who talked about the 1980 revision in the Chicago financial structure, also misused the word "bailout." In 1980, and today in Senate Bill 1591, there is no State bailout. In 1980, we took fifty cents of Chicago's school levy - that was twenty-five percent of their education levy - and took their education tax dollars and shifted it to issue their bonds and pay off their bonds with their money. It wasn't a nickel of State money. It was not a bailout then. This is not a bailout today. This is Chicago resources - Chicago tax dollars - to fulfill Chicago's obligations to keep its schools open and to lend us a degree of stability. One of the reasons Chicago School Reform passed was because a strike in 1987 was the ninth school strike in eighteen years. Everyone was fed up with the instability of that system. And nothing that I am saying condones the old way of doing things. We have a new system. We have a new law. And we have wonderful - wonderful accomplishments under Chicago School Reform. This is Chicago using its tax dollars to lend stability to its school program. I find it interesting that Senator Kustra, the newly elected Lieutenant Governor, urges a No vote - a No vote on this bill that keeps Chicago schools open and gives us a promise that we'll work something out. You've never worked out anything in Chicago. You wouldn't if it was up to you. You wouldn't have had Chicago School Reform. You wouldn't have had the surcharge that pumped

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money into every school district in the State. You voted No. If you were the Governor, you would have vetoed that bill. Fortunately, Jim Thompson had the commitment and the guts to sign the bill. So let's talk about facts, not talk about what we ought to do or what we will do. We know what you have done. And it has been consistently not in favor of the stability, educational programs, reallocation of power from Pershing Road to the parents in the school buildings. We're making great advances. The testimony we heard two weeks ago and the testimony we'll hear next week is like any other hearing. We hear from the people that have complaints - rightly so. The Leadership for Quality Education Coalition of Businesspeople in Chicago took a survey. Over eighty percent of the parents of Chicago schoolchildren are enthusiastically, overwhelmingly in support of local school reform in Chicago. They like what's happening in Chicago. This bill will allow that to continue without a school stoppage, without a school strike. And it's our money doing it. I urge an Aye vote.

PRESIDENT ROCK:

The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1591, in the manner and form just stated by Senator Berman. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 27 Nays, None voting Present. The specific recommendations of the Governor as to Senate Bill 1591, having received the required majority vote of Senators elected, are declared accepted.

Resolutions, Madam Secretary.

SECRETARY HAWKER:

...(machine cutoff)...Resolution 1471 offered by Senator Lechowicz.

And Senate Resolution 1472 offered by Senator Netsch.

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They're both congratulatory.

PRESIDENT ROCK:

Consent Calendar. Senator Demuzio, before you get away, you want to do the adjournment resolution? Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution 221 offered by Senator Demuzio.

Resolved, by the Senate of the 86th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Thursday, November 15, 1991 <sic>, they stand adjourned until Wednesday, November 28, 1991 <sic>, at twelve o'clock noon.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 221 is - is the adjournment resolution. Upon the adjournment today, we will stand adjourned until next - I'm sorry - until Wednesday, November 28th, at the hour of twelve noon. I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 221.

PRESIDENT ROCK:

Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 221, the adjournment resolution. When we conclude our business very shortly here today, we will return on the twenty-eighth day of November at the hour of noon. 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 221. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Introduction of bills.

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SECRETARY HAWKER:

Senate Bill 2320 offered by Senator del Valle.

(Secretary reads title of bill)

First Reading of the Bill.

PRESIDENT ROCK:

Rules Committee. Ladies and Gentlemen, we have just a few items of paperwork yet remaining. The fact is that we have effectively concluded our business. We will be adopting the Resolutions Consent Calendar. We will be reading in Messages from the House that will appear on the Calendar of the twenty-eighth. So to all, I wish you a very happy and healthy Thanksgiving, and we'll see you on the twenty-eighth. The Resolutions Consent Calendar, Mr. Secretary. Have any objections been filed to the Resolutions Consent Calendar?

ACTING SECRETARY: (MR. HARRY)

No objections filed, Mr. President.

PRESIDENT ROCK:

All right. In that case, Senator Severns will move the adoption of the Senate Resolutions Consent Calendar. All in favor of adoption, indicate by saying Aye. All opposed. The Ayes have it. The resolutions listed thereon are declared adopted. We have effectively concluded, Margaret. Thank you. Messages from the House.

SECRETARY HAWKER:

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 accepted the Governor's specific recommendations for change which are attached to a bill of the following title, in the adoption of which I'm instructed to ask the concurrence of the Senate, to wit:

House Bill 493.

I am further instructed to deliver to you the objections of

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the Governor, which are contained in the attached copy of his letter to the House of Representatives.

Adopted by the House November 15, 1990.

I have like Messages on House Bills 1055, 1268, 2700, 3058, 3136, 3152, 3164, 3261, 3337, 3356, 3562, 3613, 3656, 3755 and 4159.

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 passed a bill of the following title, in the Governor's specific recommendations notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 1220.

I am further instructed to deliver to you the objections of the Governor, which are contained in the attached copy of his letter to the House of Representatives.

Passed the House, November 15, 1990.

I have like Messages on House Bills 3146, 3183, 3406, 3585, 3766 and 3771.

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 restored to the original amount items restored by the Governor - reduced by the Governor - which are attached in a bill of the following title, in which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 3341.

I am further instructed to deliver to you the objections of the Governor, which are contained in the attached copy of his letter to the House of Representatives.

Passed the House, November 15, 1990.

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

Mr. President - I am directed to inform the Senate

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that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I'm instructed to ask the concurrence of the Senate, to wit:

House Bill 2924.

I am further -- further instructed to deliver to you the objections of the Governor, which are contained in the attached copy of his letter to the House of Representatives.

Passed the House, November 15, 1990, by a three-fifths vote.

I have like Messages on 2966, 3655, 3671, 3699, 3940, 3952, 4049 and 4208.

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 passed the item vetoes and reductions which are attached to a bill of the following title, the veto of the Governor notwithstanding, in the passage -- in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 3273.

I am further instructed to deliver to you the objections of the Governor, which are contained in the attached copy of his letter to the House of Representatives.

Passed the House, November 15, 1990, by a three-fifths vote.

I have a like Message on House Bill 3462.

PRESIDENT ROCK:

Any further business to come before the Senate? If not, Senator Geo-Karis moves that the Senate stand adjourned until Wednesday, November twenty-eighth, at the hour of twelve o'clock noon. Twenty-eighth. Happy Thanksgiving, everybody. Senate stands adjourned.

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