

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

73rd Legislative Day

July 18, 1991

PRESIDENT ROCK:

The hour of ten having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Our prayer this morning by Pastor Bob Hanson, Greenview United Church, Greenview, Illinois. Reverend.

THE REVEREND BOB HANSON:

(Prayer by the Reverend Bob Hanson)

PRESIDENT ROCK:

Thank you, Reverend. Reading of the Journal, Madam Secretary.

SECRETARY HAWKER:

Senate Journals of Sunday, June 30; Monday, July 1; Tuesday, July 2; Wednesday, July 3; Thursday, July 4; Friday, July 5; Saturday, July 6; Sunday, July 7; Monday, July 8; and Tuesday, July 9, 1991.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

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

PRESIDENT ROCK:

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

SENATOR JACOBS:

Mr. President, I move the reading and approval of the Journals of Wednesday, July 10th; Thursday, July 11th; Friday, July 12th; Saturday, July 13th; Sunday, July 14th; Monday, July 15th; Tuesday, July 16th; and Wednesday, July 17th, in the year 1991, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

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You've heard the motion as placed by Senator Jacobs. 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. 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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1378 with House Amendments 1 and 2.

Passed the House, as amended, July 17, 1991, by a three-fifths vote.

PRESIDENT ROCK:

Secretary's Desk. All right. Ladies and Gentlemen, the Chair would just direct your attention to Pages 11, 12 and 13 of the regular Calendar for Conference Committee Reports, and the Secretary has just distributed the Supplemental Calendar No. 1, which reflects House action. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I'd like to present to you some relatives of mine who arrived here from Copenhagen, Denmark, yesterday. I'd like to introduce my cousin and his family from Copenhagen, Nils Frank. Nils, Lisa --?

PRESIDENT ROCK:

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

SENATOR PHILIP:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Keats is convalescing at home because of an automobile accident.

PRESIDENT ROCK:

The record will so reflect. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Thank you, Mr. President. There will be a Democratic Caucus in Room 212 immediately.

PRESIDENT ROCK:

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, there will be a Republican Caucus in Senator James Pate Philip's Office immediately.

PRESIDENT ROCK:

All right. Democratic Caucus in 212 immediately. Republican Caucus in Senator Philip's Office immediately. The Senate will stand in recess for one hour.

(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

All right. The Senate will please come to order. With leave of the Body, we'll move to the Order of Supplemental Calendar No. 1 and then we will revert back to the Pages 11, 12 and 13 on the Order of Conference Committee Reports. And we will move through the Calendar as the paper permits. On the Order of Supplemental Calendar No. 1, on the Order of Secretary's Desk, Concurrence,

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Senate Bill 1378, Madam Secretary, please.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 1378.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask that the Senate concur.

PRESIDENT ROCK:

Senator Luft, excuse me. Can we have leave - we've had a number of requests. Let me start at the top: WAND, WCIA, WICS, WLS, WBBM-TV, WMAQ, KMOV - some of these are duplicates - Channels 20, 3, 17, 2, 9 and 5; WICS and the State Journal-Register, all of whom have requested permission to shoot some film, along with WGM -- WGEM, from Quincy. Without objection, leave is granted.

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask that the Senate concur in the House Amendment to Senate Bill 1378. Last March, the Governor came forth with a proposal that was encompassed, for the most part, in Senate Bill 1. Since that time, my desk drawer is filled full of proposals and counterproposals and variations thereof. We have now reached a point where we have a proposal before us that obviously doesn't satisfy anybody -- or most anybody -- everybody, but I think, in the long run, will move this Body forward and the State of Illinois government forward. So I would offer the explanation that's embodied in Senate Bill 1378 and try to answer any questions that those -- individuals may have. In DuPage, Lake County, McHenry and Will Counties, beginning with 1992 extensions, all taxing districts will be limited to an extension increase of five percent or the percentage increase of the CPI during the calendar year preceding the levy year, whichever is less. Those extensions can be increased only

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by referendum of the voters. We -- define "aggregate extension" in the bill and exclude from the bill at least ten or twelve different issues primarily dealing with debt bonding, and I will answer those at a later date, if any desire. It holds the school districts harmless from a reduction in their operating rate below the minimum required, and it exempts referendum under this Act from the current limit of three referendum per election. The effective date of this becomes 10/01/91. The bill also establishes a uniform levy certificate -- certification date, which is the last Tuesday in December. That becomes effective immediately. We require all taxing districts in Cook County to base their taxes on the equalized assessed valuation - or EAV - of the prior year, and permits Cook County to establish by ordinance - emphasize "by ordinance" - a quarterly payment billing system for the collection of property taxes. That becomes effective January 1 of 1992. And we extend the income tax surcharge for two years, which maintains increases in personal income tax rates from 2.5 to 3 percent and the corporate tax from 4. to 4.8 until tax year 1993. After tax year 1992, we establish a permanent increase in the personal income tax rate from 2.5 to 2.75 and in the corporate tax rate from 4. to 4.4. Makes permanent the distribution of the 7.3 percent of net income tax - as is now - the proceeds to the Educational Assistance Fund, and decreases the distribution of net income tax proceeds to the Income Tax Surcharge Local Government Distributive Fund from 5.9 to 3. in FY '92, then increases the distribution back to 4.4 in '93. That is an immediate effective date. And also, we allow a municipality to impose up to a five percent interstate telecommunications tax. We replace the personal property tax deduction with a five percent credit, which is equal to about one and two-thirds of what now the double deduction is. I believe that adequately expresses the content of Senate Bill 1378. I would ask for comments or attempt

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to answer any questions.

PRESIDENT ROCK:

All right. The Gentleman has moved concurrence in House Amendments 1 and 2 to Senate Bill 1378. Discussion? Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It's July 18th, and we're all very tired. And I believe we all want to go home. But, Ladies and Gentlemen, we were sent here to do a job for our constituency. Mr. President, this summer I sent a questionnaire to my constituents, and over three thousand of them responded. One of those questions that I asked them was, "Should annual property tax increases be limited by State law to the rate of inflation?" Eighty percent said yes, Mr. President, fifteen percent said no, and five percent were undecided. Mr. President, I am jealous - I am jealous of my colleagues in DuPage, Kane, Lake, Will and McHenry Counties. I'm jealous of them, Mr. President, because they wanted to -- they united to help their constituency - their property owners - with the five percent property tax caps included in Senate Bill 1378. Well, I'm also very disappointed, Mr. President. I'm disappointed in you. I'm disappointed in the failure of us from Cook County to be able to do the same thing for our homeowners. We have failed them. Mr. President, I sincerely believe that the homeowners of Chicago and of Cook County are getting shortchanged in this bill. And Mr. President, any Cook County Senator that votes for it is doing a great disservice to his constituency.

PRESIDENT ROCK:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Mr. President and Ladies and Gentlemen of the Senate, I rise in strong opposition to this whole agreement plan. These cuts

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have quite simply -- they will devastate -- they will devastate my community. To the Members on this side of the aisle, I did not spend four months and three weeks here in Springfield to adopt a Republican budget. We did not spend our July 4th weekend in Springfield so we can cut general assistance, slash public aid, reduce mass transit. We did not spend long, hot summer -- in Springfield so that the poor in Illinois can spend cold winters without the IREAP program. To my friends on the Republican side of the aisle: I urge you to reconsider the -- long and hard what the Governor has proposed in this budget. I don't see them as suburban Cook County. We promised -- he promised no tax increase. He promised an end to the Jim Thompson era. But there is no cuts and no slashes in the DCCA budget - none whatsoever. No, my friends. I know, Mr. President, Senator Rock, that you worked hard, and it's been a tough negotiation. I commend you. I know you -- how far we have come since March. But quite simply, it isn't far enough. It just isn't far enough. We're attempting to feed to the public a sleight-of-hand trick in these caps. We're saying we're giving some tax relief to the real estate caps, but yet we're going to set it to October so that the locals can raise their taxes and then we're going to tap -- cap it. That's a farce, and it's not right. We must do better. I know it's July the 18th, and I know we want to go home, but this budget the citizens of Illinois have to live with for a year. I would rather spend another week, another two weeks, another month in Springfield than impose these hardships on the people of Illinois. Please, Ladies and Gentlemen, please, let's go back. Second best is not good enough, and this is a second-best agreement. I urge my colleagues, let's vote No on this. Let's go back to the table. Thank you, Mr. President.

PRESIDENT ROCK:

Further discussion? I'd ask our guests to please refrain from

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any demonstration. Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I have a district which is seventy percent Cook County and thirty percent DuPage County. It is a very good district. It has fine people who pay their bills, who work very, very hard. Most of these people are now two-income families, and they're doing the best that they can. And they can hardly make it because their property taxes have skyrocketed to such an extent that they cannot afford to live in their homes. I have an exceeding number of senior citizens in my district, people who have lived in this district for many, many years, and they can no longer, on their fixed incomes, pay for the same home that they were lifelong residents of, nor can their children come back to live in the same towns where they once dwelled, because the property taxes preclude this. Those property taxes have been high in suburban Cook; they have been high in DuPage, and I fail to see any difference between them or how they should be dealt with. I'm distraught at how the property tax item here for alleged tax relief has come forward. I'm thrilled for my DuPage County residents in this bill, because, indeed, they got the property taxes and the caps that they have sought. And that is good for them, and I want them to have that. But how can I come back to my entire district, like a mother who comes back to all her children, and says, "I have given you this, but you do not count and you have to have something different"? How can I justify that difference? And I don't think I can. I think, too, that it's bad tax policy when we have taken Northern Illinois and done something different for everyone involved. The City of Chicago, because of the effective date, is going to miss their reassessment. So, they're not going to be affected by this. They're going to swoop, and their people are going to pay, and they're going to pay through the nose. I mean, the people of

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south Cook County - they're going to get their tax bills because of their last reassessment in August, and they're going to be delighted when they see how this has risen and the fact that we have not brought home the tax caps that we said we were going to bring home. How are the people in Suburban Cook going to feel when they see others being able to go back to a referendum process, where indeed they can have something to say? But our people in Suburban Cook County have to continue to just take it on the chin with a one-year's delay, and all that does is delay the misery of high property taxes. I think our people in Suburban Cook and DuPage, the Collar Counties -- all have done their part in trying to help others in this State. And we've done so willingly. We have asked for tax relief. It has not been delivered. Why the Senate has ceded its leadership role to the Illinois House, and to the political directives of its Leader, I don't know, but I find it very distressing.

PRESIDENT ROCK:

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senator Dudycz, I'm disappointed also. I'm disappointed in the Governor of the State of Illinois. I'm disappointed in the Illinois General Assembly. But I'm disappointed for different reasons. I'm disappointed because this revenue package does not go far enough. In fact, given the cuts we evidently will have to live with, this plan moves us backwards. We will be rapidly moving backwards in many areas. More people in the entire State will experience utility shutoffs because of this plan. More children and families will continue to be in dire need of court-ordered changes in our Department of Children and Family Services. And I guess we'll continue to not comply with consent decrees that are already out there for Children and Family Services. GA cuts will increase the number of

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homeless and crime in our streets. As of June 30th, '91, there are twenty-seven thousand, six hundred and sixty-one inmates in our correctional system. What is the cost of that? But we're saying, "No, let's cut GA so that those individuals will turn to crime so that they could end up in our correctional system where it costs us eighteen/nineteen thousand dollars a year per inmate." That doesn't make any sense at all. This revenue plan ensures that the waiting lists for drug abuse treatment will continue to grow and people will continue to wait. We will not have addressed the inequities in our funding for our educational system across the entire State. We totally skirt that issue. Our mental health system has serious problems. They'll just get worse. Seniors will get fewer services. Seniors who have paid taxes for many, many years and who are entitled to what little we provide for them will get fewer services under this revenue plan. All -- Why? All because the Governor and the General Assembly refused to bite the bullet and do what needs to be done and that is increase the surcharge beyond the three percent level. Let's face reality. Let's face reality. It is not enough. 1.9 billion dollars is the deficit, but you don't deal with that deficit by hurting those most in need in the State of Illinois, and that's what this revenue plan does. And all we need -- all we know is that whatever chances there are of this Body doing what is needed next year is zero - next year, an election year after reapportionment. So folks, we are doing go live with this for at least two years. What this tax plan gets us is an unfair budget that will inflict pain and deep wounds throughout the entire State of Illinois, and I predict - and it's an easy prediction to make - that next year our State Government will rub salt in those deep wounds. Thank you, Mr. President.

PRESIDENT ROCK:

Again, I would ask our guests to please observe the

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proprieties. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I rise in reluctant support of this compromise, and that's what this is. It is a compromise. It's a compromise we have reached after long deliberation - both parties, the Governor's Office. And to some of my colleagues who have spoken somewhat vehemently against, not only this bill, but I guess the whole package, I can only say - I don't think it gets better than this. I think it only gets worse. To my friends from Suburban Cook, I, too, am bitterly disappointed that the tax cap proposal that's been limited to the Collar Counties does not affect Suburban - and, for that matter, all of Cook County and all portions of this State that have seen assessment increases in the last few years. My guess is that it's a good idea, and good ideas have a way of spreading. And if they work as I think they will, it's an idea whose time has come and that march will continue until every county in this State is, shall we say, safeguarded from the heavy hand of unbridled taxation that our current property tax system seems to be inflicting on our taxpayers. Let me suggest to you though, that the time for compromise is now. We need to pass the surcharge. That portion of the surcharge that most of us feel the strongest about - for education - is made permanent. I think most of us on the Senate Floor view that as a victory. We have a compromise on the distribution of the other portion that will help the State pay its bills, so that we don't have to inflict worse pain on the poor and the downtrodden of this State that many of us feel very strongly about. It's not enough. Perhaps it never will be enough. But it's better than what we could have done if we didn't pass the surcharge. And on this late day in the month of July, I think we have little choice but to accept this compromise, which has been worked out by both parties and a Governor who I think worked very hard on behalf of the

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people of this State and who, by the way, kept his campaign promises. And I believe it was that platform and that mandate that put him into office and gives him a strong position to argue for the things that are included in this compromise. I think the time is now. The people want us to conclude our business and to go home. Believe me, they want us to go home. This is a compromise none of us like, but all of us can live with.

PRESIDENT ROCK:

Further discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. It's obvious, whether we're here on June 30th or July 18th, that many of us are not happy with this; that the concept of caps generates different reactions in different areas, but this is a mad-as-hell rebellion that really has been around for a long time to many of us. Do the homeowners feel they're getting a good bang for their buck? Is it really their money? I said three weeks ago that this was a regional problem. It still is. Quite frankly, the homeowners in my area have had enough. And they've listened to all the reasons of why we have obscene taxes in our area; and, quite frankly, they don't like the answers they get. The idea of exempting home-rule communities, such as Joliet, where there are over seventy-six thousand people, is not my idea, and I'm not happy about that. But I don't see any other bills on the 18th. This is the only bill that gives my homeowners some relief. And based on that, I'm going to vote Yes.

PRESIDENT ROCK:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. These last eighteen years -- or eighteen days - seemed like eighteen years - last eighteen days have certainly been times that have tried men's souls and women's

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souls as well. And before I address myself to this bill, I would like to express to you my appreciation for your courtesy and for the way you have handled this General -- or this Senate Body, and tell you and my Minority Leader that I respect both of you enormously and your leadership teams as well. We have been in caucuses, in and out of them, and we have done the very best we can. This is probably the most difficult year that I have spent in my nineteen years in the General Assembly, and I think, you know, that -- that we all have genuinely different ideas. But last night I visited the House as they -- supposedly debated this issue. And I just want to tell you, Mr. President, that you do not have a gag rule in the Senate, and I appreciate that very much. You recognize all of us, and you recognize our First Amendment rights. And for that, I am very, very grateful. I happen to want to say to you -- I do now want to address the bill. I have really agonized over what my vote would be on this bill, because, indeed, I want to extend the surcharge. I want many things that are in this bill. But for all of the years that I have been representing my district, I have each year gone back with an excuse and with a compromise that I have brought back to them and tell them, "Well, we just didn't enough votes." And I have gone along with the compromises and gone along as ably as I have been able to, but this particular year, when property tax relief is so important to my taxpayers, as it has been for almost a decade, I really feel that there are too many things in this bill. I think that the plan, the equalized assessed valuation plan, may work well in some areas, but I do not think that it will bring back to my taxpayers what they really are expecting. So, regrettably, I am going to have to vote No on this particular piece of legislation. But I want you to know that I respect the opinion and every other Member in this Body and that I do appreciate, again, the hard work, Mr. President, that you have put forth on

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behalf of all the compromises that have been before us. And, Senator Philip, you, as my Minority Leader, particularly I want to say you've had great patience. In my outbursts of anger, you have been very understanding, as have my colleagues, and I want to thank all of you for that.

PRESIDENT ROCK:

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President and Members of the Senate Body. I rise in strong opposition to this bill, with all due respect to the obviously sincere remarks on both sides of the aisle, particularly with my colleagues on the right side of the aisle, and with all due respect to the thousands of hours of negotiation that went into this. There are different kinds of politics. There's a politics of accommodation, of compromise and a politics of purpose. What we are doing here today is a politics of accommodation which merely postpones considerations of deep questions of overall policy and purpose. The real winner here today is the Governor. The real losers are the people of the State of Illinois, who will probably believe that this Governor's budget has their best interests in mind. That is not the case. The poor will be poorer. Public schools will be underfunded. Over one-hundred thousand Illinois citizens will either lose or have reduced their pharmaceutical subsidies. And if you are among those who receive the tax subsidies, do not believe that you will be exempt from the consequences of this budget. How can our State consider itself better off than it was when these are the prevailing circumstances? We have only postponed facing the inevitable problems around questions of revenue, policy and purpose until another day. I object, and I will not vote for this. Thank you.

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Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, Members of the Senate. I, too, have had a lot of deep concern over whether or not I should support this package. It has, I think, a close balance of pluses and minuses. I feel that the permanent surtax for schools would be a big asset for us in a suburban area, and the EAV delay, which prevents this blind levying which has been going on, is something that the taxpayers for years would be better served, I think, than with the caps. Now, I don't think there's any clear winners, because it was pointed out that this is a compromise, and it is. There isn't anyone that has enough strength to carry the issue on their own. I think those -- my colleagues in the Collar Counties who are getting these caps -- they're really not going to get any lower property taxes for their constituents, but it is something that their constituents have asked for. I'm glad to see that in my area, in the South Suburbs, that there isn't a cap on park districts and library districts. This, in my opinion, would be extremely detrimental; and, as I understand, two-thirds of the -- those in the State Association for Park Districts are from the Collar Counties, and I think it's devastating to their program. And I'm just glad you didn't choose South Suburbs, because they are not going to share in a surtax, and they shouldn't carry the burden. I will address my responses later when we get to cuts, because I've got some deep concerns about this. But I'm going to vote Yes, but it's a long decision and a hard one, and I think it's the right one.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. I am a product of public schools from Chicago and, except for the law

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schools, I am a product of a junior college of Chicago. I care about education, and I -- I have earned my living today because of my education, and I am concerned about education. And I pledged the people back in my district that I would do all I could to help education, and that was by making the extension of the surtax permanent for education. I might tell you that I have never voted for a tax increase -- income tax increase in almost nineteen years I've been here, but the need is there. When you talk about what is to be done - we owe money to the nursing homes. We owe money to the -- to the hospitals. We owe money to the pharmaceuticals. We owe so much money it isn't even funny. We have a bad deficit, and this Governor has tried to be responsible because, like he has said, we cannot spend money we do not have. I want to commend Senator Rock and Senator Philip and Senator -- rather, and Minority Leader Daniels and Speaker Madigan for working together with the Governor. This may not be the best package, but let's give it a try. My gosh, the people of my county - and I come from a Collar County - are assessed thirty-three and a third percent of their market value. Now, that's a lot more than the people are assessed in the City of Chicago. They're assessed sixteen percent for residential. All I'm saying is we hope that we can use this bill to make -- do some good. We have all tried. You think we've enjoyed being here for so many months and our people back home wondering what we're doing? We're not twiddling our thumbs. We're concerned. I'm concerned about all the people in the State. And there are no winners. I think all of the Leadership, the five Leaders, have worked together -- the Governor, the four Leaders. And I think that's great. At least they've worked together to try and reach a meaningful compromise. And I think we should try it, and I'm supporting this bill.

PRESIDENT ROCK:

Further discussion? Senator Collins.

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SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. Let me, too, join with Senator Macdonald and Senator Palmer and those who have expressed their gratitude to the leadership on both side of the aisles for the long hours and the efforts that they have put forth to bring this budget to a -- stalemate to a halt. I appreciate all of the work that have gone into this, and I must say that we have made some progress since June 30th. We left here on June 30th -- we decided to -- not to vote for that budget on June 30th. There was absolutely nothing in this budget for human services. It is devastated now, but it was even worse at that time. We have made some progress for the people of the State. For those of us whose primary objective here is to protect the poor and the needy in this State, we're told by those with other primary interests that we've gotten too much. And for us, we've said we don't have enough, and I agree to that. And to the leadership, two more days, three more hours, it doesn't matter. We're saying to you, while we appreciate the efforts that you have made, we believe that you can still find some money to give some relief to the Energy Assistance Program. We cannot afford - we cannot afford to allow one child - one child - to die because of a lack of heat or to become frostbitten because of a lack of heat, or a senior, or a child, because we have to pay for that. We will pay more for a person who have to be hospitalized because they do not have adequate heat in the winter than we will by coming up with the seventeen million dollars that is needed, which we will get matched by the Federal Government, to allow this program to continue. The only caps - there have been a lot of talk about caps around here, and there appear to be some compromise as it relates to those caps - but the only caps that are of any real significance are those caps which are placed now on pharmaceuticals to senior citizens, to those people who need

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life-sustaining medicine. That has not been resolved here. We're saying to our leaders - you've got to go back, because those are the most important caps. We cannot allow caps to be imposed or copayments of five dollars or ten dollars for insulin, for heart medicine, because it doesn't matter whether it's five or ten dollars. If they don't have that five or ten dollars, those people will die, and those are the caps that's important around here. We're saying to our leaderships - we must find the money in order to eliminate those caps. And I will say to you - put back the double deductions. That's all we need - the double deductions. Raise it only on those who make a hundred thousand dollars or more. We're talking about fifty-four million dollars to the budget that will go into General Revenue - just to put back the double deduction for those who make a hundred thousand dollars or more, who can afford to pay it. That's where we can get the additional money from. Go back. Go back and do it. That's all we asking for. We're not putting any hurt on anybody if we do that. It's just fair. Basic fairness is what we're talking about. You've done a good job, but the job is not finished.

PRESIDENT ROCK:

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I rise with qualified support of Senate Bill 1378 - qualified because two years ago, when I cast a vote, as many of us did, for the temporary surcharge, I had hoped, as I believe all of us had hoped, that during that two-year period we would find a way to provide long-term funding for education, to close the gap between the per-pupil expenditure that exists within this State, to shift the burden of educational funding from property tax to income tax, and finally and very importantly, to achieve real property tax relief and reform statewide. This bill attempts to make progress,

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and I believe it does in the fact that it at least provides educational funding in a permanent way. This bill provides what I would consider to be perceptual property tax relief in the Collar Counties, and a temporary property tax freeze in Cook. It does nothing to address the legitimately needed property tax relief and reform for my central Illinois district or, for that matter, the remaining ninety-six counties of this State. While the property taxes in my Central Illinois district are not as high as those in DuPage and the other Collar Counties, neither are the salaries. Yet I submit to you, Mr. President, that my constituents deserve property tax relief that is real, and reform, just as much as any constituent in this State. I remain hopeful, not because of this bill, but because the Task Force that both Senator Berman and Maitland have worked long and hard will produce a report, I believe, that will help address these concerns. So I'll continue to press for this until the concern is addressed and resolved, but it's July 18th, Mr. President. It's time to fish or cut bait, and I would cast an Aye vote on this bill.

PRESIDENT ROCK:

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President, and I appreciate Senator Severns bringing us back to what we're supposed to be talking about in Senate Bill 1378. The question I have is that -- that -- facing all of us, in my estimation, is should the homeowners in Cook County have some relief from the soaring property tax increases that they're experiencing? It isn't just the Collar Counties. As Senator Dudycz said, we're all victimized by the same kind of forces that are in play. So let's focus on the question of who is stopping Cook County homeowners from getting property tax relief. They need it as much as anybody. And that's the question that faces us on 1378. I'm going to vote No, because an EAV -- the

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EAV in this is only temporary relief. It only gives a break for one year and that accumulates, but it has nothing to do with the amount of increase that might accumulate over the years. My suggestion is that we all vote No on this and go back and bring about some property tax relief for every homeowner in Cook County.

PRESIDENT ROCK:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You'll find on your desks a letter from the United States Senate in Washington, D.C., that I was privileged to place on your desks. And this is from our Senator, United States Senator Alan Dixon. He's concerned about the plight that we are in here in the State of Illinois, and I wrote him purposely about IHEAP, and this was a letter that was addressed to the Honorable Tom Harkins, Committee on Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies, of which I'm privileged to share as Chair of Human Services for the National Conference of State Legislators. I merely want to quote and put emphasis on one particular thing, because all of the cuts are going to be devastating in our communities, especially when we return home. But I want to bring to your attention this passage of the letter. It says, "According to the National Consumers' Law Center, the average annual income of program beneficiaries is a low six thousand dollars." This is talking about LIHEAP. "Most of these families have annual residential energy bills over nine hundred dollars. Consequently, they spend between thirteen and twenty-three percent of their gross income on home energy. An earlier report prepared on behalf of the National Association of State Community Service Programs indicated that a LIHEAP benefit can boost a recipient's discretionary income by sixty percent." They closed this letter that, "LIHEAP is the only means of

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protecting the poor and elderly people on fixed incomes from this sort of home energy price explosions we have witnessed over the past two years. Please do all you can to maintain this vital safety net." And it's signed by twenty-eight Senators from our United States Senate. Now, on a State level, I am merely appealing to our particular -- our Governor. If you want to stay popular - and I know it not -- too much concern about being popular, but being a good Governor - and you're concerned about the plight of the people of the State of Illinois, I am appealing to you where you have in your budget clause here reductions - there it says permit Governor to transfer fifty million dollars from other special State funds to GRF and also to permit the Governor to transfer eighty-five million from the Build Illinois General Reserve to CSF. Sir, if you would only just give us fifteen million, just fifteen million, to help us to help these people who are going to feel it this winter, maybe you will be able to sleep better yourself in your bed. And we're asking you, and all of you who are here, to please do not forget from whence you came; because, after all, these people are human beings and they are the citizens here in the State of Illinois. Thank you.

PRESIDENT ROCK:

All right. We have four or five additional Members who have requested to address this issue. I would ask the Members to please be patient. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and Members of the Senate. I, too, want to commend the Leadership, Senator Rock, for his patience in dealing with this very, very critical issue we are faced with in Illinois, along with the other leaders on this side of the aisle and in the House, for attempting to deal with the very complex problem we are faced with as legislators here in the State of Illinois. When the Governor gave us that budget back in

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March, that budget was devastating to the many persons who need governmental services - the needy, the poor across the State of Illinois. It took programs away from the elderly. It took programs away from the general assistance folks. And -- but the Governor did not do what a Governor should do. The Governor, instead of playing to the cheers of the crowds about taxes, he should have provided what you call strong leadership and said we need more revenue to run the State of Illinois. The train that the Governor has prepared in that budget will hit the people. It's going to hit them hard. But he will feel the effects of that later this year and next year. We know that. Senate Bill 1378 is a revenue package. It contains in there caps which, in turn, will be devastating to the schools; because, as you cap the property for the rich, they, in turn, will come to the State Educational Fund and pull money from all sectors of the State just to take care of them. So here we are into the eighteenth day of July. I recognize -- and on behalf of some of my colleagues here, that we needed a tax increase. No question about it. And we presented that tax increase. Unfortunately, many of you did not support it. But that what is needed to deal with the problem that we are faced with today. Those of you who are concerned about welfare - welfare comes in many different stages. It got different names. It's called subsidies, road programs, motor fuel tax, subsidies. I've driven downstate. I've seen the roads going from no place to nowhere. That's a welfare program to keep the young folks down there working. And yet and still, when we talk about getting some of the MFT funds back to Chicago, who pay those funds, you fight against it. It comes in the form of grants, the farmers. Food stamps aren't for the poor - it's to keep the farmers from growing crops. So they sit in their house and don't have to do any work -- grow any crops. That's what food stamps are really for. Let's tell it the way it is. But how many caseworkers do we have to go

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out and check on the farmers to see whether they are able to work -- they can do some work? So, quit picking on the people who need help of State Government. Lot of your -- lot of your general assistance persons, as originally proposed in the Governor's budget, are former Vietnam veterans who went at the call of the country. The true flag wavers, Senator Dudycz. But if you listen to the Governor's budget, many of them couldn't cope, and a disproportionate number of them were minorities, and they came back and they fought for areas that they couldn't even get a decent house in or could not even get a job. Those are your true Americans. So they couldn't cope. Many of them end up on alcohol and drug dependency. But the Governor wanted to stab them in the back, as he may do if it becomes popular to stab the Desert Storm troopers in the back - if it was popular. But that is what this fight was about. It was no political fight. This is the revenue package. It is not the substantive budgeted bill which is contained in Senate Bill 485, which I do not intend to support. But this package - this package here - is what we have on the eighteenth day of June. Being a realist, and I understand the problem - we need more revenue. But I have seen it decline from June 30th to -- to July the 18th. It has lost revenue. And I don't want the Governor to take any more. He's taken quite a bit. He should -- we should have passed the other revenue package, and I believe he would have supported it on June 30th. But we've got to get the job done. And the only way we're going to get the job done is take care of this revenue package. Kenny Rogers said it best - you got to know when to hold, know when to fold, know when to walk away and know when to run. This is not what all of the people need, but it's a meal. I'm going to take this meal and come back and get the other meal during the fall Veto Session.

PRESIDENT ROCK:

Further discussion? Senator Welch.

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SENATOR WELCH:

Thank you -- thank you, Mr. President. This has been an enlightening year. We've had two speeches on the Floor of the Senate where we found out that DuPage County is the powerhouse of the State and Cook County, apparently, is full of war veterans. Downstate we have no roads going from nowhere to nowhere, and all of the farmers are on subsidies. So, I have learned a lot about Illinois this year that I didn't know before. And Mr. President, I'm the only Democrat on the Floor here who voted against the temporary tax increase two years ago, but this year I'm going to be voting for this tax increase, and the reason is that I think that the permanent increase for education is something that we've long needed, is something that we can build on, and it won't be bartered away two years from now. I think it's something that a lot of us have talked about, a lot of us have worked for, and I want to see it increased in the upcoming years. A lot of parts of this bill I don't like either. I don't like the idea that we're not getting property tax relief in LaSalle and Dekalb Counties. I'd like to see that. But at least there is a -- a reference to property tax relief in the tax credit, based on how much real estate tax you pay. There's things in there that help my district, that hurt my district. And of course, to say that you can't talk about the budget and talk about this bill is erroneous, because the distribution from this bill determines how the budget's going to be spent and how it's going to be structured. Senator Collins wants to take money from a program and give it to REAP. I suggested taking money from the transit subsidy - the twenty-five million dollar General Revenue Fund transit subsidy. Put that in REAP. You can do that. Don't go hitting on a -- a different program. But you know, this bill reminds me of something I saw back home last month along the Illinois River. It reminds me of a dead carp by the banks of the Illinois River by

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moonlight, because it shines and it stinks at the same time. But overall, I think it's the best deal that could be cut. Politics is meant to be the art of compromise with everybody upset with the bill. Nobody said they endorsed this one hundred percent. So apparently it's a good compromise, and I'd urge an Aye vote.

PRESIDENT ROCK:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much. I can't follow that story, to be sure. But sometimes you have to try and deliver a message, and I hope that the 2nd Floor is listening. Sometimes we don't have the opportunity to deliver a message that we need to deliver when others are negotiating certain items of the budget. And while this doesn't directly impact on 1378, when we passed the original Pharmaceutical Assistance Bill with no caps and no copayment - which we're going to be voting on very shortly - to give relief to seniors who earn less than fourteen thousand dollars and have problems with their heart, with diabetes or with arthritis, that was a very important program for seniors throughout the State of Illinois. Senator Netsch was involved with that. I was involved with that, and it was a very important program. And I heard you, Senator Netsch. Then when the Governor passed the budget -- introduced the budget, he had a four hundred dollar cap on this program, and we over here were very concerned about that and said that was nonnegotiable. We weren't going to vote for a four hundred dollar cap. And through a lot of arm-twisting, that's been increased to eight hundred dollars with copayment, for the very first time, of five dollars on generics and ten dollars on brand names. And we had a caucus over here, and many of us felt we weren't happy with that eight hundred dollar cap, and we weren't happy with the copayment. And we instructed the budgeteers and -- President Rock said to the budgeteers, "Go back

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and see if you can find some money to give some more relief - either to increase the cap or get rid of the copayment." And that was our instructions. And the budgeteers met last night. And you know what the result was on the 2nd Floor? Increase the copayment. Double the copayment for generics from five to ten dollars so that they'd be paying more for the copayment than for the drugs themselves. That's a hell of a negotiation. That's a hell of a compromise. And so I stand to deliver the message to the 2nd Floor that before Senate Bill 45 is drafted, before it's circulated for signatures, you'd better rethink that. You'd better rethink either the cap or the copayment, because I don't think you want seniors who earn less than fourteen thousand dollars to pay more for the copayment than for the damn drugs themselves.

PRESIDENT ROCK:

All right. We have yet only three remaining to speak. Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President and to the Members of the Senate. I'm reading from our analysis on Article IV entitled "Income Tax Surcharge, Extensions and Permanent Increase," and in essence it says, yes, we're going to extend our surcharge from 2.5 to 3, and the corporate from 4. to 4.8. That is something that we have basically lived with for the last two years and we are anticipating, I presume, with the vote, that will be the new or a continuation. However, I'm only standing to speak into the record that after and beginning in the tax year 1993, according to the analysis, we will not return to base amount as we have known it over the years, but we will be getting a new tax permanently set at 2.7 for personal and 4.4 for cooperative <sic> entities. I cannot support this bill - I just wanted to get that fact of the surtax into the record - because it does not go far enough. I

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agree with Senator del Valle about we should be ready, as statespersons and with concerns for our area, to bite the bullet and increase the tax to permanently a higher amount so that we can, indeed, provide for those persons who rely upon us here, who have the ear of the government and the power of the vote switch in our hands. We're being unrealistic to those persons back home. We're doing them an injustice. And though we come from different cultures and different groupings and different communities, but I'm sure each and every one of us have a prayer or we pray to something - I don't know what it is - but I do say to all of us, it truly is praying time here in Springfield.

PRESIDENT ROCK:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. In my long and good life, I had the occasion to spend several years in Texas, and I spent that at the time in which Darrell Royal had that famous team that had three yards in a cloud of dust. And somebody asked Darrell Royal, "Why do you not throw the forward pass?" He says, "Because three things could happen and two of them are bad." Well, here we have an element that has three things happening, and I'm not so certain that this bill is either a forward pass or a run, which has two good things and one bad thing. I do know, however, if we don't have this, we don't have a game. And for those of you who seem to be much concerned - and I think all of us are - about the needy, let me tell you happens to the needy without this bill. You're going to have to go back and cut a hundred and sixty million dollars more than what has already been cut. And for my good brethren from the City of Chicago, you will have an additional hundred million dollar deficit on your educational, already-insolvable deficit. I happen to live in South Cook County. In two weeks when I go home, I'm going to have to hide,

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because -- we were reassessed last year, and our tax bills are coming out very shortly. I can tell you that the freezing of the prior year EAV will, in fact, help me next year. May not do anything beyond that, but it's a little too late for the caps to help me right now. However, if it's going to benefit somebody else, I'm not going to be against it. What I think needs to be noted, however, is that this ball game isn't being played evenly. And for the people who are listening and who are concerned about what they don't have in this bill, if they want to get it in - and let me remind the good people of Cook County that the opposition has more players on their team than we do - and if they ever want to get a better result and have the game even up, then let's have a little more equality in the number of players that come out of Cook County. And there's only one way that can be done. Thank you.

PRESIDENT ROCK:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you. Thank you, Mr. President. I rise in strong opposition to this bill. It's an unfortunate occurrence in America when we, as the guardians of our people, decide that the interests of the poor of our country, and in particular in Illinois, are not worth fighting for. This bill is a good bill for some people. And the deal that this bill is premised on eliminates funding for some of the most needy people in the State of Illinois. How we arrived here is a very interesting situation. I was watching Channel 2 the other day and Walter Jacobson and Michael Flannery were interviewing Governor Edgar. And as I was watching the program, I thought the Governor was doing a very good job. He was stating his fiscally conservative position. And then they said to him -- I think Walter Jacobson said, "But these property tax caps. I mean, isn't that a local issue? Why would

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you want to hold up the budget for property tax caps?" And he says, "Well, these legislators have to go back to their districts and they have to get reelected." And Walter Jacobson says, "Well, isn't that politics?" And the Governor said, "Politics is everything." And I finally understood our Governor. I finally understood what makes him tick. Politics makes him tick. He's consumed by it. Ladies and Gentlemen, one in five children in America live in poverty. Two-thirds of those children are white, Asian, Hispanic and other. Two-thirds of those children live in rural America, not in the inner city. And only one-third are black. Twelve million children today, in America, live in poverty. By 1995, if the present trends continue - and it sure seems like they will - over fifteen million children in America will be living in poverty. Now we can't blame them for all of our social problems. I mean, these are little kids. These are toddlers. They're not old enough to cause all of our social problems. And what are we doing about it? Absolutely nothing. We've decided that the best approach to solving America's problems is to retreat to the past, go backward, wave our flag up and down. Rah, rah, rah. Big deal, Ladies and Gentlemen. We've got to solve these problems one day. They're not going to go away. And they're only going to get worse, because we refuse to address them. We refuse to recognize the reality of their seriousness. And one day we will pay a price for that refusal. This is a terrible, terrible way to run State Government. Someday the people will overcome. It may not be today. It may not be tomorrow. But rest assuredly - some day the people will overcome.

PRESIDENT ROCK:

Senator Luft, to close.

SENATOR LUFT:

Thank you, Mr. President. Yesterday when the House amended this bill and sent it back - and I found out it was my bill - I

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was inclined to get on that road that goes nowhere to somewhere which is called Pekin, and get out of here quickly and abdicate to you, Mr. President. Then I started thinking a little bit about the statements that I have made and campaign issues that I've come forth with over the last few years - maybe too many years now - and I always remembered what was my top priority in these discussions, and it was education. And what we're missing here and in this discussion is that the problems that we're talking about - every one of the problems that we're talking about - the solution is in this bill, and you're about to pull a plug on it. Three hundred and ninety-one million dollars for education. And I would suggest to you that there -- there is a solution to society's problems - it's education. We cannot pull the plug on this bill. The most important part of the bill is education. We all know that, and I would suggest that all of us in our campaign speeches throughout the past have put that in one, two or three and more than likely, one. So I would ask you to focus on what I consider the major part of the bill, and that's the money that is permanentized <sic> - it's permanent now. We don't have to come back every two years and play with this anymore. We have a stream of money going to the children that we're trying to keep off welfare and try to get them jobs. Secondly, I would respectfully point out to those that have issue with the budget that this bill also frees up a hundred and seventy-five million dollars to the State of Illinois that wasn't there under the original surtax. If that money wasn't in the bill - and I think Senator del Valle is absolutely correct - next year we will more than likely rub salt in the wounds, because I consider next year to be meltdown. We're going to be in worse problems than we are right now. But just consider that this bill allows a hundred and seventy-five million dollars gross to go into State General Revenue Fund that will allow us to finance the projects and try to satisfy some of the

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concerns, anyway, that you have - not to the extent that we wish, but at least some of them. And I also would suggest that if all of us in this room, and the House, and everybody that's been concerned with this project were given a set of crayons and sent off to our respective corner and came back with a bill designed to satisfy these problems, there wouldn't be one of us that came close to each other. And what we're not afforded in this business, that I think the taxpayer has to understand, is that we're not afforded the luxury of dealing in black-and-white answers. We can't afford to go outside the margins. We have to be in the gray area. And in this gray area that we've reached today, we have the Mayor of the City of Chicago, who is supporting the project; we have the Governor of the State of Illinois; we have all our leadership; we have the majority of the House; I hope that we will have the majority of the Senate, and hopefully, the majority of our constituents. I would seek your support for Conference -- the concurrence in House Amendments 1 and 2 to Senate Bill 1378.

PRESIDENT ROCK:

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1378. 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, the Ayes are 43, the Nays are 13, 2 voting Present. Senate does concur in House Amendments 1 and 2 to Senate Bill 1378. And the bill, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, we will revert to the regular Calendar. Pages -- I turn your attention to Pages 11, 12 and 13. We will have Supplemental Calendars available as soon as they are made available as the reports are filed. In the meantime, we will revert to the regular Calendar. All right. Ladies and Gentlemen,

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I'll turn your attention to Page 11 on the Calendar. We will go through the Calendar and then probably take a recess while the -- the Secretary informs me that a number of conference committee reports have indeed been filed. It is necessary, as you know, to have them duplicated in the requisite number of copies and then distributed. All that takes time, and we're working as fast as we can. It is the pious hope of the Chair and the Minority Leader that we can conclude our business yet tonight. Amen. So I would ask the Membership as we go through the Conference Committee Reports that have been filed to recognize the fact that we are making every legitimate effort to conclude our business late today - tonight. ...(machine cutoff)...Ladies and Gentlemen. Let me walk through the Conference Committee Reports on the Calendar. And I would just caution the Membership that there are some we can get back to. We will -- we will not conclude our business until everyone has had the opportunity. But if -- if indeed you're prepared to call your conference committee report now, now might be the appropriate time. 56. Senator Joyce. 21. Senator Cullerton. 175. Senator Rea. All right. Ladies and Gentlemen, if I can have the attention of the Membership. Bottom of Page 11, on the Order of Conference Committee Reports, there's a report with respect to House Bill 1-7-5. Madam Secretary, please.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 1-7-5.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 175 basically has two provisions. One is a burial expense increase, which would increase the workers' compensation burial expense from the current seventeen fifty to forty-two hundred, the average amount that it currently costs to bury

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someone in Illinois. Our seventeen fifty benefit is seventh lowest in the country. And there's also a benefit cutoff notice which would require the employer insurance company to tell an insurance worker in writing why temporary total benefits are being cut off, which is nothing but right so that they would know and would be able to take corrective action. I would ask for the adoption of this Conference Committee Report.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of the -- Second Conference Committee Report on House Bill 175. Discussion? Senator Hudson. Yes. Please.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong opposition, with all due respect to my friend, Senator Rea, for whom I have the greatest respect. But I rise in opposition to this bill not because the provisions of the bill are so onerous or greconian, but because this movement here - this motion - sets in motion a violation of a process that has served management and business -- management and labor - business and labor well over a period of the last nine or ten years. In short, what we're doing or attempting to do or would be doing here at this point violates the agreed bill process. Well, you may say to me, "Well what's so great about the agreed bill process?" Well, I'm trying to suggest to you that this process has served both labor and management well for a period of a good number of years, as I mentioned - nine or ten years. It has served it well. And it seems to me that it ill behooves us at this time to violate this. This -- the bill that's being proposed is not - repeat, not - agreed to by both business and labor. It simply is not. And if it is passed it will stand - I say again - in clear violation of a process that has served both sections of our -- of our community well over the years. I simply think it's something that we should

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not be doing. We ought to honor that process. Give it some more time to work. This bill can wait. The provisions in this bill can wait. They can be discussed over the summer. Something can be arrived at in the way of an agreement under the agreed bill process over the summer, perhaps discussed again in the fall. But it simply does not have to be done now. Should not be done now. And I would urge you, with the strongest conviction that I can mount here, to consider what we're doing, and urge you to vote this measure down. Either vote No, or if you don't feel you can do that, simply vote Present on it. That seems to me to be the honorable way to go. And I urge you either a No vote or a Present vote on this measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. To our esteemed colleague on the other side of the aisle that talks about the process more than the substance, I would suggest to be sixth last in burial expense is really an embarrassment. And it might just affect the ability of someone that is in the meetings of this agreed bill process that they might have to bury someone someday. And that there is a higher order than the process occasionally than the actual thing that we're talking about. The highest burial allotments are above five thousand dollars and Illinois ranks at seventeen hundred and fifty dollars. It's absurd to think that we're going to actually bury anybody for that amount of money. That is absurd. I think that by itself has a higher priority than the process. And many times our constituents say why is State government treating me the way it is. We can't find out. I think it's only common sense that we would require the employer and/or the insurance company to tell an injured worker in writing why they have been cut off from benefits. What could be more simplistic as a request to tell

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somebody in writing why they've lost a benefit? I would surely ask that the prior speaker consider his objection because of a process, and do what common sense dictates, and that would be to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As long as I have been the Republican Leader in the Illinois Senate, we have had the agreed bill process in regards to labor-management disagreements. I think it's a good idea. It works well. Now to have this come out of the bushes at the last minute, we ought to -- we ought to give it what it deserves, and that is the death wish. We ought to kill it and kill it good.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I may have a conflict of interest in voting for this bill, but I will vote my conscience on this, and I need to say that. The prior speaker's absolutely correct. You cannot adequately bury anybody for seventeen hundred dollars. It's almost an impossibility. And I -- I give you that from a professional standpoint. The average funeral today -- the average funeral today runs anywhere from twenty-five to thirty-nine hundred dollars. That is an average funeral service today. And -- and that's bare minimum. So I urge an Aye vote on this, and I

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will stand in support of it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rea may close.

SENATOR REA:

Thank you, Mr. President. As Senators Brookins and Leverenz have indicated, we should be ashamed of ourselves to have one of the lowest burial expenses in the United States. And as far as the cutoff notice, that is the right to know, and is something that we should be providing for. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the Second Conference Committee Report on House Bill 175. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 10, 15 voting Present. The Senate does adopt the Second Conference Committee Report on House Bill 175, and the bill, having received the required constitutional majority, is declared passed. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Verification of the affirmative roll call, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson has requested a verification of the Members who voted in the affirmative. The Secretary will read the names of those Members who voted in the affirmative, please.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, Daley, D'Arco, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Leverenz, Luft, Marovitz, O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Vadalabene, Welch and Mr. President.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson, do you question the presence of any Member who voted in the affirmative? Senator Hudson.

SENATOR HUDSON:

Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll is standing right here to my left at the -- All right. Senator Hudson, do you question the presence of any other Member? All right. On a --

SENATOR HUDSON:

Senator Brookins wants to be verified.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, he's sitting in his chair. On a verified roll call, there are a hundred and seventy -- I'm sorry -- there are -- I wish, I wish -- there are 31 voting Aye, 10 voting Nay, and 15 voting Present. Therefore, the Senate does adopt the Second Conference Committee Report on House Bill 1-7-5, and the bill, having received the required constitutional majority, is declared passed. Page 12 is House Bill 180. del Valle. 968. Jones. 1007. Marovitz. 1073. Cullerton. All right. Middle of Page 12 is House Bill 1073. Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Second Conference Committee Report on House Bill 1073.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. We debated this First Conference Committee Report the other day. And you may recall that Senator Hawkinson had expressed concern about one small portion of the Conference Committee Report. The conference committee was defeated. We asked for a second one. And the second one is before us. And we have changed that section that

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Senator Hawkinson was opposed to. I believe it meets with his support as well as everybody who was on the conference committee. It's supported by the Department of Mental Health. And what it does, to refresh your memory, is make some recommendations that were made by the Governor's Task Force to rewrite the Mental Health Code, establishes new procedures for the involuntary administration of psychotropic medication with regard to restraint and seclusion. It makes some definitional changes. With regard to the confidentiality that had that concern of Senator Hawkinson, we have changed the -- the requirement for court-ordered subpoena so that it would not be necessary in the case of a homicide investigation. There also is the extension of the repealer of the Inspector General's Office until January of '93. Be happy to answer any questions. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. For the Members who didn't support this report before, the controversial provision has been removed from this report, and I know of no opposition. Would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on House Bill 1073. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. The Senate does adopt the Second Conference Committee Report, and House Bill 1073, having received the required constitutional majority, is -- is declared passed. 1123. Senator Davidson. Mr. Secretary, House Bill 1123.

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ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 1123.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, this Conference Committee Report is to correct an error and an oversight for the clerks of the court, particularly for DuPage and Cook County. Also, an error was made when the circuit court automation fee was between one and five. The way it was written it would apply to only the one county, and now it will be -- apply to every county throughout the State. Also contains the special court automation fund in each county. Also puts in Chapter 12, dealing with equipment required on motor vehicles, which was inadvertently omitted in the Act. And fourth, includes the traffic fines administered by the Secretary of State, which was inadvertently omitted, and the fines subject to this Act. I move the adoption of the Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I also ask that the Senate do adopt the Conference Committee Report on 1123. As it was pointed out by Senator Davidson, Judge Wayne Anderson requested that the language that's pertained -- that is contained in 1123 is corrective language. And I ask for your adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is -- Senator Davidson, do you wish to close? Senator Davidson.

SENATOR DAVIDSON:

Just ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 1123. Those in favor will vote Aye. Those opposed, Nay. The voting is open. ...(machine cutoff)...voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1123, and the bill, having received the required constitutional majority, is declared passed. House Bill 1228, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 1228.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. House Bill 1228 actually contains none of the components that I had in the bill when it was originally introduced, but let me -- bear with me. There are several issues here important to a number of Members on both sides of the aisle. First of all, there's language that states that no person shall willfully fail to refuse to comply with any lawful order or direction of any Illinois State Police officer authorized by law to enforce the Motor Carrier Safety Act. This arose out of a problem at one of our weigh stations, and this was suggested by the State Police. The components of Senate Bill 503, introduced by Senator Watson, is in here. And that also amends the Illinois Highway Code. And it adds previously omitted text concerning notice of referendum on a proposition to increase the road district tax rate limitation for road purposes. Requires the road district to give notice of every ordinance or resolution levying an equipment and building tax. And this was an initiative of the Township Officials. Senate Bill

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523 is here. And it provides that road districts in counties without township organization may levy taxes separately from the levy for road purposes for the salaries of elected officials of the road district. And this is subject to a frontdoor referendum. Senate Bill 512 is important to Senator O'Daniel, and it exempts from ICC jurisdiction vehicles transporting water for human or animal consumption in tanks of less than one thousand gallons. Midwest Truckers, Illinois Farm Bureau, ICC, Department of Ag - all support the language. And finally, it allows the Village of Schaumburg to create an airport authority. Schaumburg will still have to abide by all requirements currently set forth for creating an airport authority, including receiving frontdoor referendum approval prior to the levying of the tax. I would suggest that we approve this Conference Committee Report, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1228. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1228, and the bill, having received the required constitutional majority, is declared passed. House Bill 1254. Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Conference -- Second Conference Committee Report on House Bill 1254.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the -- this

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is the Second Conference Committee Report, and it was restructured. And the following are the provisions: one is a Fiscal Responsibility Report Card is created to require the State Comptroller and the corporate authority of each taxing district, other than a school district, within ninety days of the conclusion of the school <sic> year, to submit to the clerk of each county report card to inform the taxpayers of the amounts, sources, and use of taxes, revenues received and expended by the State; two, the Illinois Municipal Code is amended to permit in Cook County, within municipalities of less than ten thousand people, persons serving the position of protective fire -- protective officer or administrative assistant for fire services to be entitled to pension credit for time served between 7-1-76 and 7-1-78. And this addressed an issue of two employees in the Village of Flossmoor; and three, the State Finance Act is amended to permit the Department of Conservation the discretion to determine the amount of profits that are to be transferred into the State Boating Fund. I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on House Bill 1254. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the Second Conference Committee Report on House Bill 1254, and the bill, having received the required constitutional majority, is declared passed. House Bill 1352. 1415. Is there leave to come back to 2010, Senate Bill 10 and Senate Bill 11? Leave is granted. Page 13. Senate Bill 45. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

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First Corrected Conference Committee Report on Senate Bill 45.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, before you get, you know, too shaken that 45 is coming, we do have to dispose of the First Conference Committee Report. It does have some problems, and I would ask my -- my friends and colleagues here in the General Assembly to take the easiest vote of the day and please vote No, so that we can go back to a Second Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

So now that we have every -- all the fish jumping out of the water. The sponsor has requested a negative vote. The question is, shall the Senate adopt the First Corrected Conference Committee Report on Senate Bill 45. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Now there's some kamikazes. Take the record. On that question, the Ayes are 3, the Nays are 51, none voting Present. The Senate does not adopt the -- the Second -- I'm sorry -- the First Corrected Conference Committee Report on Senate Bill 45. And Senator Topinka has requested a second Conference Committee. All right. Second Conference Committee. Senate Bill 151. Senator Jacobs. 249. Berman. Mr. Secretary, Senate Bill 2-4-9.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 249.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 249, the First Conference Committee Report, deals with

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a request from Representative Wennlund concerning the Village of Bolingbrook on the question of the Sports Stadium Act and the clarification of eminent domain proceedings. I'd be glad to go into great deal, if it's requested. I have no -- I know of no opposition to this proposal. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, then the question is, shall the Senate adopt -- I'm sorry. Senator Geo-Karis.

SENATOR GEO-KARIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Under the eminent domain, am I correct that the jurisdiction of the Illinois Commerce Commission has to look over it before there's any eminent domain?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This is a clarification of an exception to the Commerce Commission's preapproval requirement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, does the Senate adopt the First -- shall the Senate adopt the First Conference Committee Report on Senate Bill 249. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 249, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 299. Mr. Secretary, please.

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ACTING SECRETARY: (MR. HARRY)

Second Conference Committee Report on Senate Bill 299.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President, Members of the Senate. The Second Conference Committee Report on Senate Bill 299 provides -- establishes the Illinois Engineering Scholarship Program, to be administered by the Illinois Student Assistant Commission. The effective date of this legislation has been delayed until July 1, 1992. The controversial part of this -- of -- that was on this on the first conference has been deleted. This exact bill passed the Senate on May the 24th. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 299. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the -- take the record. The question -- on that question, the Ayes are 43, the Nays are 13, 1 voting Present. The Senate does adopt the Second Conference Committee Report on Senate Bill 299, and the bill, having received the required constitutional majority, is declared passed. Senator Maitland. All right. Senate Bill 4-4-5. Senator Joyce. Senate Bill 4-4-5, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

The Conference Committee Report on Senate Bill 445.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This -- Senate Bill 445, the Conference Committee Report, is -- was requested by the Department

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of Agriculture to clarify some of the languages in -- language in Senate Bill 4-5-8, by Senator Jones. It makes sure the Department of Agriculture distributes the money rather than this nine-member committee that was formed in Senator Jones' bill. It also makes sure that the Village of Crestwood gets to retain their money. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 445. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the -- take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 445, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 659. Marovitz. 908. Senator Lechowicz. 972. Welch. 1393. Senator Marovitz. All right. Bottom of Page 13 is Senate Bill 1393, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Corrected Conference Committee Report on Senate Bill 1393.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 1393 establishes the Nutrition Outreach and Public Education Program under the Department of Public Health. The purpose of the program is to identify areas where people eligible for food programs are not enrolled in these federal food programs, and to help these people get enrolled in these federally funded programs. Senate Bill 1393 is modeled after New York law, which is intended to improve participation in federally funded food

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assistance programs. It's supported by many groups representing women, children, seniors, veterans and the homeless. Hunger in Illinois -- according to a very recent study released last year, documented that 1.5 million Illinoisans are suffering from hunger. A national report released in March of this year estimates that five hundred and fifty-eight thousand Illinois children under the age of twelve are hungry or at risk of hunger. And reports of emergency service providers around the State indicate that demand for services went up in 1991. One million income-eligible Illinoisans are not participating in the Federal Food Stamp Program. I would emphasize this -- these are federal dollars. It's a federal program, not a State program. The Department of Public Health says, "Well we're going to have to hire some typists in order to do this." Well, we're talking about a million and a half hungry people, hungry kids. These are federal dollars. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Topinka.

SENATOR TOPINKA:

Senator Marovitz - and I appreciate, you know, what you are trying to do here, and I really hate to be doing this on the last day of -- of Session - or what I think will be the last day of Session - but how many times have we defeated this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, thank you for asking. We haven't defeated the bill. It got 31 votes when it was voted on, and two people were knocked

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off, one of which was in the map room at the time and one of which was in a meeting downstairs. So it got 31 votes, two people were knocked off, and I would hope it'll get 31 votes again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Well. I -- I guess the answer to that is really three, and no matter how it got to that point -- cause obviously the bill did not survive or it wouldn't be before us today. I think as we talk about today, in terms of cuts, we're going to be dealing with Senate Bill 45 down the road. It's going to be a painful bill. We have gone through this all year long, noting that the State has a 1.8 billion dollar deficit and it's not getting any better. And we've seen housing starts not getting off the ground. And we've seen flat sales tax -- tax increases coming into the State. And the recession is still here, contrary to what, you know, Evelyn Greenspan is saying nationally. It's here. We cannot take care of the programs we currently have. This one is going to cost the State roughly two hundred and eighty thousand dollars. It's not going to run itself, contradictorily to what Senator Marovitz will say. Someone's going to have to run this program, once we build it into the base of what goes on around here. And we cannot afford it. So once again I would ask you all, "Would you please just put an end to this and let's go on with our business."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

I would just close by saying that there is no cost to the State of Illinois in this. We've got a million and a half people that are hungry. We want to get them on federal programs - not State programs - federal programs. This is not State dollars. Let's put our priorities in the right place and vote Aye.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1393. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 23, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1393, and the bill, having received the required constitutional majority, is declared passed. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, I'd like to attempt a verification, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has requested a verification. All Members will be in their seats. The Secretary will read the names of the Members who voted in the affirmative, please.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, Daley, D'Arco, DeAngelis, del Valle, Demuzio, Ralph Dunn, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Leverenz, Luft, Marovitz, O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Vadalabene, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka, do you question the presence of any Member who voted in the affirmative?

SENATOR TOPINKA:

Yes. Jeremiah Joyce, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Jeremiah Joyce on the Floor? Senator Jeremiah Joyce? Strike his name.

SENATOR TOPINKA:

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Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas is right at the back of the Chamber on the opposite side of the aisle.

SENATOR TOPINKA:

Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll on the Floor? Senator Carroll is always at our left.

SENATOR TOPINKA:

Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene is sitting in his seat.

SENATOR TOPINKA:

That'll do it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On a verified roll call, there are 32 Ayes, 23 Nays, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1393, and the bill, having received the required constitutional majority, is declared passed. All right. With leave of the Body, we have had leave to go back to Page 12. Page 12, at the bottom, is House Bill 2010. Mr. Secretary, House Bill 2-0-1-0.

ACTING SECRETARY: (MR. HARRY)

The Conference Committee Report on House Bill 2010.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Before we start, could I make an inquiry of the Chair, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes.

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SENATOR LUFT:

On July 11th Senator Carroll and I read into the record, for legislative intent, language that was deemed necessary. We then pulled the bill out of the record. My inquiry is, do we have to read that legislative tent <sic> all over again or by this discussion, in referencing July 11th, 1991, can we eliminate going through that process and establish legislative intent?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft, had the -- was the -- was the bill changed in -- in -- in its form and content, or is it as it was before us today?

SENATOR LUFT:

It's as it was. I just took it from the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it seems to me that -- that it is, in fact, transcribed and it is in the record. It seems to me however, that when you take a bill out of the record it -- procedurally -- I know we have not done this before -- it probably would be in order and the safest way would be to put the legislative intent back into the record.

SENATOR LUFT:

Whatever you wish. We will begin -- I will explain the bill, and then at the end of that explanation we'll read in legislative intent once more. Mr. President, Ladies and Gentlemen of the Senate, the Conference Committee Report on 2010 is the proposed assessment legislation that is critical - emphasize critical - to the budget process this year. The amendment creates five separate and distinct funds dealing with Long-term Care and Developmentally Disabled providers. Those -- that group would be assessed fifteen percent of their gross medical assistance program revenues for the previous year. Hospitals would be assessed fifty percent of the positive difference between enhanced reimbursement rates for inpatient/outpatient services and rates which had resulted from

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the Governor's proposed funding for the inpatient/outpatient services and disproportionate share. Hospitals will be paid under the Medicare Diagnosis Related Group - better known as DRG methodology. Effective for inpatient services. The State will then develop its own DRG system by administrative rule, beginning September 1 of 1992. The hospitals would also be assessed five percent of their gross medical assistance program revenues for the previous fiscal year to fund enhanced disproportionate share rates. The Cook County Hospital will be assessed under a separate assessment and reimbursement formula. The requirements of this amendment would only apply as long as federal funds were provided for these purposes in an amount equal to the amount the -- providers would be required to pay. Now for the purpose of legislative intent, the providers' participation fee is imposed pursuant to the authority granted under Sections 1 and 2, Article IX, of the Illinois Constitution of 1970. Until we get the copy of other legislative intent, I would attempt to entertain any questions from the Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator Luft, I understand that the freestanding children's hospitals that serve Illinois' Medicaid children participated in the development of this compromise and are supportive of it. Those hospitals are the Children's Memorial Hospital in Chicago, Wyler's Children's Hospital at the University of Chicago Hospitals, La Rabida Children's Hospital and Research Center, St. Louis Children's Hospital, and Cardinal Glennon Children's

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Hospital in St. Louis. For the record, I would like to clarify several points concerning this legislation. First, I understand that according to this legislation, the children's hospitals' per diem rates that will be established by rulemaking for the children's hospitals, will not be less net of all applicable assessments or fees than each children's hospital's adjusted 1990 ICARE rates, indexed forward by the application of the DRI index from 1989 to 1992. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

The children's hospitals also understand that their floor per diem established in the Statute will be calculated in a manner that takes account of any assessment or - to use the term used in the Statute - fees. In other words, the gross rate will need to be calculated before the assessment or fee is applied. The net of those gross rates, after subtracting out the assessment or fee relating to those gross rates, must equal or exceed ICARE rates indexed forward. The result after paying the assessment or fee will be that each children's hospital's per diem rate for its inpatient services will be no less than its 1990 ICARE rate index forward. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

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SENATOR CULLERTON:

And finally, I understand that the Department of Public Aid and the children's hospitals have entered into separate letter agreement indicating that the children's hospitals will be considered for qualification to receive perinatal funding under the new critical care access fund that was established under this legislation. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes, that is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Members of the Senate. First, I also have some questions for purposes of legislative intent and a few comments, if I might. But first the questions, if the sponsor will yield, and I assume that he will. So the first question is, there are separate sections of the bill relating to hospitals and county hospitals, and other sections relating to intermediate care facilities for the developmentally disabled, and skilled or intermediate nursing facilities. Taxes which are called quote "fees" unquote are levied based in part upon the Medicaid receipts of -- a facility receives. In Illinois there are hospitals and county hospitals which also provide the services of intermediate care facilities for the developmentally disabled and skilled or intermediate nursing facilities. What is the intent with respect to a provider which provides services in more than one category?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

The intent is that each tax would be levied categorically.

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That is the tax on skilled or intermediate nursing facilities would be levied only on the Medicaid receipts the hospital or county hospital received in that category. And the tax on hospitals or county hospitals would be levied only on the Medicaid receipts the hospital or county hospital received for hospital services. There is no intent to double-tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. And the second question - each section of the bill provides that it -- that its provisions apply only as long as federal funds under Title XIX of the Social Security Act are available to match the fees collected and disbursed under the section, and only as long as reimbursable expenditures are matched at the federal Medicaid percentage of at least fifty percent. What situation is this intended to cover?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

These provisions are only intended to cover a major general failure of the assessment methodology. That is if the Federal Government takes the position that the assessment methodology is not permitted under law and that position is sustained, these provisions are not intended to apply to incidental claim disallowances or the fact that certain types of expenditures permitted from the respective funds are not reimbursable -- for example, administrative expenses of the Department. These provisions are also not intended to cover mere notice of a federal problem. The actual failure of the methodology is the intended trigger.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

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SENATOR CARROLL:

Thank you, Mr. President. Now a few just very brief comments, if I might. As I think most of us are now aware --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Carroll. Could we have some order?

SENATOR CARROLL:

Of course, Mr. President. As I'm sure our colleagues are aware, there has been disheartening news out of Washington from the Office of Management and Budget and the Office of Health and Human Services, where the Director of OMB Darman and Secretary of HHS Sullivan have indicated that they will be promulgating rules by the end of this month that may have a very negative impact in the future on these types of programs. It is to the people of Illinois' best interest that we do that which we are about to, and that is to pass this and then implement it with a budget before the end of this month, so that if there is federal action, it will relate back to their promulgation date, and we hopefully will have acted and implemented long before that. But let me comment also on some of the real good that is in 2010. The budget as submitted by the Governor did - many of us felt - some severe harm to a health care industry that has been in crisis in Illinois for the last half dozen years. There are many of us truly concerned that we would maintain an adequate and effective and cost-efficient system to deliver health care in terms of hospitals, nursing homes, certain trauma units, and things of that nature. By this very creative solution we believe that we can, in fact, create a healthy environment by creating healthy hospitals, nursing homes, trauma centers, take care of our children's hospitals, our disproportionate share hospitals, and our community-based mental health facilities. I think this is crucial if our State is to truly serve its people for this decade and beyond. Absent this type of approach, we were several hundred million dollars in the

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hole and could have truly faced a shutdown in needed health care. I urge every Member of the General Assembly to show their support for the citizens of Illinois for maintaining a truly effective hospital, nursing home, community-based mental health center, trauma center, children's hospital system, and support this very excellent compromise provision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

If the sponsor would yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schaffer.

SENATOR SCHAFFER:

I have a series of epistles from the Illinois Hospital Association dating back to, I think, May 18th, on this general topic. Is it totally - and I emphasize the word totally - safe to assume that this Conference Committee before us, that we're now voting on, has been approved and is definitely supported by the Hospital Association?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes, that is a good assumption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

The -- I was not part of the negotiations and I'm not sure if the sponsor was - I will assume he was - and if not, maybe we could defer to someone who is. Senator Carroll referenced an event that we are obviously aware of, and that causes many of us to think that this program - however well-inspired it might be - may, in fact, have a short life span. Let us hope for at least a

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year or two - hopefully forever. But in the assumption that there is at least a reasonable chance it will have a short life span, were the conferees on behalf of the Hospital Association clearly under the impression that the rates inspired by this program, related to the continued existence of this program, and should this -- should our friends in Washington conclude that this is not a good thing, are they clearly under the -- understanding that we go back to the drawing boards, and that these rates are tied to the continuation of this program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

This -- this bill specifically says that the assessments would apply only as long as federal funds were provided for these purposes, in an amount equal to the amount the providers would be required to pay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Do you think that the Hospital Association understands that language?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. In response to Senator Schaffer: I was the sponsor of Senate Bill 500 and the sponsor of House Bill 1000, and I can tell -- the Illinois Hospital Association bill - for -- for those of you who don't

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recall the number, and many of you who were co-sponsors in a bipartisan fashion - they not only support this, they -- they readily endorse it. In fact, the Hospital Association - who I believe deserves some credit for getting this idea of fee assessments off the ground - knows that this is the proposal, as theirs was before it, that will help turn this Medicaid system around. The Medicaid system is in shambles. This will get us back on track. It was this -- it was the State of Washington only a few days ago who had their program thrown out by the federal courts. I think it's imperative that we not only pass it, but we pass it and get it signed right away. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate. In the Health Committee, of course, we had Senate Bill 500 and House Bill 1000 - or the other way around, whichever it worked, because they were the same - and I think the Hospital Association does indeed deserve some credit for at least starting the discussion, also working very hard and long with Director Phil Bradley from the Illinois Department of Public Aid, I think through long and arduous two-month negotiations. They have finally come up with something. We hope it will last, you know, for a long, long time. God knows where the Federal Government's going to wind up on this in the future. But to the extent that we can benefit from it now, this is something that is vital to the health care system of Illinois. It's also a vital part of trying to put the budget package together for this particular Session, so I would certainly encourage our Members to vote for it and support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. House -- the Conference Committee Report on House Bill 2-0-1-0 is really preparing the State of Illinois to replace its ailing system for paying Medicaid hospital bills with a new system that would include a new tax on hospital revenues. There's no question that the Governor of this State, Governor Edgar, as well as Arnie Kanter, Director Bradley from the Department of Public Aid, Dave Caravello from the County of Cook, and the Hospital Association themselves, sat down and devised a formula where the State of Illinois can participate, as eighteen other states have, as far as medical reimbursements and making sure that the five hundred and seventy million dollar backlog of unpaid medical bills this year, and two lawsuits that the -- with the Department of Public Aid, is working on this plan to dismantle a six-year-old ICARE access and reimbursement program. In addition, the Department of Public Aid wants to levy a new assessment on hospitals that would generate hopefully as much as two hundred and eighty million dollars in revenues in Fiscal '92. And Senator Carroll is absolutely correct that currently in Washington there's a question whether they're going to be continuing this type of funding for these types of programs for other states. Illinois now will be the nineteenth state to participate in this program. I would hope that we would get this matter passed so we can make the application for the federal funds that are available to us, and I think that if you take a look at the other eighteen states who've participated in this program, and their collective voting strength in Congress, and with a Republican Governor, I think that this program will probably continue, but it's important that we adopt 2-0-1-0 today, so we can put our money in order for this reimbursement rate. This is a very critical issue and I ask for an Aye vote on this Conference Committee Report on House Bill 2-0-1-0.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. I -- I rise in very strong support of House Bill 2010. And I really think it's probably one of the most productive measures that we have accomplished here this year in this whole budget crisis - the struggle to balance the budget. And it's very important because it is a good example of - and I want the Governor to hear this too - of how we can resolve problems and how the citizens and the private sector of this State will, in fact, pitch in if they are called upon to resolve critical crisis that impacts upon the lives of people in this State. I think the Hospital Association and all of the people involved in this whole process were willing to take some of the heat, to tax themselves, and to really give a little, in order that the people of this State be served and that we find a way to pay off our debts to those people that we have outstanding debts currently to in the medical field. This is a good example. This is a good bill. And I think we could have accomplished the same thing had the Governor provided the leadership and went to the people of this State and explained to them the crisis, helped them to understand that it was legitimate, and they would have been willing to bite the bullet and come up with some new revenue enhancers so that we could have been about the business of balancing the budget and not on the backs of the poor. This is a good effort. It is example of democracy at its best, and I think we should pass it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Luft -- do you wish to close? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I think the previous speakers have

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adequately expressed the importance of this bill. I would ask that we adopt the First Conference Committee Report on House Bill 2010.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on House Bill 2010. Those in favor will vote Aye. Those opposed, Nay. The voting is open. ...(machine cutoff)...voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2010, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 10, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 10.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we adopt the Second Conference Committee Report on Senate Bill 10. This is the bill which responds to the Supreme Court decision of last November dealing with the selection of the members of the local school councils under Chicago School Reform. The Supreme Court invalidated the process by which we elected members of the local school councils, because the Supreme Court said that the principle of one person/one vote had been violated when we, in the original legislation, gave six votes to parents and two votes to community representatives. This bill is -- represents a compromise. And we've heard that word before today, and I think it is appropriate to use that word for Senate Bill 10 and to the bill that follows, Senate Bill 11. This bill provides for the election of local school council members in the

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following manner: six parents and two community representatives will be elected by the community representatives and parents who come to vote. Each person who votes will cast five votes for those eight positions. The six highest vote-getting parents and the two highest vote-getting community representatives will be elected to the LSC. Two teachers will be appointed to each LSC, based upon a nonbinding election by the school staff. That nonbinding election will be conducted simultaneously on the same day, by secret ballot, as are the election of the other members of the local school council. There is going to be a student member, as previously, in the high school LSCs, but under this bill the student -- student member will have the right to vote on nonpersonnel matters. He will be selected pursuant to a nonbinding election of the students in his high school or her high school. We have provided also a severability clause in this bill, and I want to underline that, because it is the intention of this legislative -- of this Legislature, in the passage of this bill, to provide for severability, so the intent of maintaining local school councils will be followed through with, even if a future court may find some provision here inappropriate. But it is our intention, as it was three years ago, that Chicago School Reform move forward through the local school council process. I'd be glad to respond to questions. Before I get to that, however, I do want to acknowledge the great support and involvement of our Minority Spokesman, Senator Karpel, and the members of the Senate Committee on Elementary and Secondary Education, who have held and participated in hearings going all the way back to last October, to formulate the provisions that are in Senate Bill 10 and Senate Bill 11. I'll be glad to respond to questions, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator del Valle.

SENATOR DEL VALLE:

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Thank you, Mr. President. Senator Berman, the Teachers' Task Force made several recommendations once they felt that this bill would be adopted here. They made several recommendations. Did we incorporate any of those recommendations into the Conference Committee Report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes, sir. I believe they had three recommendations, two of which are -- are built in, and one of which I think is workable even though it's not in the bill. The first one is that notice be posted for the selection of the teacher candidates. That is -- will be incorporated at the same time as the notice requirement for the other candidates. The -- the part that is also in this bill is that there will be -- the selection of those teachers will be by secret ballot, conducted on the same day as the election of the other members at the same time and place as the other members. That is built into this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. To the bill: I have opposed this bill in the past. I am still not happy with it, but I have talked with the Teachers' Union and the Board of Education and they have assured me that proper training will be provided to the teachers to ensure that they are able to have the necessary skills to develop a good working relationship with other LSC members and the broader community, in order to ensure that that dichotomy that I've been so concerned about doesn't develop. So I'm willing to give it time. See how it works. And I certainly hope it works.

Therefore, I will be supporting the bill today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Just a simple question. I don't know all the legal niceties of why the earlier system was rejected. I try not to practice law without a license. How is this proposal an improvement over what was struck down? How does this address the concerns that the court had that caused it to reject the current, now defunct, program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The Supreme Court said that, under the previous bill, the defect was that we gave parents who came in to vote, six votes. We only gave community representatives - people that lived in the community that weren't parents - only two votes. That was a denial of one person/one vote, because we gave extra votes - so-called - to the parents. This cures that, because whether you're a parent or a community rep - a non-parent - and you walk in to vote, you have the same number of votes - namely five votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, if we were to assume that a child in a Chicago school had been adjudicated a neglected or abused child and the Department of Children and Family Services had been designated as the guardian, who gets the vote? Does the Director of the Department of DCFS get the vote? Does the parent, who may or may not reside? Does a parent -- for instance, a noncustodial parent that might live here in Springfield have a right to come to Chicago and vote? How's that work?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There are a number of speakers. Senator Berman.

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SENATOR BERMAN:

The person who is either the parent or stands in loco parentis, which is the -- the official capacity, as if he or she were the parent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Well, thank you, Mr. President. Well, I rise in very reluctant support of Senate Bill 10. We've been working on this issue for many weeks, and it is not written the way most of the community groups and some of the legislators would like to see it. We would like to see the two teachers on the board elected by the people, the same as the parents and the community members. However, in working with -- and I want to thank Senator Palmer and some -- and Senator del Valle and others and these -- all these neighborhood groups. It has -- a decision has been reached to support the bill because we do not want to have to leave here and then have the schools open in September knowing they're facing an election in October with no mechanism in place to elect their school board members. So I know that we have had dissension on this side of the aisle, as well as perhaps on the other. I think all that dissension has been taken care of. And I do urge a Yes vote on this really rather imperfect bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I, too, rise with mixed emotions. Though I am not on the Education Committee, I have a big interest in education, because I do represent maybe one of the districts with the most educators in any district - I would say - in the State of Illinois. I've worked closely with the community groups in this and I brought recommendation to the sponsor of this bill.

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And just as I'd foreseen then that happened, and now we're in the umpteen hour and there's no ability - there's no time - to work any farther on this bill. I, too, believe that the teachers should be elected and not appointed and not nominated by teachers only. I understand the role of the teachers on the LSC. I understand their role and their importance. But since it is the only game in town -- and I know that the sponsor of the bill has worked long and diligently - Senator Berman and others - and he is to be commended for his -- his -- his diligence and his hard work. So I will support this, and we will have to see, Senator Berman. And I hope that it work the way that you envision that it will work. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCHZ:

Thank you, Mr. President. I just stand in reluctant support with Senator Brookins, Karpziel and del Valle. Just to echo their sentiments, and let's go.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Savickas.

SENATOR SAVICKAS:

Have a couple of questions, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Savickas.

SENATOR SAVICKAS:

On these students that are, I guess, selected to the council -- you're talking about twelve- or thirteen-year-old students that cannot vote on personnel matters, but they can vote on contracts that are being awarded. Is that -- is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

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It would not be on personnel contracts. If it was a contract to purchase goods, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

And my other question would deal with -- the Board of Education would be responsible for the LSC elections. Do you know what the cost was in 1989 and what the projected cost would be in this coming elections? And where the money would be coming from?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I -- I don't know the amount of what the 1989 elections were. The -- this was the way it was run in 1989. I think it was well-run in 1989, and that's why we haven't changed it by this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas. Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President and Members of the Senate. I rise in support of this bill - certainly, as others have said, with some reluctance. I, too, recognize and appreciate, as a former teacher myself, the role that teachers play, and I regret that this bill could not give them what they had asked for. However, I want to commend those on both sides of the aisle who have worked so long and hard on this. And I especially want to thank the organizations for whom this bill is actually meant - the people back in the schools, the people back in the communities, who, in fact, have been the wind at our backs. And I think that we have given them at least a viable mechanism for their elections in the fall. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Further discussion? If not, Senator Berman may close.

SENATOR BERMAN:

Thank you. As I indicated, there is a lot of difference of opinion here. This represents a compromise that I would suggest everyone - the advocacy groups, the business groups, the -- the unions, the teachers, the parents, the community organizations - can live with. I think it's also important to recognize that Chicago School Reform cannot live without this. I solicit your Aye vote on Senate Bill 10's Conference...(machine cutoff)...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on House Bill 2010. Those in favor will vote Aye. Those opposed, Nay. The voting is open. I'm sorry. On -- on Senate Bill 10. Senate Bill 10. Those in favor will indicate by saying -- those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 6, none voting Present. The Senate does adopt the First -- the Second Conference Committee Report on Senate Bill 10, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 11, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 11.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 11 represents a -- a number of suggestions that have come to the Education Committee and to others from a number of sources, including the advocacy groups, the principals, the district superintendents, all of which are intended to improve

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the operations of Chicago School Reform. Let me mention a couple of the more prominent items in this bill, which contains approximately twenty items dealing with improvements to Chicago School Reform. The item that was probably mentioned the most throughout our hearings was the fact of the inability of LSCs - local school councils - to address members who were elected and didn't show up. What this bill does is to provide that after three consecutive meetings of absences or five absences in a -- in a year, the local school council can declare that office vacant. And it also provides for notice of this kind of a provision to be in the nominating papers of those persons who are going to run, so that they know what their obligation is regarding attendance. At the request of an overwhelming number of persons, we have delayed the requirement for open enrollment in the Chicago school system until 1994 - '95, but we are requiring the Board to provide a plan for open enrollment by October 1 of 1993. One of the major provisions in this bill deals with the -- the power of principals in each school building to evaluate the engineers and the food service workers. This is commonly called the "principal in charge" issue. What we have provided in here is a process where the evaluation of that engineer or food service worker is determined by a rating within the total control of the principal. And that rating, if it is below that required, could result in suspension or even dismissal of that employee, pursuant to the evaluation of the principal. We provide in here a greater power in the local school councils as far as dismissing principals for cause, regarding the implementation of the school improvement plan. There are a number of other areas that this bill deals with, and I would be glad to enumerate them or respond to any questions. And I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There's about seven speakers. Discussion?

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Senator Karpiel.

SENATOR KARPIEL:

Well, thank you, Mr. President. And I know it's late and everybody wants - no one more than I do - to leave, but there is some legislative intent that I would like to have on the record. In this bill, as Senator Berman has -- has said, there are many different provisions. The one provision that has been rather controversial and has caused a great deal of negotiation is the provision in -- which gives the principal control over the school. When we passed that amendment on Senate Bill 11 out of here - oh, many, many weeks ago - on -- over to the House, the language simply said that the principal has control over the school. In the conference committee, we have worked with the operating engineers and the school groups and legislators to work out a negotiation and an agreement, and have achieved -- reached one that is in this legislation. Like the previous bill, it is not what everybody wanted when we started out. It is not as strong as the groups wanted. It is not as strong as even I wanted. But it has met the agreement of all parties now, and so I think we have at least a start in giving the principal some control over his school. But I would like to read something into the record and get some responses for legislative intent. I'm concerned that the amendments to paragraph 34-8 not be construed as making the consequences of an unsatisfactory rating subject to the collective bargaining agreement and career service manual rules. Such a construction would permit those documents to effectively reduce or eliminate the adverse consequences of an unsatisfactory rating. I am reading the phrase "subject to collective bargaining and career service manual rules" as applying only to the question of what shall constitute an unsatisfactory rating for purposes of promotion, removal, or determining compensation. I also wanted to be clear that any subsequent collective bargaining agreements or

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career service manual rules which make loss of promotion, a reduction in salary, or the removal of an unsatisfactory engineer or food service manager more difficult, cumbersome, or time-consuming than it is right now, are inconsistent with the intent of this Statute.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes, you are correct, Senator Karpiel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

And lastly, I also would like to have it be understood that in rating engineer and food service personnel, after consultation with the district supervising engineer and food service supervisor, the principal shall have the absolute discretion to enter the overall numerical rating that he, in his or her -- in his or her independent judgments thinks is appropriate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you. I would also like to -- because I think he is -- he was just on the Floor -- thank our Lieutenant Governor for his help in the negotiations, as well. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Smith.

SENATOR SMITH:

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

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And to the sponsor: I merely want to have it recorded, I'm very happy that the principals and engineers and the food service department of the school have come to a happy medium that they can work together, because I happen to believe in giving opportunity to all departments in this educational system. And I want you to know that you have my vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce. J.J. I'm sorry. J.E.

SENATOR J.E. JOYCE:

I think I'm being redundant here, Senator Berman, but it's my understanding, for legislative intent purposes, that this appeal process with respect to the engineers -- that is subject to collective bargaining. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Would you state that again? I didn't catch your last phrase.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

The appeal process with respect to the rating - that is subject to collective bargaining?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Yes. Thank you, Mr. President. I also have been requested to ask a few questions to establish legislative intent. Mine are considerably shorter. Senator Berman, with the passage of Senate

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Bill 11, would the evaluation of the engineer in charge by the principal, in cooperation with the district supervising engineer, be subject to future collective bargaining?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Could the procedure of using a numerical rating be subject to change by future collective bargaining agreements?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Could the procedures for conducting the evaluations and reporting the results to the engineer in charge be subject to change by future collective bargaining agreements?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Can the current collective bargaining agreement be modified to incorporate these changes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Berman.

SENATOR BERMAN:

Yes, and I believe that's the intent of the engineers union and the -- and the Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Yes. And finally, is the hearing and appeals procedures determined by collective bargaining?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. Senate Bill -- I, too, rise reluctantly in support of Senate Bill 11. But I must say that there have been a lot of involvement and input into this legislation to end up where we are - a lot of hours of negotiating, and compromises, and tempers flying all over the place. But we ended up here. I think for most of the groups, they are not satisfied with what's in 11, but they recognize that it is, in fact, a step in the right direction. While they were not able to get -- to have the principals in charge of direct supervision of the engineers and the food service staff, I think it's -- we probably struck an even more workable compromise, in that it provides sanctions in the bill. To have supervision without sanctions, I think would be meaningless. This bill, as it is structured now, it does directly have some direct impact upon whether or not the person who is not providing the services will, in fact, be able to continue their employment, whether or not they

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will be able to negotiate on new contracts, and whether or not they will be promoted. So for that purpose, I think it is stronger than just supervision without sanction. But Senator Berman, there is another provision in this bill that have caused some concerns, and for legislative intent, I would like to ask one question. And that is the provision that requires the parent counselors to put in writing the reason for not renewing a principal's contract, which is a provision that is highly unusual in most cases. In most cases, people can just decide to -- not to renew a contract simply because they choose not to do so, without really getting into a lot of explanation, and most certainly not an explanation in writing, which could, in fact, lead to -- or possibly lead to some legal challenge in the future. And what they are concerned about and what I am concerned about, in terms of cost to the Board of Education, is to get bogged down into a lot of legal litigation of which the Board is going to have to come up with some money to pay for. But the councils were particularly concerned was whether or not the Board of Education would, in fact, provide for legal representation to the councils in the performance of their duties if they, in fact, put in writing the reasons why they did not renew a contract.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Senator Collins. Let me tell you specifically that it was in discussions with one of the attorneys for the Chicago Board of Education, who indicated to me that he would encourage that LSCs that are requested to put the reasons in writing communicate with the law department of the Board for assistance in responding to that request. So the answer is yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

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SENATOR COLLINS:

Well, Senator Berman - and let me also reiterate for the record - what you're saying is that the legal counsel is -- will be recommending to the Board -- to the councils -- the legal counsel of the Board will be recommending to the local school councils that before they put something in writing that they should seek out a legal opinion as to whether or not that particular message is open for legal challenges?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

That's my understanding of what they intend -- of what they intend to do, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Thank you. With -- with that and the other messages that have been read in the record, I think this is a reasonable compromise. I think it's most certainly -- is the best we can do at this particular time. I am willing to give this bill an opportunity to work. We will come back and continue to work until we perfect a School Reform in the City of Chicago to the point that we can see some real results, which means that the scores of the children will be increasing in relation to the national average. And that's when we will -- really will know whether or not School Reform is working.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President and Members of the Senate. I support this bill. It is not everything that we would wish, but as Senator Collins said, I would like to see it work, and there has

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been a great deal of effort that has gone into this. I want to thank Senator Karpiel, Senator Berman, and others, the Black Caucus, and certainly the members of advocacy groups who have spent many hours working with us in trying to reach such a compromise. This bill provides many of the -- it provides the principals, the local school councils, with the ability to rectify some of the difficulties that they've faced in the first generation of School Reform. I don't expect School Reform to end with this. I expect this to be a vehicle for them to improve the quality of education for children in Chicago, and certainly that is why we are here and hopefully voting Yes for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator del Valle.

SENATOR DEL VALLE:

Senator Berman, is the provision establishing or creating bilingual advisory committees as standing committees of the LSCs in this Conference Committee Report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

At your request, Senator del Valle, it is included in there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

The -- second question - last question. The provision allowing for the evaluation of the operating engineer - will that take effect immediately?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Berman.

SENATOR BERMAN:

It is my understanding that the language that we have in this bill has been agreed to by the union and by the Board, and that they intend to amend their contract to reflect this language. As you are aware, there is a contract, and there was a legal question that if we -- even if we passed this bill, it couldn't change the contract. But as part of our negotiating process, both the Board and the union have indicated that they will incorporate these provisions in that contract so that this bill will become immediately effective.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

So this provision will take effect this next school year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

That's everyone's intent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you. I hate to be redundant, but will the sponsor yield, Mr. President, for a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

Senator Berman, I've kind of gotten confused here. It is my understanding - and you correct me if I'm wrong - that what will happen is that the principal will rate the engineer. If he receives a seventy to a seventy-five, then -- what happens?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Berman.

SENATOR BERMAN:

The -- the engineer who gets between seventy and seventy-five can ask for a -- a hearing. I don't -- I'm not sure what they call it, but it's a -- it's a hearing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

And -- and, Senator Berman, that is in place now, and they have a -- a certain code book that they use, and that prevents his promotion, transfers, or et cetera? Am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I think you're referring to the career service rules, and that is not a product of collective bargaining. That's in force pursuant to the City of Chicago determination.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Then that provision cannot be collective bargained away? It cannot be bargained away by the union or the Board. Am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

That's correct. And that's in line with the answers I previously gave.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

One more question, Senator. If he received below a seventy, he is immediately - and when I say immediately, within a week or

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two - sent before a hearing board to face the charges. Am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I'm not sure of the timing, but again, if he's below seventy, that's unsatisfactory, there is a -- then a due process procedure, including the hearing that you're referring to, in front of a board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you. And that cannot be bargained away through union negotiations. Am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The -- the due process procedures is subject to collective bargaining. So I don't want to say to you, No. But regardless of what the collective bargaining procedures are, that unsatisfactory rating - below a seventy - could result in suspension, or even termination, as a result of that rating.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

It is our intent - and correct me if I'm wrong, Senator - it is our intent that the Board do not - I emphasize, do not - bargain this avenue away. Is that our intent in passing this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

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Well, definitely, because we want them to, I mean, to enforce the -- the message that we are delivering by this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you. And to the bill now, Mr. President: I want to thank you, Senator Berman, for your patience and your understanding and your hard work and dedication on this bill. I know of the trying times that we went through wrestling one way or another with unions and with others and among ourselves to come to this point. I, too, think that you have did a fine job and urge everyone to vote Aye on this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 11. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 11, and the bill, having received the required constitutional majority, is declared passed. All right. With leave of the Body, would you turn to Page 10.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 10. Secretary Desk, Concurrence. I beg your pardon. I beg your pardon. Before -- before we leave that Order of

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Business, Senator Davidson had a request. Senate Bill 1123.

Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

Mr. President, due to an error that was made, I -- having voted on the prevailing side, I need to reconsider the vote by which the Conference Committee on House Bill 1123 was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson, having voted on the prevailing side, moves to reconsider the vote by which the conference committee -- First Conference Committee Report was adopted with respect to House Bill 1123. Those in favor will indicate by -- those by -- those by -- in favor of the motion will indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion is now reconsidered. Now Senator Davidson wishes to -- Senator Davidson.

SENATOR DAVIDSON:

Mr. President, due to the error that was technical, now unfixable, we need to dump this report, the Second Conference Committee Report has already been signed and filed, but I request all my friends to vote No in the adoption of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. So everybody knows what we are supposed to be doing. All right. The question is, shall the Senate adopt the First Conference Committee Report on House Bill 1123. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 8, the Nays are 43, none voting Present. The Senate does not adopt the First Conference Committee Report, and the Secretary shall so inform the House. Senator Davidson has requested a second conference committee. And now, with leave of the Body, we will turn back to the Order of Secretary's Desk, Concurrence. Page 10. Senate Bill 182. Leave

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to come back to that? Leave is granted. Senate Bill 342. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Amendments 1, 2 and 3 to Senate Bill 342.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Illinois Commerce Commission. It now is at the level of 24.6 million dollars in other funds. I move that the Senate do concur in House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 342. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present, and the Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 342. This bill, having received the constitutional majority, is hereby declared passed. 343. Senator Etheredge. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 343.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge. Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the budget for the Comprehensive Health Insurance Program. It now stands at a level of 17.8 millions of dollars - GRF. I move to concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate concur in

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House Amendment No. 1 to Senate Bill 343. All those in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 54 Ayes, no Nays, none recorded as Present, and the Senate does concur in House Amendment No. 1 to Senate Bill 343. This bill, having received the constitutional majority, is hereby declared passed. 345. Senator Schaffer. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 345.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schaffer.

SENATOR SCHAFFER:

This is the appropriations for the Education and Labor Relations Board. If I'm reading this correctly, it adds thirty-five hundred dollars to contractual services for court reporting and hearings. Still brings it in below last year's level at one million two ninety-seven four hundred.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 345. All those in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 54 Ayes, 1 recorded as No, none recorded as Present, and the Senate does concur in House Amendment No. 1 to Senate Bill 345. This bill, having received the constitutional majority, is hereby declared passed. 347. Senator Schaffer. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Amendments 1, 2 and 3 to Senate Bill 347.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schaffer.

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SENATOR SCHAFFER:

Mr. President, House Amendment No. 1 reduced benefits to former State employees by some eight hundred and twenty-nine thousand, and restored five hundred and thirty -- five hundred thousand three hundred dollars in federal funds to various line items. House Amendment No. 2 was a two-million-dollar reduction. Pardon me, add-on to restore some federal funds. And House Amendment No. 3 reduced it by a million to reduce some benefits. Brings in the total budget at two hundred and twenty-five million nine hundred and sixty-two dollars and -- eight hundred and twenty-five dollars, pardon me.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from Cook, Senator Leverenz.

SENATOR LEVERENZ:

Would the Gentleman yield to a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will. Senator Schaffer. Indicates he will.

SENATOR LEVERENZ:

What is that - up or down from the previous year?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schaffer.

SENATOR SCHAFFER:

That is up from last year, which was at a hundred and eighty-seven million. I believe most of the increase is federal funds.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

And the amount of new general revenue in this budget would be how much of that?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schaffer.

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SENATOR SCHAFFER:

I'm told seven million four hundred thousand.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

And what would the General Revenue amount of seven million dollars be spent on?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schaffer.

SENATOR SCHAFFER:

Benefits to former State employees, I'm told.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

Well, what is the estimated number of employees laid off then by the State, and are they already laid off or are they to be laid off? Is this the fourteen hundred guesstimated employee layoff that this amount is here to cover?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schaffer.

SENATOR SCHAFFER:

It, in fact, was the fourteen hundred figure. I -- I am told that they are now estimating a smaller figure, and that accounts for House Amendment No. 3, which reduced the amount by one million.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. Is it true then that the number of layoffs of fourteen hundred is in fact roughly one hundred actual layoffs and thirteen hundred by attrition? Is that a rough guesstimate, or do you have better figures?

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schaffer.

SENATOR SCHAFFER:

I think it's probably difficult at this point to estimate, because the early retirement proposal, which may or may not float, will enter into the mix, and I don't think anybody - at least anyone that's talked to me - has an accurate projection, or is even willing to take a guess.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz. Senator Schaffer, to close.

SENATOR SCHAFFER:

Roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 347. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 50 Ayes, 3 Nays, 5 recorded as Present, and the Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 347. This bill, having received the constitutional majority, is hereby declared passed. 349. Senator Butler. Read the Conference Committee Report <sic>, please.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 349.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Senate Bill 349, as amended, is the appropriation for the Department of Financial Institutions. It represents a reduction in the -- in the appropriation in the GRF as passed the Senate, of some eighty-thousand dollars, and I would move approval of Senate -- or

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concurrence rather of Senate Amendment No. -- or House Amendment No. 1. I'm sorry.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Must be a draft here in the Chambers. Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Butler, let me ask -- ask this question, if I might. We're shifting -- the House shifted some money to the State Pension Fund. Can you tell us for what purpose that shift?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Butler.

SENATOR BUTLER:

I've been advised that the purpose of this is to be more self-sustaining in the Pension Fund. So it would seem appropriate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Let me ask you: according to my analysis, it says it changes the funding source for three administrative positions from General Revenue to the State Pension Fund. Is this now -- now a precedent that we are establishing here with respect to the State Pension Fund?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Butler.

SENATOR BUTLER:

I've been advised that this is the usual procedure.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Let me ask this question: What duties do the three administrative positions -- these administrative positions, what

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duties do they perform? Are they in State or out of State?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Butler.

SENATOR BUTLER:

To my knowledge, they are all in State, Senator.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm just puzzled by -- by the process here, and -- and it's unusual to see administrative positions that are no longer being funded from GRF to be funded by the State Pension Fund. I -- I -- I'm puzzled by that, and perhaps you could clarify that in your -- in your closing statement, and you might add why you voted against the tax bill, too. It's all right, but -- whatever.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Leverenz.

SENATOR LEVERENZ:

Could you tell us the amount of General Revenue in this budget, and is it up or down from the previous year?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Butler.

SENATOR BUTLER:

I would like to advise the Senator that it is down.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

By how much? Senator Butler.

SENATOR BUTLER:

As I mentioned before, it is the difference between 1. -- a million sixty-eight and a million five seventy-nine.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

This is also -- the Department of Financial Institutions, are

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they not the ones that publish those laundry lists in the newspaper about people that have money or assets who are with the State, and then they send us a packet saying, please put this news article out and send a letter, and they give you a dummy letter and you send all those out to that printout. Do they do that?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Butler.

SENATOR BUTLER:

Yes, they do advertise for those kind of so-called lost funds.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

Well, I met with the Director now for two years in a row, and they have since done it again. They've sent us the nice press release and the model letter that we should send out to everyone that is on the printout in our districts, and invariably those people, rather than to call the State, call us, and you would think that by now that they would quit the duplicative effort in the manner that they do, and let them send out those letters themselves. The financial institutions should be held responsible for doing what is statutorily their responsibility. They are to hunt down the person whose assets that they are holding and turning over to the State. That is a horrible loss of good dollars, and I would hope that you would encourage that which you're carrying a bill for to do something better than throw away money that could be used in a better method, like education.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Butler, to close.

SENATOR BUTLER:

Thank you, Senator. I'll make sure that what they may perceive as a service to the -- to the individual Senators will be reviewed. I would ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 349. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 34 Ayes, 16 Nays, 3 recorded as Present, and the Senate does not concur in House Amendment No. 1 to Senate Bill 349. This bill, having -- having not received the required constitutional majority, is hereby declared lost. 350. Senator Philip. Senator Butler, for what purpose you seek recognition?

SENATOR BUTLER:

I would ask to postpone consideration.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Put Senate Bill 349 on Postponed Consideration. Senate Bill 350. Senator Philip. Read the Conference Committee Report <sic>, please.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 350.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from DuPage, Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the budget for the Office of the Governor. It's a little over 8.2 million dollars. It is down ten percent over last year. I'd hope that we would concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 350. All those in favor, vote Aye. All those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 52 Ayes, 1 Nay, 4 recorded as Present, and the Senate does concur in House Amendment

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No. 1 on Senate Bill 350. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 353. Senator Butler. Read the Conference Committee Report <sic>, please.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 353.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Ladies and Gentlemen, let's give a warm welcome to our Lieutenant Governor, former colleague Bob Kustra. And create -- stop creating a ruckus on this side of the Floor, please. Senator Butler, the Floor is yours.

SENATOR BUTLER:

Thank you very much, Mr. President. Senate Bill 353 appropriates funds for the Office of the Lieutenant Governor, House committee...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

There's that draft again. Senator Butler, please continue.

SENATOR BUTLER:

Amendment No. 1 restores funds for the Rural Bond Bank, as requested by the House, and I would move concurrence.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? That sounded like a winner. Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 353. All those in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 52 Ayes, 1 recorded as Present -- 1 Nay, 3 recorded as Present. This bill, having received -- and House -- the Senate does concur in House Amendment No. 1 to Senate Bill 353. This bill, having received the constitutional majority, is hereby declared passed. 355. Senator Etheredge. Read the Conference Committee Report <sic>, please.

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ACTING SECRETARY: (MR. HARRY)

House Amendment No. 2 to Senate Bill 355.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Local Government Law Enforcement Officers' Training Board. It now stands at a level of ten million dollars in other funds, and I move that the Senate do concur in House Amendment No. 2.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 355. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 52 Ayes, no Nays, 4 recorded as Present, and the Senate does concur in House Amendment No. 2 to Senate Bill 355. This bill, having received the constitutional majority, is hereby declared passed. 359. Senator Etheredge. Read the Conference Committee <sic>, please.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 359.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you very much, Mr. President and Members. This is the OCE for the Property Tax Appeal Board. Now stands at a level of seven hundred and fifty thousand dollars GRF, and I'd move that the Senate do concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 359. Those in favor, vote

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Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 52 Ayes, no Nays, 5 recorded as Present, and the Senate does concur in House Amendment No. 1 to Senate Bill 359. This bill, having received the constitutional majority, is hereby declared passed. 363. Senator Etheredge. Please read the Conference Committee Report <sic>, Mr. Clerk.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 363.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the funding for the Illinois Sports Facilities Authority. It now stands at exactly one dollar below eighteen million. I move that the Senate do concur with the House Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 363. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 51 Ayes, 2 Nays, 2 recorded as Present, and the Senate does concur in House Amendment No. 1 to Senate Bill 363. This bill, having received the constitutional majority, is hereby declared passed. 368. Senate Hawkinson. Read the Conference Committee Report <sic>, please.

ACTING SECRETARY: (MR. HARRY)

House Amendments 1 and 2 to Senate Bill 368.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hawkinson.

SENATOR HAWKINSON:

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Thank you, Mr. President. I would move that we concur in House Amendments 1 and 2 to Senate Bill 368. This is the OCE for the Health Care Costs Containment Council. The House amendments reduced the bill as it left the Senate by a hundred and one thousand five hundred and one dollars. Be happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 368. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 51 Ayes, no Nays, 6 recorded as Present, and the Senate does concur in House Amendments 1 and 2 to Senate Bill 368. This bill, having received the constitutional majority, is hereby declared passed. Please turn to Page 11 - appears Senate Bill 370 Conference Committee Report <sic>. Senator Schaffer. Read the Conference Committee Report <sic>, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 370.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the Illinois Planning Council on Developmental Disabilities. Total budget of five million five hundred and three thousand eight hundred dollars. House Amendment No. 1 simply reduced telecommunications by five thousand dollars.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 370. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take

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the record. On this question, there are 52 Ayes, no Nays, 4 recorded as Present, and the Senate does concur in House Amendment No. 1 to Senate Bill 370. This bill, having received the constitutional majority, is hereby declared passed. 375. Senator Weaver. 440. Senator Philip. I'm sorry. For what purpose Senator Maitland seek recognition? Maitland, please. Maitland.

SENATOR MAITLAND:

Ask leave, Mr. President, to handle it for Senator Philip.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Hearing no objection, leave is granted. Please read the Conference Committee Report <sic>, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 440.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Members of the Senate. I move that the Senate concur with House Amendment No. 1 to Senate Bill 440 -- 440. It -- it now is twenty-five thousand five hundred dollars below introduction.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 440. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 51 Ayes, no Nays, 7 recorded as Present, and the Senate does adopt House Amendment No. 1 to Senate Bill 440. This bill, having received the constitutional majority, is hereby declared passed. 629. Out of the record. 838. Out of the record. 843. Out of the record. 1337. Senator Collins. Out of the record. We'll go to Supplemental Calendar

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No. 1. With leave of the Body -- I'm sorry. What? I'm sorry --
No. 2. We'll have to give the staff a few minutes, so we'll stand
in recess for five minutes.

(RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LECHOWICZ)

With leave of the Body, we will have a Message from the House
read into the record.

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

House Bill 651 with Senate Amendment No. 1.

Non-concurred in by the House, June 29, 1991.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Come back into order and the Clerk will read the resolutions.

SECRETARY HAWKER:

Senate Resolution 6-9-3 offered by Senator Topinka.

Senate Resolution 6-9-4 offered by Senator J.E. Joyce.

Senate Resolution 6-9-5 offered by Senator Brookins.

Senate Resolution 6-9-6 offered by Senator Brookins.

Senate Resolution 6-9-7 offered by Senator Brookins.

They're all death and congratulatory resolutions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Consent Calendar.

SECRETARY HAWKER:

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And Senate Joint Resolution, Constitutional Amendment No. 89, offered by Senators Watson, Barkhausen, Butler and others.

It is substantive.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Executive Committee. Anything else? Are we ready? ... (machine cutoff) ... back in order? Senator Maitland, for what purpose do you seek recognition? Maitland. Sorry. Senator Etheredge. I've been told that we've got a problem with the electrical system. So we're going to have to get back to your requests. Let's go to -- how about the Second Supplemental? I've been told that the system just went down for another few minutes, so hang loose. Ladies and Gentlemen, we are going to go to Supplemental No. 2, which starts out with Senate Bill 258. With leave of the Body, we will have Senator Demuzio handle that bill. What's your question? For what purpose do you seek recognition, Senator Hall? Put Hall on, will you, ma'am? Senator Hall, please. Oh, I guess the entire system's down. Here we go.

SENATOR HALL:

I understand that you've sent out for food for us. Is that correct, since you are presiding?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Kenny, if I sent out for food, it's going to be the best.

SENATOR HALL:

I didn't say that. No, what time are we breaking to eat?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Why don't you take a walk and ask Rock? Before we get to -- to the Second Supplemental, since the system is up, we'll now call upon Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I believe that a few moments ago the Secretary read into the record House action on House Bill 651, I do believe it is. It's the appropriations bill for the

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Industrial Commission. And, Mr. President and Ladies and Gentlemen of the Senate, I would refuse to recede from the Senate amendment, and request that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Senator moves that the Senate refuse to recede from the adoption of -- from the adoption of the Senate amendment to House Bill 651, and that a conference committee be appointed. All in favor, say Aye. Opposed, say Nay. The motion carries, and the Secretary shall so inform the House, that a conference -- that a Second Conference Committee be appointed on House Bill 651. Gentleman from Cook, Senator Marovitz, for what purpose do you seek recognition?

SENATOR MAROVITZ:

Would this -- would this be a proper time just for an announcement or just...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Sure. What's the purpose of your announcement?

SENATOR MAROVITZ:

Several Senators have asked me about - before we get back into business - tickets for -- for Legislators' Night at White Sox Park. That is on August 20th, Legislators' Night at White Sox Park. All the Legislators and their wives, family, cousins, grandchildren, kids are invited. Dinner, and see the ball game in a sky box. The tickets are twenty dollars, payable to the Chicago White Sox. And if you would call my secretary and just let her know how many tickets you want, we'll make the proper reservations. August 20th, White Sox Park; that's a Tuesday, before the school gets back in, so you can bring your kids up to Chicago.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Thank you very much. I'm sure all will be there on August the 20th. Sox are playing good ball. I'm sure you seen the game last

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night. Well, but it was a good game anyway. With leave of the Body, we will go to Supplemental Calendar No. 2. Madam Secretary, please read Senate Bill 258, Conference Committee Report.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 258.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Leave of the Body, Senator Demuzio will handle the bill for Senator Rock. Hearing no objection, Senator Demuzio, on Conference Committee Report.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This First Conference Committee Report is that of the State Comptroller's Office, the operations for fiscal year '92 and grants. The budget is five percent below the '91 appropriation. I would move that we adopt the First Conference Committee Report unless a Member has any question.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Yes. A question of the sponsor. Does this continue to hold House Amendment No. 1, which gives the Supreme Court seven administrative assistants to the Supreme Court justices?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me, ma'am. Senator Demuzio. Demuzio, please.

SENATOR DEMUZIO:

I -- I am told that we are -- we have receded from that -- that which you just mentioned.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 258. All those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please

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take the record. On this question, there are 50 Ayes, 2 Nays, 2 recorded as Present, and the Senate does adopt the Conference Committee Report on Senate Bill 258. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 301. With leave of the Body, Senator Carroll will handle the bill for Senator Rock. Read the Conference Committee Report, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 301.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Conference Committee Report No. 1 on Senate Bill 301 would be operating expenses of the Office of the Comptroller, and it is at five percent below the fiscal '91 -- Oh I'm sorry - I'm on the wrong one. 301.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

301. Right.

SENATOR CARROLL:

I'm sorry. The Board of Higher Education -- they have to change my script. This is now at a total of seventy-one million four hundred sixty-four thousand four hundred. The -- in effect, the House would recede from its amendment, and I would urge adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 301. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 54 Ayes, no Nays, 2 recorded as Present, and the Senate does adopt the Conference

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Committee Report on Senate Bill 301. This bill, having received the constitutional majority, is hereby declared passed. 302. Senator Weaver. Read the Conference Committee Report, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 302.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This represents a cut of six million seven hundred and sixty-nine thousand dollars as it left the Senate, with a total of seven hundred -- seven hundred million a hundred and fifty-two thousand. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 303 <sic>. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? 302. I'm sorry. Please take the record. On this question, there are 52 Ayes, 2 recorded as Nay, 2 recorded as Present, and the Senate does concur -- does adopt the Conference Committee Report on Senate Bill 302. This bill, having received the constitutional majority, is hereby declared passed. 303. Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 303.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill will reduce the operations level by 2.043 million dollars and grants by 24.3

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thousand dollars, for the three universities: Illinois State, Northern Illinois University and Sangamon State University, plus a Board of Regents System reduction of 16.4 thousand dollars. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 303. All those in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 51 Ayes, 1 recorded as Nay, 2 recorded as Present, and the Senate does adopt the Conference Committee Report on House Bill -- Senate Bill 303. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 304. Senator Dunn. Ralph. Read the Conference Committee Report, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 304.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President, Members of the Senate. This is a -- ordinary and contingent expenses of Southern Illinois University in the amount of two hundred and thirty-six million thirty-six thousand two hundred thousand <sic>. This is a -- a 9.9 percent cut from -- from what is introduced. That is a cut of two million one hundred and eighty-five thousand six hundred. I move the adoption of the Conference Committee Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 304. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record.

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On this question, there are 52 Ayes, 1 Nay, 1 recorded as Present, and the Senate does adopt the Conference Committee Report on Senate Bill 303 -- 304. This bill, having received the constitutional majority, is hereby declared passed. 305. Senator Carroll. Read the Conference Committee Report, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 305.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In this conference committee, the conferees reduced one million eight hundred forty thousand eight hundred dollars from the various universities within the Board of Governors System. It's a 1.3 cut, as it was with the other institutions -- four-year institutions of higher learning. What we have done as conferees is to take last year's real budget base and add five million dollars to all of the institutions of higher learning and spread them out by their normal formula amongst them. That is a cut below the Governor's recommended level, by agreement with the Governor, and in this case, it would be a million eight hundred forty thousand eight hundred. I would urge adoption of the Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 305. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 52 Ayes, 1 Nay, 1 recorded as Present, and the Senate does adopt the First Conference Committee Report on Senate Bill 305. This bill, having received the constitutional majority, is hereby declared passed. 306. Senator

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Etheredge. Read the Conference Committee Report, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 306.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Illinois Student Assistance Commission. It now stands at a level of 365.2 millions of dollars in GRF and in other funds, and I would ask for your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 306. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 51 Ayes, no Nays, 3 recorded as Present, and the Senate does adopt the Conference Committee Report on Senate Bill 306. And this bill, having received the constitutional majority, is hereby declared passed. 308. Senator Severns. Read the Conference Committee Report, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 308.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This is the Illinois Community College Board. And it is identical to what we passed out of the Senate earlier, at a total of two hundred and thirty-two million six hundred and fifty-eight hundred <sic> thousand. I would urge adoption of this Conference Committee Report.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates she will.

SENATOR HAWKINSON:

Senator, there is no rate bill in here, is there?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Severns.

SENATOR SEVERNS:

No. Not in this appropriation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 308. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 54 Ayes, no Nays, 3 recorded as Present, and the Senate does adopt the Conference Committee Report on Senate Bill 308. This bill, having received the constitutional majority, is hereby declared passed. 310. Senator Weaver. Read the report, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 310.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the State Universities Retirement System. Conference Committee Report recommends ninety-one million three hundred and forty-six thousand three hundred dollars. Move adoption.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 310. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 51 Ayes, no Nays, 2 recorded as Present, and the Senate does adopt the Conference Committee Report on Senate Bill 310. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 311. Senator Weaver. Read the report.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 311.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the State Universities Civil Service System OCE, in the amount of eight hundred and ninety-nine thousand one hundred dollars and I'd move adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 311. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 53 Ayes, no Nays, 3 recorded as Present, and the Senate does adopt the Conference Committee Report on Senate Bill 311. This bill, having received the constitutional majority, is hereby declared passed. Please turn to Page 3. On Supplemental No. 2, appears Senate Bill 3-3-4. Senator Woodyard. Read the bill, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 3-3-4.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This is the Department of Agriculture's OCE standing now at about fifty-six and a half million dollars in GRF and other funds, and although it really stinks, I guess we better pass it out of here.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 3-3-4. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 53 Ayes, 1 Nay, 2 recorded as Present, and the Senate does adopt the First Conference Committee Report on Senate Bill 3-3-4. This bill, having received the constitutional majority, is hereby declared passed. 3-3-6. Senator Etheredge. Read the bill, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 3-3-6.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill reappropriates funds to the Build Illinois Program. It now stands at 1.2 billion in other funds. I move for its adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 3-3-6. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 45 Ayes, 5 Nays, 5 recorded as Present, and the Senate does concur -- does adopt the Conference Committee Report on Senate Bill 3-3-6. This bill, having received

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the constitutional majority, is hereby declared passed. 3-3-7.
Senator Etheredge. Read the bill, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 3-3-7.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
This bill appropriates money to the Historic Preservation Agency
for its operations, and also to the Traffic and Criminal
Convention Surcharge Fund...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me. 0337?

SENATOR ETHEREDGE:

Yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

337.

SENATOR ETHEREDGE:

Yes. And to the East St. Louis Financial Advisory Authority
and the Bureau of the Budget also. And the total appropriation is
168.9 millions of dollars, all but three million of those in other
funds. I move for its adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate adopt the
Conference Committee Report on Senate Bill 337. Those in favor,
vote Aye. Those opposed, vote Nay. The voting is open. Have all
voted who wish? Have all voted who wish? Please take the record.
On this question, there are 52 Ayes, 1 Nay, 3 recorded as Present,
and the Senate does adopt the Conference Committee Report on
Senate Bill 337. The bill, having received the constitutional
majority, is hereby declared passed. 338. Senator Etheredge.
Read the bill, Madam Secretary.

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SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 3-3-8.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Capital Development Board. It now stands at a funding level of 10.5 millions of dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 3-3-8. What? Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 53 Ayes, no Nays, 4 recorded as No <sic> (Present), and the Senate does adopt the Conference Committee Report on Senate Bill 338. This bill, having received the constitutional majority, is hereby declared passed. 3-3-9. Senator Etheredge. Read the bill, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 3-3-9.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge. Etheredge, please.

SENATOR ETHEREDGE:

Thank you very much, Mr. President. This appropriates money in the amount of a 152.7 millions of dollars to the CDB for various improvements. I move for its adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

I don't usually stand up on these -- these bills, but I'm -- I'm looking here, as we go through our priorities about some of

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the -- some of the project descriptions in this bill. Is it two hundred and thirty thousand dollars to renovate a stud barn? Is that one of the -- one of the -- two hundred and thirty thousand dollars to renovate a stud barn? Five hundred thousand dollars to renovate a show horse barn? Two million six hundred and ninety thousand dollars to paint a grandstand? Three hundred thousand dollars to rehabilitate a series of twenty-five barns? Two hundred and fifty thousand dollars to cover the warm-up ring? Four hundred and ninety thousand dollars to replace the bathhouse -- Uh-huh -- this is -- I mean, uh-huh. Tell me what -- I -- I assume this is not GRF money. Where does this money come from?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, first of all there -- there is no bathhouse included in this budget, nor is the warm-up ring, nor is the stud barn which you mentioned. Those projects have been eliminated from -- from this budget.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Tell -- I'm reading just from our analysis, and maybe -- maybe the analysis is incorrect. I'm just reading from the analysis about the series of projects in SB339, and it does talk about five hundred thousand dollars for a bathhouse and the stud barn and all of that...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge is...

SENATOR ETHEREDGE:

Those last projects that you just mentioned, and those that I had mentioned as being eliminated, are, in fact, eliminated, Senator. That money in the total amount of nine hundred and

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seventy thousand dollars, which is -- to answer your -- another question that you raised -- it is Capital Development Fund money. It is not GRF. That money is -- is transferred from the projects that you mentioned, and that money will be used to rehabilitate a series of barns on the State Fairgrounds here in Springfield.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

How -- how -- what's the urgency in this very difficult fiscal time of ours to -- to -- to do these projects now? I mean -- let me -- let me just say this so are -- are we not at all, in any bill, dealing with the stud barn or the bathhouse or the grand -- painting the grandstand or covering the warm-up ring? Have we just disbanded those projects, or are they somewhere else with some other dollars?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, we are not doing the bathhouse and the other projects. I'm told that -- there is -- that we do propose to paint the grandstand. We are -- that project is included. I have -- we have here on the Floor with us a -- Senator Davidson, who I'm told has a great deal of knowledge about the -- the need for the rehabilitation of the Series 25 Barns on the State Fairgrounds. In order to answer your other question as to the need for this project, I would very happily defer to him.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

In relation to the Series 25 Barns: as you may remember, in -- I don't know if you were in Springfield this late spring -- or late winter or early spring when we had this wind storm went

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through eighty-some-odd miles an hour, which ripped all the roofs off the 25 Barns. The estimated costs of repairing those roofs - and the roofs are in a state of need - so there's no further damages done to the structures, and that's why this nine hundred and seventy thousand, I believe it is, for the repair to those roofs, 'cause as you know, the State of Illinois is self-insured -- that we -- we don't buy insurance -- we're self-insured. That's the part in relation to the roofs, and it is critically needed.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Answer your question, Senator Marovitz? Senator Marovitz.

SENATOR MAROVITZ:

Yes, it answers my question. But as I look down this humongous list of projects here and think about the dollars that we've -- we've cut back from other areas and people in need, I just find it unbelievable that what we're doing here, if somebody took -- took a good look at these projects in this bill, it's beyond belief where our priorities are.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hawkinson.

SENATOR HAWKINSON:

-- President, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR HAWKINSON:

Senator, the House put on an amendment for some money for a new facility at the Peoria University of Illinois Medical School for a research project. Is that money entirely out of this Conference Committee Report, including the planning -- is there any planning money in this bill or any other bill for that project?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Etheredge.

SENATOR ETHEREDGE:

The project is entirely removed and -- nor is there any money for planning, Senator.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. Continuing on the line of Senator Marovitz. Senator Schuneman -- I mean Senator -- I'm sorry.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR COLLINS:

Senator Etheredge, is the language still in here now that you -- for tuckpointing work on a church, the Bishop Hill Historic Society in Henry County? A hundred and thirteen thousand dollars?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR COLLINS:

Senator Etheredge.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Amen. Senator Etheredge.

SENATOR ETHEREDGE:

I'm told that that is not a new appropriation, Senator, that that is ongoing project that's being reappropriated.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins.

SENATOR COLLINS:

Oh -- oh, so we -- we do this every year. You know, every year we're fighting for more dollars, so every year now we just -- we just appropriate money for tuckpointing a church -- Bishop Hill Church. A hundred and thirteen thousand dollars, and yet we can't find money for the IREAP Program to take the caps off of

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pharmaceuticals? That's crazy around here. This -- this is ridiculous, and this is what happens every year this time of year. When we -- when we -- when we make all of these speeches on the Floor about we have done all we can about finding money, every year we get one of these. We get one or two of these. And watch out - this is not really it. The big one is still to come, where we have all of these little pet projects and we try and pretend to the people it's all right as long as this Bond Fund, or Capital Development Funds, or however you want to call it -- still it impacts upon the -- the -- the -- the finances of this State, and we need to stop playing these games on people. So that when you make these hue and cries about what we've done and we can't do any more, for the real people out there, and yet we come back with this kind of BS here. This Conference Committee Report should be defeated.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I know that Senator Schuneman will join me in this little rebuttal of the previous speech -- or speaker.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Etheredge. Etheredge.

SENATOR JACOBS:

No, Schuneman, in this case, is going to be the one that's probably going to join me in this -- in this battle, because, you know, there's a lot of things in here that probably are not right. But whenever you pick on the Swedes now - and I'm not being one - but you pick on a Swedish settlement in an area to where you are going to tuckpoint a historical site, which is hundreds of years old -- you know, we've got a lot of other things. We can pick on the fact that -- that whenever you trench for a sprinkler system,

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you take up all the topsoil and you reseed it -- or resod it. We can get on those things, but don't pick on a church in Bishop Hill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator, I'm not sure who prepared that information for you, but the church that I'm very familiar with at the Bishop Hill Historic Site and community is a wooden frame church, so I think your information is wrong about it being a church. There are other historical buildings there that are masonry, and some of them are in bad need of repair. And unless these repairs go forward, they're going to be lost to future generations of citizens for Illinois. This is an appropriation that was agreed upon in past years. There's not a new item, and I think it's simply a reappropriation, as I understand it, of what we have already agreed to in previous years. There are probably a whole long list of such items in this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Well, there's about nine people seeking recognition. Yes. Senator Brookins.

SENATOR BROOKINS:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR BROOKINS:

Senator Etheredge, you call this -- what -- what -- what's the political term for when you list all these things and people get things in their district and everything? Is that what this is? A pork chops? Is these pork chops?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

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SENATOR ETHEREDGE:

Gravy. Senator, this bill is virtually unchanged from the way in which it was introduced.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Brookins.

SENATOR BROOKINS:

So you -- you're -- you're explaining to me how I can go back to Chicago, and you have cut and gutted everything for senior citizens, for the mentally ill, for the handicapped, for the children, for education, and tell them that this was approved as it was, so don't worry about it. Is that what I'm supposed to do? Is that what this is for?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator, I -- when it -- I have the opportunity to close on this bill, I will suggest some arguments that you can, in fact, use when you go back home and talk to your constituents, and why you should support this bill. So I will, with your permission, Senator, respond to your question then.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President, and to my illustrious colleagues: I cannot support this bill. There are some items in here that I know you know that we know must be taken care of, so that we don't run into trouble with the correctional officers as to the living conditions of the inmates that we have in there and we're keeping in there - twenty thousand dollars a year. But there are some items in here that should be eliminated: painting of a barn, putting in air conditioning, situations when people will die this winter out there because of lack of heat. I'm shamed by this

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piece of legislation. And I'm going to ask my colleagues to join me in defeating it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I'd like to address a question to Senator Etheredge, if you may.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He...

SENATOR SMITH:

On Page -- there is not a page number, but let me see from here. There's an item with Smith's name here - eleventh district of eleven -- eleven and then the department eleven, twelve and MA. It says here General Jones Armory - renovate exterior, mechanical areas and expand parking lot, in addition to previous appropriations, five million five hundred and thirty-five thousand dollars. I'd like to inquire -- it was just in the paper that they are closing that down, and I have been trying to fight about it and inquire why they want to close it down. And here's an appropriation for five million dollars. I don't know. I'd like to know myself.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

I -- Senator, I believe that you refer to a list which was issued by the Federal Government that included a great many of the armories here in Illinois. I think the appearance, as I understand it, the appearance of an armory's designation on that list does not, in fact, mean it's going to be closed at all. It is simply the -- the army is reviewing the use of all of those facilities, not only here in Illinois, but across the country. I have a particular interest in that list, because my armory, back

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home in Aurora, is included on that same list.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Smith.

SENATOR SMITH:

Thank you, Senator Etheredge. I don't want to say this on the Floor, really, but this is really been aired to me. They are going to close it down to all of the black officers that have worked there 10, these many years, and they are going to remodel and put all white persons -- males in there, and it's going to be a different armory. So I want to find out if this is true, and where is the money going? It's at 5200 South on Cottage Grove Avenue, and it's in my district.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Senator I -- I think that is in a question that would be appropriately addressed to whoever is in charge of operating that facility. I -- I know nothing about what you're -- what you're talking about. It certainly seems very strange and unusual to me, but -- but I really have no knowledge about the -- the change in planned use of that facility.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Smith.

SENATOR SMITH:

I -- I -- since we're not clear about this, and this is allocation -- already allocated -- to be voted on in this -- at this ...(inaudible)... I would like to move that this be deleted from this report. The entire statement, line item.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Very good. Senator Fawell.

SENATOR FAWELL:

Thank you very much. While this debate was going on, Senator

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Marovitz, I happened to look ahead on some other conference committee analysis. I just found five hundred thousand dollars that you can use -- it's on Senate Bill 348, it adds five hundred thousand dollars to the Chicago public museums, aquariums and park districts. Why don't we take that money and give it to your people that you're talking about? Five hundred thousand.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

I'm sure we'll get there. Senator Collins, for a second time.

SENATOR COLLINS:

Yes. I just want to really set the record straight. I wanted my two colleagues over here to understand that I am not prejudiced against the Swedes, and the church -- I'm not picking on the church. It was just one example in here of how we prioritize. You talk about saving and preserving history, because it's a hundred years old. Believe me, there are some hundred-year-old senior citizens out there who make less than ten thousand - really, less than five thousand - dollars income a year who cannot afford to purchase life-sustaining medicine. They've made a contribution too, and all I'm saying is, if we have to pit one against the other, I would opt and I think all of you should be opting to support that senior who is a hundred years old, rather than their church. But there are a lot of other things in here also that we should eliminate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, for a second time.

SENATOR MAROVITZ:

Senator Fawell, I think -- I don't think you have a bad idea. You want to take the money from the public museums - the Art Museum in Chicago and Science and Industry - and give it to this bill, so we can do the bathhouse and the stud farm. Now I understand where our priorities are.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Tsk. Tsk. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, you've beat this thing around, but you're not talking about oranges and oranges. You're talking about apples against oranges. You're not talking about General Revenue Fund that all you people cried here, there and yonder. If you -- this whole bill goes down, you're not going to add one penny to General Revenue. This is Capital Development Funds, it's Bond Funds, it has nothing to do with General Revenue Fund - now if you're going to talk about something, for or against it, please talk about the subject.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

On that, Senator Fawell, for a second time.

SENATOR FAWELL:

I call for the question.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge, to close.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill certainly has been very thoroughly examined from the inside and from the outside. The point has been made already by an earlier speaker that these are Capital Bond Funds; that these monies would not, in fact, be available for some of the uses that others on the Floor would like to see them used for. But I would suggest to all of you who have expressed concern about these projects: first off, this is one of the smallest capital programs that the State of Illinois has planned for many, many years. It is a very conservative program. You will find that virtually every project in here is a rehabilitation project. It is a project that is designed not to add additional buildings to the -- the State's facilities, but on the other, it is designed to rehabilitate those facilities so that we can continue to use them.

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And, Senator -- Senators, I would also say that the reason you should support this bill is because these projects are going to be done on the campuses of our educational institutions, on our mental health facilities, and on our corrections facilities. These are all very important projects. I ask for an Aye vote.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 3-3-9. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. 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 39 Ayes, 15 Nays, 2 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 339, and the bill, having received the required constitutional majority, is declared passed. 340. Senator Etheredge. Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 340.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the reappropriations bill for the Capital Development Board, and it is in the amount of 584.6 millions of dollars. I move for its adoption.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 340. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 2 Nays, 4 voting Present. The Senate does adopt the Conference

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Committee Report on Senate Bill 340, and the bill, having received the required constitutional majority, is declared passed. 341, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 341.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Central Management Services. It is in the amount of one billion one hundred and thirty-eight point seven millions of dollars and -- in GRF and other funds, and I move for its adoption.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 341. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, 3 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 341, and the bill, having received the required constitutional majority, is declared passed. 344. Senator Hawkinson. Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 344.

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is the OCE for the Criminal Justice Information Authority. It's in the amount of thirty-nine million nine hundred and thirty-six thousand eight hundred dollars. The GRF funds are four million five hundred and

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seventy-six thousand three hundred dollars, and I would ask for the adoption of this Conference Committee Report.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 344. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, 4 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 344, and the bill, having received the required constitutional majority, is declared passed. 346. Senator Hawkinson. Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 346.

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is the OCE for the Emergency Services and Disaster Agency. It's in the total amount of forty-four million three hundred and seventeen thousand nine hundred dollars. The GRF amount is three million seventy-one thousand three hundred dollars. I would ask for the adoption of the Conference Committee Report on Senate Bill 346.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 346. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, 4 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 346, and the bill, having received the required constitutional majority, is declared

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passed. Senator Weaver, on 348. Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 348.

PRESIDENT ROCK:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the OCE for the Department of Energy and Natural Resources in the amount of a hundred and four million five hundred and thirty-two thousand two hundred dollars. Appreciate a favorable roll call.

PRESIDENT ROCK:

Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 348. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 2 Nays, 4 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 348, and the bill, having received the required constitutional majority, is declared passed. Supplemental Calendar No. 3, Ladies and Gentlemen, if you please. Turn your attention to Supplemental Calendar No. 3. We will start at the top and go right through. Senator Etheredge, on 352. Mr. Secretary, please. Supplemental Calendar No. 3, Ladies and Gentlemen. On the Order of Conference Committee Reports is a report on Senate Bill 352, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 352.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Department of Insurance. It now stands at

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a funding level of 13.990 millions of dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 352. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 5 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 352, and the bill, having received the constitutional majority, is declared passed. Senate Bill 354. Senator DeAngelis. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 354.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move that we concur with House Amendment No. 1 on Senate Bill 354, which provides for the ordinary and contingent expenses of the Liquor Control Commission.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 354. Those -- those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, and 4 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 354, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 356, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

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First Conference Committee Report on Senate Bill 356.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. This is the OCE for the Department of Mines and Minerals. It wound up at seven million three hundred and three thousand six hundred thousand <sic>, which is about ten thousand -- fifteen thousand less than it was introduced. I move its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

There any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 356. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that, the Ayes are 53, the Nays are none, and 5 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 356, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 357, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 357.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Pollution Control Board. It now stands at a level of one million five hundred and eighty-nine thousand dollars, and I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 357. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open.

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, and 5 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 357. The bill, having received the required constitutional majority, is declared passed. 358, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 358.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Department of Professional Regulation. It's at twenty million ninety thousand, and it's down just slightly from its introduced level.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 358. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 3 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 358, and the bill, having received the required constitutional majority, is declared passed. 360. Senator Etheredge. Read -- Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 360.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

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

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This is an OCE for the Racing Board. It now stands at twelve million six hundred and ninety-four thousand four hundred in other funds. I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? Senator DeAngelis, what -- the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 360. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and 3 voting Present. The Senate does adopt Conference Committee Report on Senate Bill 360, and the bill, having received the required constitutional majority, is declared passed. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

State your point.

SENATOR DeANGELIS:

In the gallery behind our side of the aisle is the commissioner from Chicago Heights, a very good friend, Larry Stringfellow. Larry, would you stand up and be recognized, please.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Would the Senate recognize Mr. Stringfellow. Senate Bill 366. Senator Maitland. Read the bill, Mr. Secretary -- or read the -- Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 366.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Maitland.

SENATOR MAITLAND:

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Thank you very much, Mr. President and Members of the Senate. Senate Bill 366 is the OCC <sic> for the Department of Aging. It now stands at one hundred fifty-seven million six hundred and nine thousand dollars. I would move for the adoption of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? If not, question is, shall the Senate adopt the Conference Committee Report on Senate Bill 366. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, and 2 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 366, and the bill, having received the required constitutional majority, is declared passed. 367. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 367.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This is the budget for the Department of Corrections. As introduced, it was six hundred and six million eight hundred and some thousand. It is now six hundred and two million seven hundred and forty thousand, a reduction of around four million dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Watson, the two youth camps are in there - Pere Marquette and Kankakee?

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Senator Watson.

SENATOR WATSON:

Yes. Due to your good work, Senator, they are in there.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Cullerton.

SENATOR CULLERTON:

Sponsor yield?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Sponsor indicates he'll yield.

SENATOR CULLERTON:

Senator Watson, are there any prisons in the State of Illinois that are built, but that are not operated or staffed?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Watson.

SENATOR WATSON:

You mean completed or being built?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Cullerton.

SENATOR CULLERTON:

Completed or substantially completed.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Watson.

SENATOR WATSON:

Probably Rend Lake would come under that category.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Cullerton.

SENATOR CULLERTON:

So, in other words, it's virtually completed, or almost completed, and -- but for budgetary reasons, we are not staffing the facility. Do you happen to know what the bed capacity is at Rend Lake?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Senator Watson.

SENATOR WATSON:

We think six hundred, but we're not sure, and maybe we can defer that to Senator O'Daniel.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator O'Daniel.

SENATOR O'DANIEL:

What -- what was the question, about how many beds it was?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Cullerton.

SENATOR O'DANIEL:

Is that what the question was?

SENATOR CULLERTON:

The question was, how many beds are there in Rend Lake that are not being...

SENATOR O'DANIEL:

It's -- it's not Rend Lake; it's the Big Muddy correctional facility that will be completed in the early parts of 1992. They're proposing to hold up the staffing of it, and opening it, till maybe some five months. But it -- it will -- somewhere between seven-fifty and nine hundred beds will be the capacity of the -- of the Big Buddy <sic> facility, but the proposal is to -- possibly nine hundred and fifty beds, they tell me, but they are proposing to hold up staffing for some five months, but it -- it hasn't been completed yet.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? Senator Watson, to close.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 367. Those in favor, vote Aye.

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Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, and 2 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 367, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 369, Mr. Secretary.

END OF TAPE

TAPE 4

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 369.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the budget for the Medical Center Commission. It now stands at 1.29 millions of dollars, and I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 369. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, 4 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 369. And the bill, having received the required constitutional majority, is declared passed. 373, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

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A Conference Committee Report on Senate Bill 373.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the CCA <sic> for the Department of Rehabilitation Services. It is -- or -- now at two hundred and thirty-nine thousand fifty-two dollars and -- two hundred and thirty-nine million fifty-two thousand four hundred and two dollars, which is down by a million, and I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 373. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 3 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 373. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 374, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

A Conference Committee Report on Senate Bill 374.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 374 is the OCE for the Department of Veterans' Affairs, and it now stands at forty million seven hundred and two thousand. I would move for the adoption of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? Senator Hall. If not, the question

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is, shall the Senate adopt the Conference Committee Report on Senate Bill 374. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 2 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 374. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 409. Senate Bill 956. Senator Hall. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

A Conference Committee Report on Senate Bill 956.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a DFI bill, and it's a donated funds initiative. There's a dollar change in thousands, and the total bill is nineteen million nine hundred -- 19.9 million. And the effects the Conference Committee Report - HA 1 changed bill effective date from 07/01/91 to 07/04/91. Ask for a favorable --

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. I rise in support of this -- this Conference Committee Report. This is an issue that's been around all Spring. This is a donated funds initiative. The Members on this side of the aisle had voted against this in the first case. It's now agreed to by everyone. I would ask everyone to support it.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Alexander. Senator Alexander.

SENATOR ALEXANDER:

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Mr. President, I'm also glad to see this matter coming to a head, because I'm looking here and House Amendment No. 3 says that somebody who lost a check in 1985 is going to get paid their forty-four dollars. This is wonderful. Thank you. Wrong bill? Well, okay, same difference.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Thank you. He's not going to get paid. Any further discussion? The question is, shall the Senate adopt Conference Committee Report on Senate Bill 956. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 3 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 956. And the bill, having received the required constitutional majority, is declared passed. Senator Carroll, on 409? Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

A Conference Committee Report on Senate Bill 409.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the annual awards bill for the Court of Claims. As you know, we try to hold this till the last day of Session - hopefully that is today - so that any awards that were signed by the requisite number of judges of the courts, or those in which they said for technical reasons they couldn't sign but would have signed, have been added to the list. It is now in the amount of some nine million two hundred and sixty-two thousand dollars, and I would urge a -- an adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 409. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question, the Ayes are 52, the Nays are 2, and 2 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 409, And the bill, having received the required constitutional majority, is declared passed. Okay. Supplemental Calendar No. 4. Supplemental Calendar No. 4. House Bill 319. Senator Demuzio. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

A Conference Committee Report on House Bill 319.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the Auditor General's appropriation. It is five percent below Fiscal Year '91, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 319. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 3 voting Present. The Senate does adopt the Conference Committee Report on House Bill 319. The bill, having received the required constitutional majority, is declared passed. 393. Senator Demuzio. Senator Demuzio asks leave to hear the bill for Senator Rock. House Bill 393. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

A Conference Committee Report on House Bill 393.

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the legislative support agencies. There's been some five percent reductions in a number of agencies: JCAR, Economic and Fiscal and others. If anybody has any questions, I'll be glad to answer them. Otherwise, I would seek your support.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 3-9-3. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 3-9-3. And the bill, having received the required constitutional majority, is declared passed. House Bill 3-9-5, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

A Conference Committee Report on House Bill 395.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the General Assembly operations. We reduced the Senate and House operations to reflect a five-percent reduction, as we have done with others, and we added five hundred and fifty thousand dollars for Fiscal Year '92 for redistricting expenses, and I would ask for your support.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? The question is, shall the Senate adopt the Conference Committee Report on House Bill 395. Those in favor,

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vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 2 voting Present. The Senate does adopt the Conference Committee Report on House Bill 395. And the bill, having received the required constitutional majority, is declared passed. House -- Senator Demuzio. Okay. House Bill 545. Senator Demuzio asks leave to hear it. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 545.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The effect of the Conference Committee Report - Senator Carroll advises me here it added some money for the Metropolitan Fair and Exposition Authority Improvement Bond Fund, and on -- the appropriation does provide no funding for any of the proposed McCormick Place Expansions, and I would ask for your support.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? The question is, shall the Senate adopt the Conference Committee Report on House Bill 545. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 9, and 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 545. And the bill, having received the required constitutional majority, is declared passed. House Bill 581, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 581.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the State Board of Elections. The Conference Committee Report total ends up at five million one hundred and forty-one thousand ninety-eight dollars.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 581. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 4 voting Present. The Senate does adopt the Conference Committee Report on House Bill 581. And the bill, having received the required constitutional majority, is declared passed. House Bill 581. I'm sorry. House Bill 629. Senator Topinka. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 629.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, this is the annual appropriation for Prairie State 2000, and we've come up with six million nine hundred and seventy-one thousand one hundred and eighty-nine dollars.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 629. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, and 5 voting Present. The Senate does

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adopt the Conference Committee Report on House Bill 629. And the bill, having received the required constitutional majority, is declared passed. House Bill 631, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 631.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Department of Lottery. It now stands at 429.9 millions of dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Brookins.

SENATOR BROOKINS:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he will.

SENATOR BROOKINS:

Senator, there's fourteen thousand dollars, to my recollection, in unclaimed Lottery money. Would you explain how that money is spent, and who controls it, and who dictates -- controls how is it spent?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

That money is under the control of the Department of Lottery, Senator, and that is used to enhance the prize levels for games and also is used for promotion of the games as well.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Brookins.

SENATOR BROOKINS:

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I'm sorry. That was million, not thousands. But -- so that's spent at the discretion of the Director of Lottery as they see fit, without any controls or any consultation, et cetera?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, they are subject to the same kinds of controls that the Director of other Departments have. They have -- we give them a budget, and they must operate within that budget, Senator.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Brookins.

SENATOR BROOKINS:

But it's my understanding that this fourteen million dollars is within there, even though we give them a budget and they come to us every year and ask for their expenses, they do not count this into their yearly budget.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, this -- this figure, and I -- it is estimated to be thirteen millions of dollars -- it is not a separate line item within their budget. This is simply the figure that they estimate will be unclaimed, based upon their past experience, and, you know, what they're projecting for the level of playing -- participation within the Lottery.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Brookins.

SENATOR BROOKINS:

Senator Etheredge, this year, in addition, they came and asked for eighteen million dollars more for other expenses so that they could have other additional promotions. Is that correct?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Senator Etheredge.

SENATOR ETHEREDGE:

Senator, we believe that's close to the figure that they asked. I mean, we, as you well know -- I think as everyone here on the Floor is aware of the importance of the Lottery. In -- in funding our -- our schools over the last several years, the Lottery has generated right at -- very close to six hundred millions of dollars for use by our schools. And they did request -- I mean, some additional funds this year for promotion of the games, so that they can continue to generate that same level of revenue for our schools.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge. Or -- Senator Brookins.

SENATOR BROOKINS:

It is my understanding that the predictions for the promotion of the Lottery over the last four or five years or in the future is decreasing; and therefore, that fourteen million dollars that I am questioning you of -- or thirteen million dollars could -- could have went to the Common School Fund to fund education in a crunch period. And I also, as you remember, questioned the Director on this very point in committee, and she indicated to me that she would have no problem in transferring that thirteen million dollars into the Common School Fund. That was the answer to the question that I asked her in the committee. I -- I just know, and I believe that our citizens believe that Lottery goes to the Common School Fund, and the question that is asked of each of us when we're in the district, "What happens to the Lottery money?" I would then think that we would have been able to say to them that we added an additional fourteen million dollars to the Common School Fund, and we would have been -- and did that. We got a problem with Lottery. There's a problem with it. And I don't know quite how to solve it yet, because I don't believe that

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I'm getting true figures from the Lottery when I request them. And I will be requesting more information. Thank you.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 631. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 5, and 3 voting Present. The Senate does adopt the Conference Committee Report on House Bill 631. And the bill, having received the required constitutional majority, is declared passed. 6-6-3 <sic> (633), Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

A Conference Committee Report on House Bill 633.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Topinka.

SENATOR TOPINKA:

...(machine cutoff)...President and Ladies and Gentlemen of the Senate, this is the annual appropriation for the Human Rights Commission, and it comes up with one million five hundred and thirty-nine thousand four hundred dollars.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? Senator Leverenz.

SENATOR LEVERENZ:

Would the Lady yield for a question?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

She indicates she'll yield.

SENATOR LEVERENZ:

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The General Revenue portion is probably all of this budget. Is that up or down from the previous year, and are they still inundated with a backlog of cases?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Topinka.

SENATOR TOPINKA:

Well, it's my understanding that the backlog has been reduced significantly. There still is some, but it is a significant reduction.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Leverenz.

SENATOR LEVERENZ:

Now do you think you could get to the first part of the question about General Revenue being up or down from the previous year?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Topinka.

SENATOR TOPINKA:

I don't have the response to that question, sir.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Leverenz.

SENATOR LEVERENZ:

I'm sorry I asked.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? Senator Topinka, do you want to close?

SENATOR TOPINKA:

Just go.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Okay. Question is, shall the Senate adopt the Conference Committee Report on House Bill 633. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 633. And the bill, having received the required constitutional majority, is declared passed. 634, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

A Conference Committee Report on House Bill 634.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, this is the annual appropriation of the Department of Human Rights, and we come up this year with five million nine hundred and forty-four thousand two hundred dollars. I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? Senator Leverenz.

SENATOR LEVERENZ:

Would the total embodied -- would the Lady yield?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

She indicates she'll yield. I guess she didn't indicate she'll yield. But try her anyway. Senator Leverenz.

SENATOR LEVERENZ:

Being a very daring sort, would the Lady explain to us if that amount of General Revenue is an increase or a decrease from the previous year?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Topinka.

SENATOR TOPINKA:

Yes, my staff person said she assumes it's up.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Leverenz. Senator Leverenz.

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SENATOR LEVERENZ:

Just -- just imagine -- first of all, I have a great deal of trust for staff, but if we went around operating on assumptions in this business, we would be in dire straits, I suggest. The question, I guess is, is it up or down from the previous year? It appears that it is down, from our analysis. And to add to the question on the prior bill, let me inform the great Senator that the Commission on -- the Human Rights Commission did receive a supplemental appropriation of a hundred and twenty-three thousand dollars, for which they had no time to spend. But now that I have answered my own question, we can get on with the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Topinka.

SENATOR TOPINKA:

May I suggest that he's working from the same figures as we are, so probably he had answered his question long before he decided he wanted to play with, you know, the switches again on my side.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 634. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and 3 voting Present. The Senate does adopt the Conference Committee Report on House Bill 634. And the bill, having received the required constitutional majority, is declared passed. House Bill 636. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 636.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

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SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Department of Labor. It now stands at 4.391 millions of dollars. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 6-3-6. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 4 voting Present. And the Senate does adopt the Conference Committee Report on House Bill 636. And the bill, having received the required constitutional majority, is declared passed. 637. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 637.

ACTING SECRETARY: (MR. HARRY)

Senator Etheredge -- or Senator Woodyard. I'm sorry.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This is the OCE of Department of Conservation, and it's presently at one hundred and eighty-six million seven hundred and ninety-seven thousand two hundred dollars.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 637. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 2, and 4 voting Present. The Senate does adopt the Conference Committee Report on House Bill 637. And the bill, having received the required constitutional majority, is declared

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passed. 639. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 639.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Department of Nuke Safety. It now stands at 36.664 millions of dollars, virtually all of that in other funds. I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 639. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 639. And the bill, having received the required constitutional majority, is declared passed. House Bill 640, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 640.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Watson. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the Abandoned Mines Land Reclamation Council budget. It is twenty million nine hundred thousand six hundred dollars. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 640. Those in favor, vote Aye. Opposed, vote Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and 1 voting Present. Senate does adopt the Conference Committee Report on House Bill 640. And the bill, having received the required constitutional majority, is declared passed. House Bill 641, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 6-4-1.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the appropriation for the Department of Commerce and Community Affairs. Last year's appropriation was seven hundred and eighty-eight million six hundred thousand. This year, in this Conference, it's down to six hundred and forty-one million four hundred and fifty-three thousand. GRF last year's appropriation was a hundred and forty-one million. That's down to ninety-three million.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Leverenz.

SENATOR LEVERENZ:

I want to compliment the speaker on his fine presentation.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? Question is, shall the Senate adopt the Conference Committee Report on House Bill 641. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 5, and 3 voting Present. The Senate does adopt the Conference Committee Report on House Bill 641. And the bill, having received the required constitutional majority, is declared passed. 642, Madam Secretary.

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SECRETARY HAWKER:

First Conference Committee Report on House Bill 6-4-2.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 642 is the OCE for the State Retirement System. It stands now at twenty-six million nine hundred and forty thousand dollars, and I would move for the adoption of this First Conference Committee Report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 642. Those in favor, vote Aye. Opposed, vote nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are -- are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 642. And the bill, having received the required constitutional majority, is declared passed. House Bill 643, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 6-4-3.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the OCE for the EPA, and it now stands at 468.2 millions of dollars, almost all of it in other funds. I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 643.

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Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 643. And the bill, having received the required constitutional majority, is declared passed. House Bill 644, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 6-4-4.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the OCE for the Department of Military Affairs, and it stands at eleven million five hundred fifty-six thousand four hundred dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not -- if not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 644. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question, the Ayes are 53, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 644. And the bill, having received the required constitutional majority, is declared passed. Supplemental Calendar No. 5. House Bill 645, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 6-4-5.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the budget for the State Labor

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Relations Board. The Conference Committee Report has it at one million three hundred and thirty-eight thousand five hundred dollars - down from one million, three seventy-three, seven hundred, as introduced.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 645. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 645. And the bill, having received the required constitutional majority, is declared passed. The -- Supplemental Calendar No. 6 is being distributed. It has substantive bills on it. You might want to take a look at those. House Bill 646, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 6-4-6.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the OCE for the Illinois State Police and also for the State Police Merit Board. State Police is a hundred and ninety-four million two hundred thousand. State Police Merit Board is six hundred and fifty-one -- thousand. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there -- excuse me. Is there discussion? Senator Dunn.
SENATOR T. DUNN:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates he'll yield.

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SENATOR T. DUNN:

Do I read this correctly - six hundred and eighty thousand dollars will be used to locate fields of cannabis?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Weaver.

SENATOR WEAVER:

This is federal funds for the Operation Cash Crop and the drug enforcement activities.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Thomas Dunn.

SENATOR T. DUNN:

How many taverns or liquor stores you think they'll drive by on the way to look for those fields, Senator?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

That was a rhetorical question. Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR HAWKINSON:

Senator, as this bill passed the Senate, it had MEG funding at an agreed level, I believe, of 1.3 million dollars. Is that level of MEG funding still in this Conference Committee Report?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Weaver.

SENATOR WEAVER:

Still at the same level.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report, House Bill 646. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and 2 voting Present. The Senate does adopt the Conference Committee Report on House Bill 646. And the bill, having received the required constitutional majority, is declared passed. House Bill 647, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 6-4-7.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Maitland.

SENATOR MAITLAND:

Thank -- thank you very much, Mr. President and Members of the Senate. House Bill 647 is the OCE for the Department of Children and Family Services. It now stands at six hundred and four million three hundred and sixty-six thousand dollars - substantially up, but in that is about thirty-four million dollars of General Revenue to -- we believe to be the money necessary to -- to settle the lawsuits. And I would move for the adoption of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 647. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 647. And the bill, having received the required constitutional majority, is declared passed. House Bill 649. Senator Weaver. All right. Senator Etheredge asks leave to -- All right. Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 6-4-9.

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the budget for the Office of the Commissioner of Banks and Trusts. It now stands at a funding level of 13.6 millions of dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 649. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, and 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 649. And the bill, having received the required constitutional majority, is declared passed. House Bill 650, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 650.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

We almost got an opportunity to vote on the Mental Health budget early. This is the budget for the Civil Service Commission. The Conference Committee Report has it in at nine hundred and nineteen thousand eight hundred dollars, down from one million nineteen eight.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 650. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question, the Ayes are 51, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 650. And the bill, having received the required constitutional majority, is declared passed. House Bill 651, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 651.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the budget for the Industrial Commission. It stands at a level of eleven million a hundred and seventy-eight thousand one hundred dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates he'll yield.

SENATOR HAWKINSON:

Senator, as this budget left the Senate, it had sufficient money in it to operate the Peoria office of the Industrial Commission. Are the funds still in for the Peoria office?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, sir, Senator, they are.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Senator Fawell.

SENATOR FAWELL:

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Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates he'll yield.

SENATOR FAWELL:

Does this -- does this report allow for that temporary third panel to continue?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator. After the first of October.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hall.

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates he'll yield.

SENATOR HALL:

I see here where -- that the COLA is eliminated. What happened there?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, the COLAs that you refer to - they're part of the Senate guidelines that you will recall that we -- the -- the reductions that we made in all of the budgets as they went through the Senate, Senator. We dealt with the reduction in the COLAs, the phase-in of positions, all of those kinds of things.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hall.

SENATOR HALL:

I see you added a hundred and fifty-six thousand GRF to fund

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three arbitrators for nine months. How much are they paid?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

That -- that refers to the question that Senator Fawell raised earlier, Senator. This is the funding that would allow this -- it's a temporary third panel of three commissioners that are currently paid for the Comptroller's budget. They will return to their prior positions of arbitrators on the first of October. And so that -- what that figure represents -- a hundred and fifty-six thousand dollars is -- is the -- is nine months' funding for those -- for that particular panel.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 651. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that, the Ayes are 53, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 651. And the bill, having received the required constitutional majority, is declared passed. House Bill 652, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 652.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the budget for the Court of Claims. It stands at a figure of eight million a hundred and sixty-six thousand eight hundred dollars. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 652. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 652. And the bill, having received the required constitutional majority, is declared passed. House Bill 654, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 654.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the Conference Committee Report on the Guardianship and Advocacy Commission, and it stands at four million eight hundred and eighty thousand four hundred -- four hundred dollars - reduced from five million. And I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? If not, the -- Senator Fawell.

SENATOR FAWELL:

Sorry about that. It's the wrong bill. This is on the Prison Review Board. Their bill is nine hundred and forty-two thousand one hundred dollars - down from nine hundred and sixty-nine thousand eight hundred dollars. And I ask for a favorable report on House Bill 654.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Question is, shall the Senate adopt the Conference Committee Report on House Bill 654. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question, the Ayes are 53, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 654. And the bill, having received the required constitutional majority, is declared passed. 655, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 655.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the one I was talking about before. It is the Guardianship and Advocacy Commission. It's four million eight hundred and eighty thousand four hundred dollars - reduced from five million three -- four hundred dollars. And I ask for your favorable report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 655. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 655. And the bill, having received the required constitutional majority, is declared passed. House Bill 656, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 6-5-6.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the OCE for the State Fire Marshal. It now stands at ten million three hundred and fifty-two

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thousand nine hundred dollars in other funds. I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 656. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 656. And the bill, having received the required constitutional majority, is declared passed. House Bill 657, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 657.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the Governor's Purchased Care Review Board. It started out at 263,601. It's now down to 262,601, or a total reduction of a thousand dollars. And I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 657. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, and none voting Present. And the Senate does adopt the Conference Committee Report on House Bill 657. And the bill, having received the required constitutional majority, is declared passed. House Bill 658, Madam Secretary.

SECRETARY HAWKER:

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First Conference Committee Report on House Bill 658.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the budget for the Department of Mental Health and Developmental Disabilities. Nine hundred and thirty-one million two hundred and thirteen thousand four hundred dollars - up from an introduced level of eight hundred and ninety-five million. Some of the highlights that have been added back - three million dollars for CILA line items; 8.9 for community grants. It's my understanding that the ISPI issue includes half-year funding so that we'll get a chance to rediscuss that issue this Fall. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, would the sponsor yield?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR CULLERTON:

Senator Schaffer, could you tell us how much the appropriation was last year for this Department?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

Well, an honest answer is I couldn't, but the handlers here are trying to find that for you.

SENATOR CULLERTON:

Well, -- I guess what I'm trying to do, in general terms, in broad terms, is that we had -- we had a budget that was proposed by the Governor of eight hundred and ninety-five million. We're appropriating about nine hundred and thirty million. So

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obviously, we in the General Assembly have -- realigned the -- the priorities from the Governor's budget. But I just want to -- maybe you could just highlight where we've added. There seems to be approximately thirty-five million dollars we've spent over the Governor's budget. And then secondly, I'd like to see where we fit in with what we did last year. And that's why I need to know, you know, about how much we appropriated last year.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

Let me discuss some of the additions while the number crunchers are digging for that aforementioned number from last year. I mentioned the three million for CILAs, the 9.9 for Community Grant Program lines. In addition, we added back twenty-five million in other funds to reflect assessments -- receipts and assessments from community mental health providers and associated federal match. We have added back five hundred and seventy-nine thousand two hundred for expenses related to Cermak Hospital, which I'm sure you're familiar with. And we did some transferring to the tune of two million dollars to various of the State-operated facilities. Last year's appropriation was 903. -- pardon me, that's expenditures from last year. Apparently, the approp was pretty close to that - 904.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

One other area that I'm curious about - the actual money for the institutions. How does that compare this year to last year?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

It decreased from four twenty-eight to four twenty-seven - a

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drop of about a million dollars.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Cullerton. Further discussion? Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. I wonder if the sponsor would yield to a question.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR R. DUNN:

Senator Schaffer, I notice on the analysis that you put money back into Singer, Howe, Shapiro and Meyer. Said transferred two million-plus from fifteen State-operated facilities into those four. Could you tell me what you did about the Choate Mental Health Center down at Anna? Did you take more money or restore any of them, or to the Chester Mental Health Center?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

I am told it was a -- a very small reduction that related to the overall layoff plan that was adopted -- or proposed, I guess would be the best way to put it.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Dunn.

SENATOR R. DUNN:

Thank you. It didn't restore any money to Choate or to Chester Mental Health? But you did restore it to these four who are in Northern Illinois, would you say, as opposed to Southern Illinois?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

Well, Decatur, Kankakee, Chicago and Rockford are where those

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four things are located. I would suggest to you that these changes relate to the different roles that had been hammered out for the various agencies. And as some of these facilities got additional headcount, they got some additional dollars. In other facilities the headcount either stayed the same or dropped. And again, it all relates to the master plan of the Department.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I think Senator Dunn's more -- my question of the sponsor is along Senator Dunn's line. Did the Department of Mental Health go through the same exercise at Lincoln Developmental Center as far as the layoffs at LDC, Senator?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

They did a case mix. They determined the level at the various agencies, including Lincoln. And in Lincoln's case, there then was a slight reduction in the appropriation, based on the case mix that was assigned to the facility.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Madigan. All right. Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR HALL:

Senator, I have a paper here that shows the Department of Mental Health and Development Disabilities for fifty-seven -- a total of fifty-seven physicians to amount of six million a hundred

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and thirty thousand six hundred and ten dollars. Can you tell me how did they arrive at that figure?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

Haven't got a clue.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He said he didn't have a clue.

SENATOR SCHAFFER:

I don't know, and our staff doesn't seem to relate to that particular piece of paper. And I -- that figure means nothing to me. I'm sure there's a logical explanation.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hall.

SENATOR HALL:

Well, she says that -- in the State -- I'm reading here, it says, "Singer, Zeller, Zeller, Singer, Zeller's." That's places that the Department has, isn't it?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

Yes, the Department has facilities by those names.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hall.

SENATOR HALL:

Are they cut back this time, in this budget?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

I think you're -- those figures -- our theory is that that relates to a transfer that was originally proposed that would have shifted some jobs from Singer to Zeller, but that was scrapped.

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It didn't happen, or isn't supposed to happen. So, I -- again, we're not quite sure exactly what we're talking about here. I'll freely admit it. But we -- that's our best guess at what you're talking about.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hall.

SENATOR HALL:

Well, I'm told that some of them are being cut; there are excessive doctors. But how many are you cutting?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

Well, again, because of the impending passage of the early retirement bill, you know, to say that X number of people will be laid off or cut, you know -- you can't really guess. But assuming that either we didn't pass it or that nobody in the whole Department took advantage of it, I am told that the cut level is a hundred and forty people throughout the entire system, and that figure appears to be dropping.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hall.

SENATOR HALL:

Okay. I just wanted to find out.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President. Boy, sure feels good to stand up. Senator Schaffer, will you yield for a question?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR VADALABENE:

The Alton Mental Center is in my district. What's -- what's

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the appropriation -- is it up or down from last year?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

We're looking that up, Senator. On my part, I'd say it'd be great to sit down. But we're -- just a second. No, not for you - me. We are furiously digging for that figure.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Do you have a further question, Senator Vadalabene?

SENATOR VADALABENE:

While he's looking that up, yes. I happen to know that they're short of help at the Alton Mental Center, and the employees that are working there are getting a lot of overtime pay because there are not enough employees there. Are they putting more people back to work? Because they're spending more money now than they were when they had their regular amount of people there. Are they adding any more people to their staff, or to the...

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

The one thing I think we're pretty sure on is that there are no additional people being added, and we should be -- we know the appropriation as originally introduced was seventeen million. And we're trying to find the current figure.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes. Well, you know, I want the General Assembly to know that the people that are working there are -- are working sixteen- and eighteen-hour days and getting overtime-and-a-half pay, when they could be putting people back to work. And I can't understand why they're paying all that money and not -- and not putting people

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back to work. Can you -- can you get that answer for me, Senator Schaffer?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

I think by merely asking it with the Governor's handlers here on the Floor who are paying attentive attention to this debate and are totally aware of every word that's being spoken over these mikes - that the message has one chance in four of getting through.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Vadalabene.

SENATOR VADALABENE:

Well, it's not really exactly a rumor, what I'm talking about, because my son works there, and he's getting tired of getting that overtime pay.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

SENATOR SCHAFFER:

I -- I think the message has gotten through and been well-delivered.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 658. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 4, and 3 voting Present. The Senate does adopt the Conference Committee Report on House Bill 658. And the bill, having received the required constitutional majority, is declared passed. House Bill 659, Madam Secretary.

SECRETARY HAWKER:

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First Conference Committee Report on House Bill 659.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the OCE for the Department of Alcoholism and Substance Abuse. It stands at a funding level of a 159.5 millions of dollars. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 659. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 659. And the bill, having received the required constitutional majority, is declared passed. House Bill 660, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 660.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Commissioner of Savings and Residential Finance. It stands at two million seven hundred and forty-nine thousand eight hundred -- wait -- two million seven hundred and forty-nine thousand eight hundred dollars, and it's down just by twenty-two thousand dollars. And I move for its adoption.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 660.

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Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 660. And the bill, having received the required constitutional majority, is declared passed. House Bill 8-0-8, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 8-0-8.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 8-0-8 is the State's Attorney's Appellate Prosecutor's OCE, and to my knowledge, apparently it is now at least five percent under Fiscal Year '91 GRF appropriation, like all the others. And I would ask for your support.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 8-0-8. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 8-0-8. And the bill, having received the required constitutional majority, is declared passed. House Bill 1048, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1048.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Alexander.

SENATOR ALEXANDER:

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1048 represents the OCE budget for the State Appellate Defender's Office, and I am requesting an Aye vote for passage.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yes. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates she'll yield.

SENATOR DeANGELIS:

Senator Alexander, I don't know if you know this or not, but the public defenders -- Appellate Defender's Office terminated their interns, based on last year's fiscal year, two weeks early. Do you know why?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Alexander.

SENATOR ALEXANDER:

Those internships have been eliminated two weeks earlier because of the July 1 deadline and no operating costs to further their internship. And according to the deductions that this Senate has imposed upon this agency, these persons will not be rehired.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm aware that the monies were not appropriated for the continuation of this program, but I was not aware that monies had not been appropriated for the finishing out of the existing interns.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Alexander.

SENATOR ALEXANDER:

Senator DeAngelis, you are perfectly correct. They have been

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given two weeks' notice. And I understand from the Director Gottfried, that they have been and will be terminated as of the fifteenth.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, what I'd like to know is, why?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Alexander.

SENATOR ALEXANDER:

No money.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator DeAngelis. Further discussion? The question is, shall the Senate adopt the Conference Committee Report, House Bill 1048. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that, the Ayes are 55, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1048. And the bill, having received the required constitutional majority, is declared passed. House Bill 1155, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1155.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Why -- Mr. President, I'll wait.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Excuse me, Senator Carroll. Senator Raica, for what purpose do you have your light on?

SENATOR RAICA:

A point of personal privilege, Mr. President.

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

State your point.

SENATOR RAICA:

Yesterday I had the rare privilege of being introduced as a guest in the -- in the House of Representatives, and I would just like to extend the same courtesy to a good friend, a good individual, the Speaker of the House, Mike Madigan. Welcome to the Senate. He's in the gallery with us today.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Very -- very nice to have you.

SENATOR CARROLL:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Mr. Speaker, Members of the Senate, I bring to you the State -- Office of the State Treasurer and his ordinary and contingent expenses at the Fiscal '91 appropriation level, minus five percent, and would suggest a favorable passage.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report, House Bill 1155. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1155. And the bill, having received the required constitutional majority, is declared passed. The Secretary has some paperwork and resolutions. We'll stand at ease for a few seconds.

SECRETARY HAWKER:

...(machine cutoff)...Resolution 700 offered by Senator

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Marovitz.

It's a death resolution.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Consent Calendar. 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 refused to adopt the First Conference Committee Report on Senate Bill 45, and requests a Second Committee of Conference to consider the differences between the two Houses in regards to Amendment No. 1.

Action taken by the House, July 18, 1991.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio accedes to the request. Supplemental Calendar No. 6. Supplemental Calendar No. 6. House Bill 376, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 3-7-6.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is slightly changed from the way the Supplemental Calendar reads, which was to appropriate funds to the State Police for purchasing tires. And in lieu thereof, it is the budget for the Department of Transportation for Fiscal '92 and the reappropriations of the Department of Transportation for Fiscal '91. This is at the conferees' level. It is, in effect, a four billion seven hundred eight million seven -- seventy-six thousand dollar appropriation, of which 2,495,682.5 is new monies. This is basically the same type of guidelines we have provided. I think as to the other issues within here, the Members are well aware.

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There is, in fact, the monies for the fare reimbursement for aged -- aged, disabled and handicapped and children, et cetera. I'd be willing to answer any questions, and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he will.

SENATOR JONES:

Senator Carroll, you have a nine hundred thousand dollars to pay legal costs associated with a lawsuit in here. Could you tell me what that money's for?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Jones, it was a class action filed on behalf of African-Americans who received A's on State tests as highway maintainers or highway equipment operators and had filed suit that they were not properly given positions at that time. The Department claims that this amount will pay all the expenses relating to that lawsuit.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Well, I mean, it'll pay all expenses of those who filed it or pay the expenses for those who filed for the Department to keep these individuals from jobs?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

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It's a proration for all those who had filed, and this is, as I understand it, the court-approved settlement of all claims.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll -- or Jones.

SENATOR JONES:

Well, you know, this is what I was alluding to before, Senator Carroll, with the DOT and these -- perhaps some of these persons are on general assistance by now, but these are the same ones who worked the highways downstate and so forth and -- from no place to nowhere that I was discussing. And since they can't get the jobs, some of them probably end up on general assistance, and then here we are paying -- taking money paying the doggoned Department to keep the same individuals from getting the job. Just doesn't make sense.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Well, now instead of going from no place to no where, they can go to us and get a part of the nine hundred thousand dollars.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? The question is, shall the Senate adopt the Conference Committee Report on House Bill 376. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 3 voting Present. The Senate does adopt the Conference Committee Report on House Bill 376. And the bill, having received the required constitutional majority, is declared passed. House Bill 493, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 493.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and Members of the Senate. The First Conference Committee Report on 493 has added to it the provision to allow innocent employees of a corporation to continue to be employed where wrongdoers are going to be punished. And when a person connected with that business entity causes that company to commit a felony the one-year disqualification is not imposed if all those responsible by the -- prosecution authority must be fired from that company and they can't be involved in the company in any -- any way, as far as ownership is concerned. This language has been worked out with CDB and all the other State agencies that have been involved, and I ask for a favorable vote on this Conference Committee Report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Question is, shall the Senate adopt -- Whoop! Sorry. Senator Schaffer.

SENATOR SCHAFFER:

I -- I vaguely recall when we passed this bill a number of years ago, we were trying to get at companies that, you know, got involved in fraudulent-type activities, bid-rigging and that sort of thing. So I interpret this bill -- what you're saying is if they fire everybody who was connected with it, then they're back on the bid list. Now, pardon me for being a little cynical, but I could see a situation where the company would just decide to have a couple guys take the dive and they go off and are somehow otherwise taken care of. I'm not quite sure whether this is a -- a great idea. I think most of the time we know in these bid-rigging situations, it isn't -- it isn't Joe at the third level that happens to be sitting around the table that sets the tone here. It usually goes all the way to top management. I have a feeling what we're trying to do is let them, you know, string up

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the minnows and let the sharks get away on this one.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Yes, I concur with you, Senator, if that is what this legislation does. And what this legislation does is prevent that very thing that you are talking about, from happening. But what -- the way the law was previously written, a lot of innocent persons would get hurt as a result of the action of maybe the owner or someone else. And this is why this compromise has been worked out. The Capital Development Board supports this legislation. It has been worked out with other State agencies. They are in support of it. And I ask for a favorable vote on this Conference Committee Report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? The question is, shall the Senate adopt the Conference Committee Report on House Bill 493. And those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question -- on that question, the Ayes are 37, the Nays are 15, and 3 voting Present. The Senate does adopt the Conference Committee Report on House Bill 493. And the bill, having received the required constitutional majority, is declared passed. House Bill 888. Senator Carroll asks leave to hear that for Senator Rock, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 888.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 888 is the ordinary and -- I'm sorry, is the general

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appropriations for the Board of Education for elementary and secondary education. What we have now done by conferee action is to take the Fiscal '91 level for elementary and secondary education, and even in these tight times and budget-crunch times, we are able to provide an additional fifteen million dollars for this program. We've taken a million dollars out of the office that supervises education - the State Board of Education - and put six million dollars into early childhood, and then taken the other ten million and spread it out between the formula and various categorical grants. So, in fact, education is a big winner in this Session of the General Assembly, and I would urge adoption of Conference Committee Report No. 1, and answer any questions.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 888. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and none voting Present. And the Senate does adopt the Conference Committee Report on House Bill 888. And the bill, having received the required constitutional majority, is declared passed. House Bill 1123, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 1123.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, this is now in correct form. I explained this bill earlier when we found out there had been a technical error made. The House adopted one report and we another. We had to go back to the Second Conference Committee Report. What this does is resolve -- this came about

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from a request from the circuit clerks of DuPage and Cook County, provides that circuit court automation fee between one and five dollars is applied to each county throughout the State, retains a special court automation fund in each county, includes Chapter 12 dealing with equipment required on motor vehicles, which was omitted -- inadvertently omitted from the fine subject to this Act; and four, includes traffic fines -- to the Secretary of State, which was inadvertently omitted from the fine subject of this Act. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on House Bill 1123. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and none voting Present. And the Senate does adopt the Conference Committee Report on House Bill 1123. And the bill, having received the required constitutional majority, is declared passed. House Bill 1353, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1353.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This Conference Committee essentially goes back to the way 1353 originally passed the Senate. What we have done by this Conference Committee is remove an amendment that I had put on at the request of the nursing home industry, and we are able to take care of that by administrative rules. So I would move for the adoption of Conference Committee Report 1353.

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there -- is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1353. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and none voting Present. And the Senate does adopt the Conference Committee Report on House Bill 1353. And the bill, having received the required constitutional majority, is declared passed. House Bill 1604, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 1604.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. The First -- the Second Conference Committee Report on House Bill 1604 contains a provision where members or donors of a not-for-profit organization may obtain life insurance policies naming the not-for-profit organization as the irrevocable sole beneficiary of the policy. The not-for-profit organization may continue to pay the premiums to the issuing insurance company if the donor discontinue the premium payments. Also, it contains in there a provision authorizing the Department that the destruction of all books, Department of Insurance records and correspondence directly related to consumer complaints shall be held for at least five years, rather than the current Insurance Code containing in there two years. The provision as it relate to not-for-profit was the request of Senator Barkhausen - an agreement. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, as a matter of legislative intent, I should say that, as the one who brought to the attention of the General Assembly what I felt to be the advisability of this language dealing with interest that not-for-profit groups have today or might in the future have in a life insurance policy, let me just explain why we think we should be doing this. Back in March of this year, the Internal Revenue Service, in a private letter ruling, found in a case arising out of New York that because New York State law was silent on the subject of what is called an insurable interest that a charitable organization or a not-for-profit might have in that State in the life of the donor of that policy, that because they used the silence of the New York State law to find that the organization in that case had no insurable interest, that we are at this late hour proposing to add to our Insurance Code a clarification that under the circumstances specified here, a not-for-profit organization can and does have an insurable interest in such a policy. This is meant to protect the interests that various not-for-profits specified here have today, or might in the future have, in the lives of those who -- who take out insurance policies on their own life and then -- and then give them to a not-for-profit organization. It is a fundraising technique fairly commonly used, and it's meant to protect it and to protect the -- the tax deductibility of this manner of gifting to not-for-profit organizations.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1604. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the

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Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report -- the Second Conference Committee Report on House Bill 1604. And the bill, having received the required constitutional majority, is declared passed. House Bill 2125, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 2125.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, this is a measure that we've seen before on a couple of different occasions, and it passed unanimously, providing for a -- a requirement of an assessment on those who were found guilty or placed on probation or court supervision for a whole range of drug offenses, the money to be used for drug treatment programs. I'd be glad to answer your question; otherwise, would urge the adoption of the report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR CULLERTON:

I understand that this is a bill that is designed to help out -- help fund some of our hospitals in their treatment of cocaine babies and the like. I'm just curious, though, if -- does this reallocate money which is now being sent somewhere, or does it purport to increase the fines for people who are charged with drug offenses?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Barkhausen.

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SENATOR BARKHAUSEN:

Yes, it's an increase. It's a new fine; although, we had amended the bill a second time through, and I believe the provisions are here again - I was just looking for them - to give the court some discretion to require community service work for those who can't pay fines. But this is new money. It's not a reallocation of any old money.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Cullerton.

SENATOR CULLERTON:

Well, I think it's a good idea, because I think that there's -- a lot of these people who are convicted of drug offenses have a lot of money that -- that can contribute to our hospital problems. So I think it's a great idea.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Barkhausen. Question is, -- is there any further discussion? Question is, shall the Senate adopt the Conference Committee Report, House Bill 2125. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, and none voting Present. And the Senate does adopt the Conference Committee Report on House Bill 2125. And the bill, having received the required constitutional majority, is declared passed.

END OF TAPE

TAPE 5

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senate Bill 1-5-1, Madam Secretary.

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SECRETARY HAWKER:

First Corrected Conference Committee Report on Senate Bill
1-5-1.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd just ask for approval of Corrected Conference Committee -- First Conference Committee on Senate Bill 151. This went over to the House, got messed up a little bit - which things do over in the House - got involved with some lethal injections and a few other things. And now it's pretty much back to clean language, allowing for substance abuse student assistant programs to obtain juvenile records when authorized by the presiding judge, makes some technical change to the State Appellate Defender Act, and makes minor changes to various Drug Forfeiture Acts. I don't know of any opposition. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1-5-1. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, and none voting Present. And the Senate does adopt the Conference Committee Report on Senate Bill 151. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 307, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 307.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. Conference Committee Report on Senate Bill 307 does two things, both of which we have seen before in this -- in this Assembly. The first establishes a Special Purposes Trust Fund for the Math and Science Academy. That's a bill that has passed the Senate and the House overwhelmingly on earlier occasions. The second part of this bill contains the community college credit hour reimbursement rates for the next academic year. This is a -- a piece of legislation which was before us a couple of days ago, and unfortunately, because of considerable confusion here over on this side of the aisle, unfortunately did not pass. It failed by one vote. What we are looking at here, I should hasten to tell you, is a set of rates that have been negotiated by the Community College Board, and this is their recommended reimbursement rates for the FY'91/'92 year. I would be very happy to respond to any questions; and, if there are none, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Well, thank you, Mr. President. With all due respect to my friend from Aurora, it wasn't confusion that beat this bill. It was the fact that it's a bad deal for downstate that beat this bill. The confusion - and there's no name on this report that has been passed out today showing what reports will purport to happen - but the information that's passed out on your desks today is the confusing - and I would suggest deliberately confusing - information that's come out. It has three columns in it which purports to show the difference between this compromise, the FY'91 appropriation, and FY without any rate bill. What they don't tell you in the information that they've put out today is that the information we had the other day when we defeated this bill has

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four columns, and I would suggest that you look back to the information that you had the other day when we defeated this bill - the four columns - and you will see the missing column in today's information is the rate as it passed the Senate the last time. And if you look at that rate as it passed the Senate the last time, and you compare it to what it is under this so-called compromise, you will find that every district outside of Chicago is a loser under this Senate compromise. Now, sure, without any rate bill, there are only about seven of us that really get taken to the cleaners. In Peoria, Illinois Central College loses some four hundred thousand dollars under this so-called compromise. The Community College Board is for this. The Trustee Association is not for this. They have a split position because many of the schools lose under this compromise. I suggest that we go back and reject this Conference Committee Report because it hurts the downstate schools. The schools particularly in Central Illinois are decimated by this report, and I strongly urge a No vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Vadalabene. It's nice to see you up, Sam.

SENATOR VADALABENE:

Thank you. Yes, I just want to make one correction. Every district in this bill is not a loser. The Belleville Area College in my district and Lewis and Clark College in my district both gain.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Hall.

SENATOR HALL:

Senator Watson. Will he yield for a question? Where? Is it Etheredge? Oh, yeah. Senator Etheredge, will you yield for a question? I'm looking here on this chart --

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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They both indicate they will.

SENATOR HALL:

Yeah. Well, I just got the -- do you have that chart before you? Do you have that chart before you?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I have a chart before me. I'm not sure it's the same one that you have, but I do have a chart. Yes.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hall.

SENATOR HALL:

It shows Belleville - Demuzio, Watson, Vadalabene, Hall and Ralph Dunn - and it comes over - it's on the top of the page - it's FY'92 community college funding alternative. So it comes over and it says compromised proposal, nine million one hundred and seventy-seven thousand nine hundred. And then the next is eight million, eight hundred and eighty-five thousand, six hundred and twenty-one, plus three hundred -- wait a minute. It's -- is your proposal nine? Will this -- what I read, will it gain under this proposal?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, indeed, Senator, you ought to like this proposal very much.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hall.

SENATOR HALL:

Well, I see Watson standing there looking down. And Dunn -- Vadalabene.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Further -- further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. I, too, rise in strong support of Senate Bill 307. Contrary to what's been suggested by one Member, downstate districts -- many of us do do well. I -- I represent Richland, and also included in my Senate district is Parkland and Lakeland. All three of those downstate community colleges do better under this bill than without it. In fact, two-thirds of the community colleges in the State do better under this bill than without it. At a time when we're -- we're trying to make it a little easier for people in our districts to attend the community colleges, I think this is a bill that will help allow them to do it. And I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I would like to echo what Senator Severns has said. Do look carefully at the compromise version. This is so much better than the version the House was trying to come up with at the end of Session. This is a compromise that's been worked out by the Senate staff with the House. It's come out of the House almost unanimously on two separate occasions, with a lot of speeches on that side saying how much better it was than the House version they were trying to put together. What is before us now is that compromise. The alternative is no rate bill at all. So those are the two columns you should be looking at. And two-thirds of the community colleges do better with this version than with no rate bill at all. For example, the College of DuPage gets five hundred thousand dollars more, and each of the community colleges downstate that benefits does so in that amount, and in some cases less. As with any kind of a formula, there will

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be some losers. Hopefully no one lost by very much. It is redistributing the money, I believe, very fairly, and should receive a positive vote from this Body.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Mr. President, Members of the Senate. I, too, agree that this is a better bill than no bill at all. It is certainly not the best. I have a couple schools that lose, but all the other three or four gain. But overall, I think that you'll find this is a better bill than if we didn't have any rate bill at all. I think we made a mistake the other day by losing by one vote. I'd urge that we get another vote or two on here and pass this. Thank you.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I didn't have time to check the map to see how many are from Chicago and how many are from downstate or the Chicago area. But there are fourteen districts that lose money in this particular proposal, and it so happens - I don't know if they're picking on us or what, Hawkinson - but they all seem to be in our area. So for that reason, I, too, will be in opposition to this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, I haven't really heard from my junior colleges on this bill, but as I look -- I've been hearing Members say that we do better with this bill than we would without any. But I notice that in my own community colleges, I would do better without any bill. They all tend to lose under this

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proposal, as compared to what they -- where they would be without any bill. So I guess my proper vote has to be a No on this, Senator.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates he'll yield.

SENATOR LEVERENZ:

Is this the same thing that was hung on 299 a few days ago?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes. This was the same proposal that was on Senator Daley's bill a couple of days ago, which failed by one vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Leverenz.

SENATOR LEVERENZ:

Well, Mr. President, I must congratulate the Gentleman. He is tenacious as I am on occasion, and we defeated it once before and it should go down in flames even larger this time. We are, in fact, better without anything. You can't take from one and give to the other. That's not nice. Time for you to be fair.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I apologize for rising a second time, but some of the prior speakers on the other side do make out better under this compromise than if there is no bill at all. However -- and that's what's been passed out today. But in my opening remarks I pointed out that today's information

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conveniently leaves out the column of the rate as it passed the Senate. And for Lakeland and Parkland and the others, you do worse under this bill than you did under that bill as it passed the Senate. True, you do better in some instances than if there's no bill at all. But we all -- we do worse than under the version as it passed the Senate a first time.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Etheredge, to close.

SENATOR ETHEREDGE:

Thank you very much, Ladies and Gentlemen. I appreciate the opportunity to -- to say a few words in closing here. What this bill does is to establish a system of reimbursement for credit hour levels for the community colleges for next year. This is something that we do year after year after year. In this particular case, the reason there are only three columns on the chart is because there are really only two choices before us here. One is to pass this proposal that is now before you, or -- or have no rate bill at all this year. The point is - and I regret very much that not all colleges can get more under this rate proposal - but, unfortunately that's not true. However, what is true is the great majority of the community college districts of this State do better under this proposal than they would if we failed to pass any rate bill at all. I -- this is a proposal that has been worked out by the Community College Board, in cooperation with the college districts around the State of Illinois. This is what they recommend. And, Ladies and Gentlemen, I think we'd do well to follow their recommendation. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 307. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question, the Ayes are 45, the Nays are 10, none voting Present. And the Senate does adopt the Conference Committee Report on Senate Bill 307. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 497, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report --

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Oh, I'm sorry. Senate Bill 499, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 4-9-9.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. When we passed the Sales Tax Reform Act several years ago, it had a major impact on enterprise zones and their ability to exempt sales of building materials that are being used for expansions and for industrial, commercial and residential usage. What this legislation would do would allow for a local enterprise zone administrator to certify when, in fact, that material is being used for economic development purposes, for residential purposes, and so that we're trying to tighten up the eligibility of those people locally who would be eligible, quite frankly, for the sales tax exemption. This has a positive impact on both local and State revenues. Be glad to answer any questions; otherwise, appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 499. Those in favor, vote Aye. Opposed, vote Nay. Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 499. Those in favor, vote Aye. Opposed, vote Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, and none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 499. And the bill, having received the required constitutional majority, is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We are moving remarkably well, and it is our intent - and I have just placed a call to the Speaker - that we will stay here and finish our -- conclude the business of this Session tonight. My judgment is that we are about -- Madam Secretary informs me that there -- a number of other reports have been filed, but that we have yet to have the paper catch up with us. And so, my suggestion is to give everybody a break, and we ought to -- I just spoke with Senator Philip. We ought to take a recess for a dinner break. I would ask you, please, to be back here. The paper will be on your desks, and we do intend to finish our business tonight so that we can all be home for the weekend. So I would ask, Mr. President, that the Senate stand in recess until 7:30, and ask everybody please to be back at 7:30.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

A Message 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 refused to adopt the First Conference Committee Report on Senate Bill 358, and requests a Second Committee of Conference to consider the differences between the two Houses in regards to Amendment No. 2.

Action taken by the House, July 18, 1991.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Senator Demuzio accedes to the request. Senator Jacobs, for what purpose do you arise?

SENATOR JACOBS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

State your point.

SENATOR JACOBS:

Inasmuch as we're going to get out of here tonight and won't be here tomorrow, my seatmate - and you know you don't ask a young lady how old she's going to be - but is going to be celebrating her birthday tomorrow. So we'd like to have -- say a happy birthday to Senator Joyce Holmberg. Happy birthday, Joyce.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Happy birthday, Senator Holmberg. Senate stands in recess until 7:30.

(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

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

House Bill 1692 with Senate Amendment No. 1.

Non-concurred in by the House, June 28, 1991.

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

House Bill 2385 with Senate Amendment No. 1.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of the following Amendment No. 2.
Action taken by the House, July 18, 1991.

PRESIDENT ROCK:

Both will be placed on the Secretary's Desk. All right. Ladies and Gentlemen, we have before us Senate Supplemental Calendars No. 7 and 8. There will be a ninth. The Chair's resolve is firm. We will finish this evening. The House is currently working. I think in the meantime if we turn to Page 9 on the Calendar - Page 9, please - there are a number of Members who have requested consideration of their resolutions, and we would obviously like to afford them that opportunity. So I'd ask those Members who have resolutions on the Secretary's Desk -- if they wish to pursue them, this is the appropriate time. That is Senators Raica, DeAngelis, Carroll, Topinka, Senator Hall, Senator Cullerton and Senator Holmberg. It's on the main Calendar -- the main Calendar, on Page 9. While we are awaiting the return from their offices of the Members, it's probably a good opportunity to do Secretary's Desk, Resolutions, Page 9 on the main Calendar. That is Senators Raica, DeAngelis, Carroll, Topinka, Hall, Cullerton and Holmberg. Chair would reflect to Senator DeAngelis that the cameras are no longer on, so I'm not sure we need all the accouterments. Thank you very much. Keep your sense of humor, will you, Aldo? All right. Direct your attention to Page 9 on the main Calendar, please. Senator DeAngelis, you're first out of

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the chute. Don't care to do that. 6-6-5. Senator Carroll. 6-7-5. Senator Topinka, please. On the Order of Secretary's Desk, Resolutions, Madam Secretary. We're on the bottom of Page 9 on the main Calendar. Senator Topinka has presented Senate Resolution 675, Madam Secretary, please.

SECRETARY HAWKER:

Senate Resolution 6-7-5.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this Resolution does exactly what the Calendar says it does, and it would -- it asks the President and other agencies of the United States who are involved in looking into the possibility yet of MIAs and POWs in southeast Asia to continue their efforts as best as possible. It also lists those Illinois Military Personnel - for the first time that we know in the history of the Senate or the House - and honors them just by virtue of listing their names as being missing in that action. And in light of that recent photograph that has now been in the news, which obviously we did not know about at the time of the filing of this resolution, it would seemingly make even more sense that we ask that they continue.

PRESIDENT ROCK:

All right. The Lady has moved the adoption of Senate Resolution 6-7-5. Is there any discussion? If not, all 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 50 Ayes, no Nays, none voting Present. Senate Resolution 675, having received the required constitutional majority, is declared adopted. House Joint Resolution 2. Senator Hall. Madam

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Secretary, please.

SECRETARY HAWKER:

House Joint Resolution No. 2. Senator Hall offers Amendment No. 1.

PRESIDENT ROCK:

Senator Hall, on Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 calls for -- it specifies that the investigatory task force shall not have the authority to hire staff, but shall seek intergovernment cooperation to use State resources for this investigation. I move for the adoption of this amendment.

PRESIDENT ROCK:

Senator Hall has moved the adoption of Amendment No. 1 to House Joint Resolution 2. Any discussion? If not, all in favor of the amendment, indicate by saying Aye. All opposed. The Ayes have it, and the amendment is adopted. Senator Hall, you want to get right back to that? We'll have intervening business. We'll get right back to it. House Joint Resolution 42. Senator Cullerton. Madam Secretary, please.

SECRETARY HAWKER:

House Joint Resolution 42.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. House Joint Resolution 42, as amended, establishes a fourteen-member Special Task Force on Childhood Lead Poisoning Prevention to meet with the Department of Public Health's Strategic Planning Committee, conduct hearings on the problems caused by lead poisoning in children, and gather information regarding the adoption and

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implementation of a Statewide Lead Poisoning Prevention System. It is supported by the Illinois Department of Public Health, and I would ask for its adoption.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of House Joint Resolution 42. Is there any discussion? If not, the question is, shall House Joint Resolution 42 be adopted. 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 58 Ayes, no Nays, none voting Present. House Joint Resolution 42, having received the required constitutional majority, is declared adopted. Senator Hall, are you ready on House Joint Resolution No. 2? Madam Secretary, please.

SECRETARY HAWKER:

House Joint Resolution 2.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This resolution has the approval of the State Police, and everything has been cleared, as I said so, with the amendment. And I ask for your immediate support -- Aye vote.

PRESIDENT ROCK:

The Gentleman has moved for the adoption of House Joint Resolution No. 2, as amended. Is there any discussion? If not, those in favor of the adoption 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 58 Ayes, no Nays, none voting Present. House Joint Resolution No. 2, having received the required constitutional majority, is declared adopted. Ladies and

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Gentlemen, if you turn to top of Page 10, Page 10 on the Calendar, on the Order of Secretary's Desk, Resolutions, is Senate Joint Resolution 81. Madam Secretary, please.

SECRETARY HAWKER:

Senate Joint Resolution 81.

PRESIDENT ROCK:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Joint Resolution 81, sponsored by Senator Jeremiah Joyce and myself, creates the Joint Committee on College Tuition as stated in the Calendar; but basically, what it does is extend the Committee that is already established. There are hearing dates until January of '92. The Chairman has been quite ill, and they need a little more time to get their report together.

PRESIDENT ROCK:

The Lady has moved the adoption of Senate Joint Resolution 81. Is there any discussion? If not, 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 54 Ayes, no Nays, none voting Present. Senate Joint Resolution 81, having received the required constitutional majority, is declared adopted. Before we leave this Order of Business, which might not be revisited before October, does any other Member have an -- proposal on Secretary's Desk, Resolutions? Senator Raica. Senator DeAngelis. Senator Carroll. Senator Carroll. Madam Secretary, the middle of Page 9 is Senate Resolution 6-6-5, please.

SECRETARY HAWKER:

Senate Resolution 6-6-5.

PRESIDENT ROCK:

Senator Carroll.

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SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 6-6-5 is merely a resolution directing the Comptroller to promulgate rules/regulations involving prompt payment, working with the Department of Public Aid, the State Board of Education, the Department of Transportation, Department of Central Management Services, Legislative Audit Commission, and I would urge its adoption.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is the adoption of Senate Resolution 6-6-5. 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 53 Ayes, no Nays, none voting Present. Senate Resolution 6-6-5, having received the required constitutional majority vote, is declared adopted. All right. Ladies and Gentlemen, we are now -- Senator Demuzio. Page 10 on the Calendar, Madam Secretary. Top of Page 10, on the Order of Secretary's Desk, Concurrence, is Senate Bill 182. With leave of the Body, while Senator Demuzio was earlier presiding, this was skipped over. We'll go to the Order of -- top of Page 10, Secretary's Desk, Concurrence. Senate Bill 1-8-2, Madam Secretary.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 1-8-2.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill doesn't go far enough. I would move to recommit this bill to the Executive Committee.

PRESIDENT ROCK:

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The Gentleman has moved to recommit Senate Bill 182 to the Committee on Executive. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the bill is recommitted. If I could have the attention of the Membership, we're going to start on Supplemental Calendar No. 7. And for the benefit of the Membership, we have two, four, six, eight, ten, twelve -- we have fourteen matters yet remaining. I would direct the attention of the Membership to Supplemental Calendar No. 7. Senator Rea. Top of Supplemental Calendar No. 7, on the Order of Conference Committee Reports, is House Bill 104. House Bill 1078. Senator Berman. House Bill 1364. Senator Jones. Madam Secretary, Supplemental Calendar No. 7, House Bill 1364, Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1364.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. The First Conference Committee Report is -- is the bill, in essence, and what it does, it changes the members representing proprietary hospitals in Illinois on the Health Facility Planning Board to a member representing the health care facilities in Illinois other than those otherwise represented on the Board. This is a request made by the Governor, and all those persons concerned are in favor with it. And I ask for a favorable vote on this Conference Committee Report.

PRESIDENT ROCK:

The Gentleman has moved the adoption of the First Conference Committee Report on House Bill 1364. Discussion? Senator Fawell.

SENATOR FAWELL:

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

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PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Senator Jones, you say all is on board, and yet I've been told that the hospitals are not on board; that they feel they only have two right now on this Board, and one of those are going to have to be taken away from them to make room for this. Can you comment on that for me?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Well, in response to that -- that issue, what has happened with the proprietary hospitals in Illinois - that number have decreased drastically. And so, what this is doing is opening up wherein some other organization, be it HMO or some other ones dealing with health interests in Illinois, can be appointed. Right now it's in the Statute that it must be a proprietary hospital. And those representing proprietary hospitals have agreed to this. There's no problem with this. The Association may have a different concern, but this is the reason why this language is here. The Governor wants -- want it done this way, and I have no problem with it.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell.

SENATOR FAWELL:

Well, to the bill: I have been contacted by the Hospital Association, and they are against this. And I have, frankly, not been contacted by our Governor to tell us he was. So you sort of leave me in a dilemma.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

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Well, you know, I am not one to be speaking for the Governor, and -- because I will be speaking against him on many other issues, but this is something that came from his office that he wanted to make the change so he can have the flexibility in making this appointment and the -- again, the proprietary hospitals in Illinois -- the number have been reduced to the degree wherein there is no need to have them currently in the Statute, and the Governor wants to have the broadness so that he can name someone else to take care of this matter.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR DeANGELIS:

Senator Jones, how many hospital representatives -- proprietary hospital representatives are there on the Board right now?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

I am informed -- they believe that it's only one at this time. And again, I'm surprised at the questions coming from your side, because it is the Governor's Office -- the liaison persons that hounded me - hounded me - for this issue, and perhaps they are not doing their job as they should be, and perhaps maybe need some changes along those lines. But this is where it comes from.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm not so concerned from whence it came, because the

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plantation politics is not in place, whether it's on our side or on your side, but you're going to eliminate the one representative who is the major factor, who is the major concern, the major applicant in the certificate of need process, and replace that person with someone who doesn't even go through that process. I think this is a way of trying to stack the Board the -- the other way. I think that Senator Jones would be well-advised that you either pull this out of the record or admit that the Governor has given you the wrong kind of trip to take.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR WOODYARD:

Senator, is the Health Facilities Planning Board in support of this, or neutral, or do you know?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Let me respond to you in this manner - again, this request to use this legislation came from the Office of the Governor and his liaison persons, and they asked to use this vehicle bill to do this. And again, I -- I suggest very strongly to you that it did not come from me. Now if -- I don't know where the Governor's liaison persons are, but we can take it out of the record at this time. And I don't think I -- I see Selcke standing right here, right here in front of me. But I don't like being the -- any of my decent vehicles to be used by someone who may not be as sincere as possible. So let's take it out of the record at this time.

PRESIDING OFFICER: (SENATOR COLLINS)

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Senator Rock.

SENATOR ROCK:

I just got beat to the punch. I was going to put everybody on red alert that if they wanted, anytime today, to vote against the Governor's Office, this is it. 2592 is sitting on Consideration Postponed. This is identical to 2592, which I voted against the first time around; it only got about 21 votes. And this time it should have less. You made -- you made a wise choice.

PRESIDING OFFICER: (SENATOR COLLINS)

The Senator has requested the bill be taken out of the record. Senate Bill 371. Senator Maitland. Senator Maitland. Read the bill.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 371.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senate Bill 371 is the Public Aid budget, and let me describe for you a number of the things that it -- that it does. It adds seventy-two million one hundred and twenty-three thousand GRF in optical < sic > medical services that were incorrectly reduced in the FY'92 budget. That was done really as a mistake. Some of those optional services could not be eliminated. It adds thirty-five million two hundred and eighty-seven thousand of GRF to restore the federally nonallowable five percent rate reductions contained in the FY'92 request. It also adds three million dollars of GRF to fund completely the FY'91 REAP liability payments. It adds a total of one hundred and thirty-three million nine hundred and ninety-eight thousand GRF to provide for a restructured General Assistance Program. Substantive language will follow in Senate Bill 45. It adds thirteen million seven

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hundred and seventy thousand for two administration requests. And finally, it adds a total of one billion two hundred sixty-nine thousand nine -- two hundred sixty-nine million nine hundred thousand to provide the expenditure authority for the various funds created under the assessment programs that were passed earlier today. As it resides on your desk at present, the Conference Committee appropriates five billion eight hundred eighty-five million nine hundred and fifty-five thousand dollars, and I would move for the adoption of this First Conference Committee Report.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Madam President. Ladies and Gentlemen of the Senate, I rise in strong support of Senate Bill 371, and I hope people are listening. The FY'91 appropriation for the Department of Public Aid dealing with, obviously, human services, was in excess of four billion dollars - in excess to the point it was four billion sixty-five million dollars. The Governor introduced this bill, on behalf of the Department of Public Aid, at a level of four billion two hundred and seventy-four million dollars. And I will submit to you, Ladies and Gentlemen, even after all the agonizing cuts that we will be confronted with - are confronted with - the FY'92 appropriation for the Department of Public Aid, as presented by Senator Maitland, is at a level of four billion five hundred and ten million dollars. That's nothing to be ashamed of. It is not as much as many of us would like, but the fact of the matter is I want you to look around and see how much help we are giving - four billion five hundred and ten million dollars. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland, to close.

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SENATOR MAITLAND:

Thank you very much, Madam President. I just would appreciate an affirmative roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall the Senate adopt the Conference Committee Report to Senate Bill 371. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, 1 voting Present. Having -- and the Senate does adopt the Conference Committee Report to Senate Bill 371. And having received the required constitutional majority, Senate Bill 371 is declared passed. Senate Bill 453. Senator Hall. Senator Hall. Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 453.

SENATOR HALL:

...(machine cutoff)...and Members of the Senate. House Bill 453 amends the School Code and -- for the Chicago school finances. It's providing the School Board of Education with sixty percent of Chapter I funds for -- generate thirty million to be used to balance this budget. Allowing the Board to use '91 Chapter I money of general ...(inaudible)...for the FY'92. So with that, I will defer to Senator Jones.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Madam President and Members of the Senate. I move that the House <sic> concur in the Conference Committee Report on Senate Bill 453. And what the amendment does is try to give some internal relief to the Chicago public school system whereby what it does is that the targeting aspect of the Chapter I funds, it will -- it will take sixty percent of those dollars that

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was to come for the next fiscal year and use as general State aid which all the students, including the Chapter I students, will benefit from, and they will take the other remaining forty percent and target it. The remaining forty percent targeted comes to approximately twenty million dollars. That twenty million dollars, added on to the hundred and twenty million dollars of supplemental funds, would give them approximately a hundred and thirty-three million dollars in supplemental funds. The other thirty million dollars will be used for general education purposes, which all four hundred thousand students will benefit from. And that is what the Conference Committee Report will do. Also it has in there language as relate to the physical education teacher and social worker salaries where the playground tax could be used to pay those salaries, which will save them about two million five hundred dollars in the revenue as an attempt to deal with the school situation locally, so that all the schools will be able to open this fall. It is not a popular issue to do -- twelve of, I think, the fifteen Board members -- or eleven of them are in favor of this. And so, it's for this reason I support this legislation and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I am amazed, to be honest with you. For a number of years, many of us in the General Assembly fought very hard - and no one harder than the previous speaker - to get the Title I money to track the kids, and not be spent on -- remember the speech the prior speaker gave about the money being spent to carpet Joe Hannon's office? And now we're going to put the money back in the administrative overhead, and not have it track the poor kids. My understanding of Title I money, and the justification for having Title I, was that we wanted to target this money to the poor kids

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in the poor schools. Now, I just can't believe there's any justification for a retreat. If -- if you're telling me the poor kids don't need the attention, that we don't need -- that's what you're telling me. You're telling me that the poor kids don't need this money; that it ought to go back on the bureaucracy. Well, you know, I'm just amazed. I would like to know whether we've had those reductions in the bureaucracy that the Chicago School Reform Act called. I don't hear a whole lot of discussion about that. There was supposed to be a twenty-five percent reduction. Did it ever happen? I've never seen any evidence that it happened. I find myself in a very strange role for a downstater, but, good Lord, if there's any portion of the Chicago school system that ought to be having Title I money spent on it, it's the kids. We shouldn't be spending it on the bureaucracy. I'd be delighted to hear a rationale for this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones, to respond to the question.

SENATOR JONES:

Yeah. Let me respond, Senator Schaffer. And you're a -- you're a very eloquent speaker, but I know you're speaking in behalf of the Governor and Lieutenant Governor. And I've been informed that -- that you guys on that side of the aisle have been told not to vote for the bill, because the Governor would like to see a crash in the Chicago schools. But let me say -- let me say this to you - I will be the last person on this Floor to do what you are attempting to say that this bill does. And if it went to the bureaucracy, I will be the -- I will be the first person to stand up and shout against it. When you talk about programs that are to be cut in the Chicago public school system, when you talk about schools that are going to be closed, when you talk about -- when you talk about the children from disadvantaged families being able to get the dollars, they will be able to get the dollars

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under this bill. But I see the Lieutenant Governor is on the Floor, and his aide was around lobbying those persons against the bill, because they would rather see Chicago schools shut down and see they can point their fingers at it. So at this time, Madam President, I'll take this bill out of the record until the Republicans on the 2nd Floor get their act together.

PRESIDING OFFICER: (SENATOR COLLINS)

The sponsor has requested to take the bill out of the record. Senate Bill 1329. Senator Luft. Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1329.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

Thank you, Madam President. The Conference Committee Report on Senate Bill 1329 is a result of a study that was done by the Illinois Taxpayers' Federation. It's very simple. It asks that the General Assembly Standing Committee on Revenue do a study and devise legislation to standardize and increase the accountability of local governments' fiscal management. It also requires the Standing Committee on Revenue to hold hearings to undertake a study and provide recommended -- recommendations to the General Assembly to establish a system, if possible, and determine criteria, if possible, for the sunset of the various types of local governments. It expands the category of property owners eligible for the two-and-a-half-year redemption period from current class of properties which are owner-occupied and contain six or less dwelling units to properties containing one to six dwelling units. Creates fifth and sixth penalty periods to correspond with the period of time between twenty-four and thirty-six months. Creates financial incentives in tax purchases to pay taxes for subsequent years which have been forfeited.

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Deletes partial redemption of separate undivided interest in delinquent tax sale of property, and adds a fee to be paid by persons redeeming his or her property sold at a tax sale, a thirty-five fee -- thirty-five-dollar fee payable to the tax purchaser if a tax deed has been filed. I'll try to answer any questions. Otherwise, ask for the adoption of Conference Committee Report No. 1 to Senate Bill 1329.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR FAWELL:

Senator, I got a correspondence from the -- some of my mayors about this bill, and I just want to make sure. One of the things they were complaining about was an ad that was going to have to be taken out in the newspaper. Is that gone now?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

That is not in this legislation.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell.

SENATOR FAWELL:

Is the municipality in the, you know, in -- the DuPage Mayors/Managers et cetera all withdrawn their opposition now to this bill?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

I have absolutely no idea. The provisions that I think they

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were opposed to are out of here. All we're doing is asking for two studies, and that's it.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR HAWKINSON:

Senator, I know these redemption and tax sale provisions are supported by the Bar and the title companies, and were all right before, but I seem to recollect that our discussion on legislative intent was that they would not apply to any tax sales that had already taken place. I notice this has an immediate effective date. But for legislative intent, I just want to be certain that this isn't going to have any effect on any tax sales that have already occurred.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

I believe -- it's my understanding that the intention of this legislation is to be prospective in nature.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. I rise in strong support of Senate Bill 1329, because I think the most important part of this Conference Committee Report deals with the accountability of our local governmental units. All of us know that we have more local governmental units than any other state in the nation, and this will force us to take a good, hard look at

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the drainage districts, at the sewer districts, at the thousands of local governmental units and districts that our taxpayers are currently forced to support. The fact of the matter is, I would suggest, that many of them -- none of us could explain what they do or why they're needed, and this will force them to be accountable and give the citizens of this State, who are already overburdened in so many ways, the opportunity to have some real input. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Madam President. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR LECHOWICZ:

Does this affect Cook County or the City of Chicago?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

The redemption provisions -- the whole bill affects the entire State.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Lechowicz.

SENATOR LECHOWICZ:

So you're telling me now that the City of Chicago and the County of Cook are going to have a Local Government Accountability Act, and they're going to have to apply for a Truth in Taxation, a Highway Code and a School Code, and requires taxing districts to hold annual public hearings on levies they intend to adopt?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

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SENATOR LUFT:

That is no longer in the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well then, tell me what the City of Chicago and the County of Cook are going to have to do.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

Nothing. The bill requires for the Committee on Revenue to conduct a study on two different provisions: one, of attempting to come up with a way of assessing and perhaps doing away with local governments, and also on the accountability -- the budgeteering and whatever the financial standards are of local governments, also a study; and then, at the request of the Chicago Bar Association, we put in the language dealing with redemption of properties.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Lechowicz.

SENATOR LECHOWICZ:

So this is strictly for a study for our Revenue Committee to come up with a report that's going to be back -- reported to us?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

That is correct.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Luft -- Senator Butler.

SENATOR BUTLER:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR COLLINS)

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He indicates he will yield.

SENATOR BUTLER:

Just let me clear up that question that Senator Leverenz -- Lechowicz just asked. Is -- will the City of Chicago and Cook County be studied?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

All local governments.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft, to close.

SENATOR LUFT:

Favorable roll call, please.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall the Senate adopt the Conference Committee Report to Senate Bill 1329. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, none voting Present, and the Senate does adopt the Conference Committee Report to Senate Bill 1329. Having received the constitutional majority, Senate Bill 1329 is declared passed. Senator Berman requested to return to House Bill 1087, Madam Secretary. 1078. I'm sorry.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1078.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman.

SENATOR BERMAN:

Thank you. Madam Chairman, I understand there's a problem with this, as indicated by my colleague, Senator Karpziel. So I'll move that we adopt, but you can vote red. We'll go back for a Second Conference Committee Report.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman has moved the adoption of the Conference Committee Report and asks for a No vote. The voting is open. The question is, shall -- have all voted who wish? Take the record, Madam Secretary. On that question, there are no Nays -- no Ayes, 55 Nays, none voting Present. Having failed to receive the required constitutional majority, House Bill 1078 is declared lost, and the Secretary shall so inform the House. Senator Berman requests a Second Conference Committee Report. Supplemental -- okay. We're going to move to Supplemental 8. No. 8. And they're in the order of Carroll, Philip and Topinka. Supplemental 8. Senator Carroll, are you ready? House Bill 505, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 505.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the operations of the Court System in Illinois. Basically what the Conference Committee did was to accept the cuts as made by the Senate, and then the Court took, in its administrative lines in all of its branches, a five-percent reduction from the introduced level. Taking out of it the Statutory-set salaries, they then took a further five-percent reduction. I would answer any questions, and ask for the adoption of Conference Committee Report No. 1.

PRESIDENT ROCK:

The Gentleman has moved the adoption of the Conference Committee Report on House Bill 505. Discussion? Senator Woodyard.

SENATOR WOODYARD:

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Yes, thank you, Mr. President, Members of the Senate. First of all --

PRESIDENT ROCK:

Can I ask the Members to please lend their attention, particularly Senator DeAngelis. Senator DeAngelis, can you pay attention, please? Senator Woodyard has a statement.

SENATOR WOODYARD:

I would like to be removed as chief hyphenated co-sponsor of this bill, and then a question of the sponsor, please.

PRESIDENT ROCK:

Gentleman requests leave to be withdrawn as the hyphenated co-sponsor. Without objection, leave is granted.

SENATOR WOODYARD:

Senator Carroll - and I think you know my objection - going into this a week or ten days ago, I know the Supreme Court was asked for that additional five-percent reduction, and basically, ninety percent of that five percent came out of the probation line items -- that's not correct? -- which equated - hang on - which equated at that time to about a thirty-percent reduction, and I do believe that that's been changed. And all I want to know is, where are we with the -- with the probation area of the Supreme Court appropriation at this time?

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Woodyard, other than I'm hurt by the fact you took yourself off as a co-sponsor -- I said I was hurt by -- yeah. He's paying a lot of attention. The earlier versions took the money out of pre-trial. That is not the version that - this isn't contained in this Conference Committee Report. The Court had done four different versions of how they would take their reductions. We rejected the first three for those type of

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reasons. Pre-trial services will take a reduction of thirty-eight thousand eight hundred dollars from a one-million-one-hundred-thousand-dollar request. So it's just a token -- and then that was the main reason that we rejected their allocation the first three times.

PRESIDENT ROCK:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Hall.

SENATOR HALL:

Senator Carroll, my understanding is, from my judges downstate, that they are just emasculating them. They're taking their people away. Has that been put back?

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

I am not aware of any such situation in this, the fourth version, Senator Hall. In the earlier versions, there was a question of whether they also had to take away five percent from the Statutory salaries. That's when they had to take away several millions of dollars, and they did hurt a lot of people. We rejected those versions, and it would be my belief that in this version that is not the case.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Well, I have one more question. How much are they spending - oh, I heard this, and I just may as well bring it out here and find out - that they are -- at forty-some thousand dollars each, each one of them has got a person over there who just hangs their

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robes and hang up their coats and things like that, and there's been great discussion about that. Is that -- are those people still present?

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

I'm advised the judges hang up their own robes and their own coats. What happens is that six of the seven members of the Supreme Court have an assistant. Five of those six are attorneys, who do legal research work for those justices. The sixth one is, by education and training, an office manager, and operates the office of that Supreme Court justice. So none of them are as they have been previously erroneously described.

PRESIDENT ROCK:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd just like to state for the record I have a conflict of interest and will be voting accordingly.

PRESIDENT ROCK:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I -- I feel some obligation to say a few words on behalf of the sick and the downtrodden. I, of course, refer to Senator Keats. You'll recall Senator Keats had some strong feelings about our Supreme Court chauffeurs, who now apparently have acquired law degrees. I thought it took three years. Down here, it must take three weeks. I don't know. It just seems to me, with the things we are shortly going to be called upon to do, that this is letting this particular agency off awful light. I also kind of reject that argument that the salaries are tied down by law, and -- for court reporters and judges, obviously, that is

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true. But it also is true that they have a significant number of vacancies in both those type of positions in the course of a year; and by simply expanding the hiring lag, they could have - if they had chose to - pick up a portion of the cut that way, instead of hitting the probation officers. I realize that -- for those of us on the Floor here who practice law, that this is a tough agency to vote against. So I would suggest to the non-lawyers here that, to help our brethren here who are lawyers who have to vote for this particular appropriation, that maybe the non-lawyers should do the right thing and vote No.

PRESIDENT ROCK:

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Question for the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator del Valle.

SENATOR DEL VALLE:

Senator Carroll, the analysis indicates that we're reducing salary increases for nonjudicial employees from five percent to 2.5 percent and reducing the request for required court reporter salary increases from five percent to 4.4 percent. Are other State employees, AFSCME members, for example, getting salary increases this year?

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Yes, Senator del Valle, and if I may take the opportunity in answering you to partially answer Senator Schaffer - if Senator Schaffer wants to pay a little attention - the Court came in at a five-percent pay raise. State employees would get a normal step increase under the Governor's budget, which is presumed to be about two and a half percent. So we in the Senate cut them to the

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same level that the average State employee will be enjoying. The court reporters is a Statutorily-set number, and they put in for a higher number than that. We cut them likewise. In addition, in response more to Senator Schaffer, we did impose, in Senate Amendment No. 1, which is still in the bill, a turnover and hiring lag of eight hundred eighteen thousand dollars on judicial salaries, because they do not have all judges all twelve months. And we have created that years ago here and continue it now, that they're treated like everyone else. They have the same realistic figure for turnover and hiring lag.

PRESIDENT ROCK:

Further discussion? Senator Carroll, you wish to close?

SENATOR CARROLL:

Merely by saying the lawyers here on the Floor, Senator Schaffer, are so good they never have to appeal that high. So the Supreme Court isn't really a problem to the Members of the General Assembly who have to be attorneys. This is the level requested by the Governor. The Governor suggested that this amount was the correct amount. And I believe it is in accord with that which we are doing to all others, and I would urge adoption of the Report.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 505. 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 24 Nays, 3 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. And Senator Carroll requests the appointment of a Second Committee on Conference. 7-3-7. Senator Philip. Madam Secretary, please.

SECRETARY HAWKER:

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First Conference Committee Report on House Bill 7-3-7.

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 737 is the appropriation for the Secretary of State. It is cut five million. It's two hundred and thirty-eight million dollars. I suggest that we adopt Conference Committee No. 1.

PRESIDENT ROCK:

Discussion? The Gentleman has moved the adoption of the Conference Committee Report on House Bill 737. Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 737. Those in favor, 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 54 Ayes, no Nays, 3 voting Present. Senate does adopt the Conference Committee Report on House Bill 737. And the bill, having received the required constitutional majority, is declared passed. I would just like to give the Members advance notice that a little later this evening we will have a resolution that says that when we adjourn this evening, we're going to adjourn until Wednesday, October the 9th. That is both a threat and a promise. Yes, sir. While we are awaiting paper distribution, Madam Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDENT ROCK:

All right. No objections having been filed, Senator Joyce would move the adoption of the Resolutions Consent Calendar. That is Senate Resolutions 685, 686, 688, 689, 690, 691, 692, 693, 694,

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695, 696, 697, 698, 699 and 700. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The Resolutions Consent Calendar is adopted. Again, Ladies and Gentlemen, if I can have your attention, we are about ninety-six percent through the budget in terms of the appropriation funding levels. There are -- there are probably about fourteen or fifteen bills that have been brought to our attention that are still in the pipeline that we will have to deal with. We are, in my judgment, less than a couple of hours away from adjournment. There have been some requests to go to some Orders of Business. All of you have the Calendars. We are now on Calendar 8. There will be a 9 and there will be a 10. There's been a request to go back to Senate Supplemental No. 6 for Senate Bill 4-9-7, Madam Secretary. Conference Committee Report on 4-9-7.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 4-9-7.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The First Conference Committee Report on Senate Bill 497, the subject matter of which is a place called McCormick Place. The project is designed to build a one-million-square-foot exhibition hall at a cost of approximately six hundred and seventy-five million dollars; to -- rehab the existing spaces at the present McCormick Place, seventy-five million dollars; land and infrastructure, a hundred and seventy-seven; and infrastructure in and around Lake Shore Drive, sixty million - for a total of about nine hundred and eighty-seven million dollars. The proposed payment of that debt would be a fee on -- airport pickup and departure fee, which would generate an estimated seven million dollars; a six-percent auto rental tax, 18.1 million dollars; a one-percent downtown restaurant tax,

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specifically in an area designated within the bill, which would generate 11.4 million; and a two-and-a-half-percent point increase in the Chicago hotel tax, which would generate 16.5 million dollars. When President Rock asked me to work on this bill about five or six weeks ago, I had a lot of doubts in my mind on whether we could come forth with a bill specifically, and more importantly, to insulate the State sales tax and income tax, or general revenues, from payment of this bill. And if you'll listen to me very carefully, I'll tell you how I believe, and why I'm supporting this bill, on the how and why we do insulate the State from debt. We have projected revenues -- the growth of revenue, not at five percent - as was suggested by the McCormick Place Board - but at three percent. We have also escrowed the first year's taxes, where we generate around a thirty-million-dollar pot put in escrow for any debt that may be incurred over and beyond revenues, to be satisfied by this escrowed amount. We feel - and figures show - that by doing this, we will insulate the State totally at a three-percent growth till the year 2001, ten years from now. At that time, we hope that if, in fact, a court case has been -- challenging the food tax would be solved, and we can move forward with not only satisfying seventy-eight percent of the debt, as set forth in the bill now, but one hundred percent. I would attempt to answer any questions. I'm convinced in my mind that the project is fundable with the revenue stream as set forth in this bill, and accessing State funds will never take place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Assuming that all those assumptions are correct, and assuming that no State tax will be used, this is still absolutely the wrong night to be considering a billion-dollar McCormick Place expansion. This is probably the

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most difficult budget year we've had. We are making a billion eight budget deficit up through one way or another, but in part through very painful human service cuts. We are cutting services that none of us want to cut, and we are going to have to go back and live with those, because as a State, we've raised and kept the surcharge, but we have to make the cuts to live within our means. And we're doing that because we have to live within our means, and our taxpayers understand that. And they will accept the cuts that we are forced to make this year on this eighteenth day of July, after a long, protracted Session. How in the world can you go back to those people who you're forcing to live with those cuts and say, "We couldn't find a way to do those things for you. We couldn't keep those services up, but we found a way - albeit through other resources - we found a way to do a billion-dollar McCormick Place expansion." It cannot, it should not, be done. There will be that perception out there that we held out eighteen days to do McCormick Place. That's unacceptable. This should not be happening tonight. You will not be able to explain it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Well, yes, thank you, Mr. President and Members of the Senate. I actually am rising in opposition to the bill, but I do disagree with the previous speaker to a certain extent. I think that McCormick Place is a project that ought to be built. I think that the project, when built, will actually bring in new money to the State Treasury. I personally, however, think that one portion of the funding package is unfair, and that's why I'm opposed to it. But I think that -- I understand that the effective date of this bill is July 1st of next year. And if it doesn't pass this year, I think it ought to pass, hopefully, with this particular funding altered. And the part that I object, of course, is the food tax,

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which was described as being a downtown tax. Well, it's not a downtown tax. It's a tax that goes from the Stevenson Expressway all the way out west to Ashland and as far north as Diversey, and encompasses a lot of my district. The redistricting people have showed me a map that shows me that there's two hundred and six thousand people that live in the district: fifty-seven percent white, twenty percent black, and seventeen percent Hispanic. So it's not just yuppies who are having to be taxed at their yuppie restaurants. It includes cafeterias. It includes take-out food. It includes fast-food restaurants. And I offered amendments to take those people out - which would have gained my support - and that was rejected. And they decided they needed the money, so they put them back in. I also think that this particular tax has some constitutional problems. It's not a contiguous district. It also includes the two airports, and I just think that when you look at a McDonald's on the corner of Diversey and Ashland, just outside the district, and then you look at another McDonald's on Clark Street, and you say that one is going to have a tax and the other one is not, because of McCormick Place, which has really nothing to do with people going to McDonald's - I mean, conventioners don't go there - that you're going to have a real problem with the constitutionality of the bill. In fact, the way they drafted this bill, they said, "Oh, and by the way, we're going to collect this food tax for a year; and if it gets challenged, you know" -- they put it right in the bill. It might get challenged; and if it's unconstitutional, we'll have to do something else. So I think that what we ought to do is -- is have the bill redrafted with just that provision changed. I know that it will be constitutional. It will gain my support. But for now, I have to urge a No vote.

END OF TAPE

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in opposition to this Conference Committee Report, and I echo Senator Hawkinson's comments about a very serious budget crisis that this State has just faced. We've made some pretty difficult decisions in the last few hours -- taken us eighteen days to make it. And I won't go in to reiterate everything he said, but I bring up another point. The State of Illinois is in a credit watch right now from Standard & Poor for some of our obligations that we have under the bonding situation we face right now. And I question what that credit rating will be when we sell another nine hundred and ten million dollars worth of bonds. I also feel very strongly about the perception back home. And I'm not standing up here to bash Chicago or say that McCormick Place is wrong, because I understand the amount of money that comes into the State coffers that pays for things in our downstate areas. I understand that. But I feel very strongly that this is the wrong time to do it. And in Senator Jacobs' language the other day, "This is not the thing to do on June 48," and I hope we can defeat this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, there is probably no one in this whole Body that I have more respect for than -- than Senator Hawkinson. In fact, he

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probably is the only guy in this whole Body, if I had to get redistricted and run against, I'd probably be afraid of. But -- but let me just tell you -- let me just tell you a couple things that I -- I feel as a downstater. You know, Senator Hawkinson said that it's the wrong night. Well, when is the right night? The right night is always when you can do something for this State in the area of economic development. Two years ago, I sat in front -- or stood in front of this microphone and I talked about the need in my area for a civic center. And many downstaters have had the benefit and the privilege of getting civic centers for their communities. In fact, many of us are still fighting for them. But, you know, the strange part is, we were doing that with State dollars, not with local dollars. I do not understand how we as downstaters have to fear perception. Perception is no more than that. Perception is only a reality if it's believed. But we should be able to look our people in the eye and say that perception is really not the truth, and the truth of the matter is, Chicago is going to pay for the expansion of McCormick Place. Sure, we may be visitors, and therefore we pay, but there are Chicago tax dollars that are going to pay for this. None of this is truly going to come out of our State coffers. I'm convinced of that. I am satisfied that the insulation is there. You know, if it's wrong, then let's not do it. But if it isn't wrong, let's do it and let's do it now. Let's get it out of the way. I'm a great believer in economic development. I believe in the fifty million dollars in tax revenues that this can bring into the State coffers. I'm convinced that well over a billion dollars of new revenues can be brought into this State. And I sincerely fear - I'm a loyal Illinoisan; I bleed blue and gold - and I just think that we should, in fact, get ourselves together and ensure that we vote for this, because economic development is going to pass us by. We have -- Atlanta that is going to pass us by. And you

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know, I look at Indianapolis, and I look at everything that has happened in Indianapolis. I can remember that being a nothing town. They built a few things. They brought the tourists in. They created economic development. In the name of economic development, I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have some order, please? This is not the House. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I was one of those people who voted to keep Sox Park, and see it expanded here. I see that one of the things you want to do is take the surplus from the Sports Facilities Authority, resulting from the Chicago White Sox Stadium, and place it to help McCormick Place. I'll tell you what's wrong with McCormick Place, and I'll tell you why Atlanta is more feasible for conventions and what have you, and for exhibitions. Two things. One is -- the exhibitors that I've talked to said it's too expensive, and two, the service is lousy. When they have a light bulb that goes out, they ask an employee of McCormick Place to fix it. "Sorry, get the electrician." That kind of an attitude prevails. Now is the wrong time, as my colleagues have said. We're going to have to make some cuts that hurt us, personally; cuts on the disabled, cuts on the senior citizens, cuts on the working majority. Why? Because of the economic need. Our budget - you know what it is. We are in an economic crunch, and I don't see the sense of going into McCormick Place at this time. Maybe some future time, after we get our budget balanced, after we can work it - fine. But then when I see that you have nine hundred thirty-seven million dollars of bonds to be issued to help this cause, why? McCormick Place today is a very big operation. If they were to combine good service with it, I think they can compete with any city. Atlanta

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has the service. Indianapolis has the service. Why is it lacking McCormick Place, and just making it a political haven for bureaucracies? They want to make a lot of money in that area and not produce the service. I can tell you right now that people in my area would think I have lost my mind to vote for McCormick Place when we have such an economic crunch in our State. And I speak against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President and Ladies and Gentlemen of the Senate, this matter has not been before us just for the past eighteen days, the past two and a half months. This matter was before the General Assembly last year, and you and I know the reason why it was not brought to a vote - because many of us on both sides of the aisle all agreed with the expansion, except there was a serious concern about the domed stadium as part and parcel of the expansion. Now what the McCormick Place Board did is revise their plan and ask for a million square feet of expansion that both the Chicago Sun-Times, the Chicago Tribune, and yes, Ladies and Gentlemen, probably the best article I've seen about this - in The State Journal-Register of June the 5th - pointed out the importance and the reason why this General Assembly should approve this plan. So this is nothing new. Let me just share this article with you, if you don't recall it, when it appeared in the paper on June the 5th. It says, "McCormick Place Plan Merits OK by Legislature. Faced with the fact that the General Assembly will not authorize State funds to expand Chicago's McCormick Place and build a new domed sports stadium, the McCormick Place Board has developed a plan that focuses only on expanding the exposition center and uses no State money." No State money. "The scaled-down proposal recently approved by the Metropolitan Pier and Exposition

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Authority Board is a sensible approach that addresses two major problems. First, it allows for the urgently needed expansion of McCormick Place, and secondly, it makes those who will benefit most from the expansion pay for it." That's the difference. The City of Chicago in the County of Cook pays for the expansion that benefits this entire State. Let me continue. "We urge the State Legislature to approve this package. McCormick Place today remains among the largest and biggest exposition and trade show complexes in the world. And the new centers in large cities are being designed and built to compete with Chicago. And if McCormick Place is not updated and expanded, it will find itself unable to keep pace with Atlanta, Las Vegas, New Orleans, San Diego and other cities that already have set their sights on pulling businesses away from Chicago." That's the key here. Let me just summarize this where -- when they pointed out, "We believe that this proposal is necessary, as well as equitable. It will make McCormick Place highly competitive not only now, but in the 21st century, and will not cost the State or most of its taxpayers any money. We urge the General Assembly to approve this package." The State Journal-Register was right on target. And when it appeared in the paper, I reviewed my files on this - and my files are extensive. And Ladies and Gentlemen, I personally believe that the matter that's before us this evening is one of the most economic, beneficial aspects before this State in the past two years. McCormick Place brings an awful lot of tourism money as well as convention business in this State, where we all benefit from the sales tax that's generated in that convention center. Ladies and Gentlemen, please. There are no State dollars, no State bonds, in this proposal. For the benefit of the people of Illinois, please vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rigney.

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SENATOR RIGNEY:

One question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Okay. If there's a revenue shortfall, or if there's a constitutional problem with any of the taxes, what is the ultimate backup?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney. All right. Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. I rise in support of Conference Committee Report on Senate Bill 497. And I am from downstate. I'm really from downstate. But you know, if this great city - one of the greatest cities in the world - is going to continue to be the convention center of the world, I think it -- they deserve to expand McCormick Place. And as long as they're willing to send fifty million dollars downstate every year to the General Revenue Fund, I think that's a pretty good business deal for downstate. You know, I think that every one of us, if we're concerned about generating revenue for the State of Illinois, we should give this piece of legislation a lot of consideration. And this is something that isn't going to cost us anything. The City of Chicago is willing to pay for all of it. And I think whether we're downstate, upstate or anywhere, we should be supporting this -- this very worthwhile Conference Committee Report.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Severns.

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Severns.

SENATOR SEVERNS:

Senator Luft, in our analysis -- well, I'll preface my comments by saying I have opposed these kind of projects all along, not because the projects disturb me, but because the funding elements have disturbed me; that at a time when the State is struggling, Statewide taxpayers - and specifically those of the 51st District - have been asked to help fund the projects. But in the analysis that I have before me, it specifies the State of Illinois is not liable on bonds, that the bonds do not constitute a debt of the State, and that the authorization Act shall not be construed as a guarantee by the State, and that these provisions must be written on the face of the bonds. It would seem, from our analysis, that for the first time that these kind of packages have floated through this General Assembly, that the State is risk-free. Can you please respond to that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Vadalabene. I beg your pardon. You asked a question. I was -- Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Indeed, that is in the Conference Committee Report, and that language must be on the bonds. But in all honesty, in my view, if, in fact, all the fail-safe financial mechanisms built into this bill - which I believe in my mind will forever insulate the State - if they do fail, then the State would be liable for that debt.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and Members of the Senate. I wasn't going to speak on this, but I was regarded as the Father of Civic Centers. And what I would like to recall to my colleagues on both sides of the aisle: twenty million dollars for Springfield, twenty million dollars for Peoria, ten million dollars for Decatur, ten million dollars for Danville -- and I can go on and on, with Aurora and so forth and so forth. That was all State money. Now here we got a -- an exhibition hall in Chicago with no State money? I'm from -- and I'm from downstate, and I'm going to support this project.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

Senator Luft, what is the projection for employment if this goes into effect?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Mr. President, I was -- I am told by the Metropolitan Authority that the estimate is ten to eleven thousand, and I believe those people that are even in opposition - who say that that isn't true - readily admit employment of over six thousand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

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Thank you, Mr. President. To the bill: I rise in support of this bill, and I kind of resent the hypocritical answers that I'm hearing coming from our colleagues on the other side of the aisle. Here tonight we're going to vote on a bill - No. 45 -- Senate Bill No. 45 - that's going to wipe a -- many a person, a -- many a menial eligible person, off the rolls and give them no opportunity for anything. Now here's an opportunity to bring jobs into the City of Chicago and help -- and help some of the people that you're going to knock off these rolls. That's what we're talking about. We're talking about jobs. We're talking about income. We're talking about income from the -- to the State and income to the citizens of Chicago from a project that will not cost the State of Illinois -- the State of Illinois one dime. Here the City of Chicago is saying, "We will shoulder the bill. We will shoulder it." Let them shoulder it. This is the second bill that has come up that the City of Chicago say, "Let us do it." And the others, the downstaters and others on the other side of the aisle say, "Don't let them do anything." I urge an Aye vote on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President, Members of the Senate. Well, I think the only problem with this bill is the one that people are looking at in terms of perception. Lots of times we vote on things here and we make an investment in the future and we say that investment is a short-term loss and a long-term gain. But that's not the case here, because there is no short-term loss. There is no State investment. It's a short-term gain and a long-term gain. I want to call your attention to just a few years ago, on the very last day of the Legislative Session, when a lot of people in this room and a lot of people from the House,

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when a much more controversial bill came up, which cost State dollars and built a new ball park on the south side of Chicago, a lot of people in this Body and the House said, "We're going to lose our seats if we vote for this. My constituents aren't going to send me back to the Capitol if I vote for a new ball park for the White Sox." Let them go. There isn't a single Legislator that didn't come back because of that, and that bill cost the State money. This bill costs us nothing, but it gains us a tremendous amount of tourism dollars that will be spread around the State, so that we won't have these kind of budget crises in the years to come.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Philip. -- Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is probably one of the most sensitive and difficult votes that I'm going to make tonight. And quite frankly, I have been in favor of McCormick Place - and am in favor of McCormick Place - because I think it's good for the State. I think it's good for the City. I question the timing. Whether you like it or not, we have had a - it's a matter of whose opinion - a billion-eight, a billion-nine shortfall. We have cut in a lot of very, very sensitive areas. We've all been part of that. I know it has nothing to do with the State budget, but it's the perception. And the perception is that we're cutting the poor, the indigent, the homeless, and we're turning around and building a billion-dollar expansion of McCormick Place. That's the problem. I've told the Mayor and I've told the Governor I'm going to vote for it, and I'm going to do it. The Governor says he'll sign it. And I'm suggesting to my Members they ought to do what they think is right.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the Conference Committee Report on Senate Bill 4-9-7, and would remind the Membership - it seems like years ago - but on June 26th I stood on this Floor as the sponsor of House Bill 1935, and discussed at great length what I think are the necessary ingredients for a persuasive argument to say we really should vote in favor of the expansion of McCormick Place. Chicago is the number one convention capital of the world, and to lose ground would be to our discredit. And we have the opportunity - the unique opportunity - to empower the Board at McCormick Place to embark on this much-needed expansion so that we will be able to keep our competitive place in front of - not alongside of or behind, but in front of - New York, and Atlanta, and San Diego and Los Angeles. And we are confident as we stand here, because I heard the debate, and as a matter of fact, as did you -- we went through at least twenty amendments. We had some amendments that wanted to add some other considerations, and some were accepted and some were not. But the main concern that I heard expressed both in the committee and on this Floor was, "What is the liability of the State? What's the risk to the State?" And I am happy to report that after your questioning, both in committee and on the Floor, and after some very diligent work by the members of the Board and the Executive Director of that Authority and Senators Carroll and Luft, I am happy to stand here and say that the State has absolutely no risk. None. The taxes that are to be imposed are imposed in the City of Chicago by that Authority, not by us. But there is no risk. There is no risk for General Revenue. There is no risk for sales tax. There is no risk for Build Illinois Trust Funds. There is no State

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risk. And as a matter of fact, there is a provision in that law -- proposal, that I'm sure is still there, that's stamped right on the front of these bonds that are to be sold that says ineluctably, with no fear of contradiction, that this is not, in any respect, a State liability. And so what we are asking, my friends - as Senator Philip has so eloquently said - we are asking for the authority to impose a tax on ourselves for the purpose of keeping Chicago the number one convention capital of the world. And for those who are interested in economic development, and I dare say, as we heard earlier, everybody says, "As a campaigner, my number one priority is education." And we all admit that, irrespective of party or House or gender or sex or color. Education is our number one priority. And then you get down to two, three, four and five, and depending on your region, it may differ. But the fact is, no one can deny that jobs and jobs and jobs is the name of the game in this State. And we heard the testimony in the Senate Executive Committee. And we heard the public testimony of the AFL-CIO. We are talking about, my friends, eleven thousand jobs for the people of Illinois, predicated upon this project, this expansion. It is an expansion. It is a much-needed expansion. And I dare say, given what we have done over the past six weeks, particularly what we have done over the past eighteen days, where we have literally come to grips with something that no one foresaw. I mentioned to the Governor the other day, as did the Speaker, that truly he was -- dealt a bad hand. Wasn't his fault that Illinois is in a recession. It wasn't his fault, any more than it's our fault, that Illinois is in a recession and that more people were making a demand on State services. We had more people coming on to the Public Aid rolls. We had more people taking advantage of the Medicaid system. And so we, in the last eighteen days, have been confronted with some very, very difficult decisions, and we have said we are either

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going to increase revenue or we are going to cut spending. And we have opted to cut spending. And I dare say there is no one of us, as a politician, as a person who campaigns for elective office, that ever - whether on the campaign trail or once in office - that ever wishes to say no. That's the human condition. That's how we get elected. We stand - we have the audacity to stand - and say, "I am better than that person and I can do a better job for all of you, and I don't ever want to say no. I want to say yes. I want to be able to help." But we have, to date - and we will a little later this evening - have to say no to a great many programs, and that's unfortunate. And everybody recognizes it. But the question is, for the bond houses and for the people of Illinois and for our own integrity, do we have the political will to be able to survive? And I dare say, this is a moment of truth. Do we have the political will to do what's right? Now, the perception may not be right, and the timing may not be right, all other things being equal. But the fact of the matter is, I ask you to consider two things. One, this project, this proposal, as encompassed in the Conference Committee Report on Senate Bill 497, has nothing whatever - nothing whatever - to do with the State budget. Even if we were to turn it down, it has no impact on the State budget, positively or negatively. Now what I will say to you is that it will have an impact on the State of Illinois and its revenue and its budget in the years to come, because you're talking about the immediate infusion, come next July, of a nine-hundred-million-dollar project that will employ, I suggest, probably three thousand persons in the construction industry, and will ultimately employ eleven thousand people. It's a good investment in the future. And today it costs us nothing - nothing. And we will later - just in a few minutes, I suspect - be dealing with a massive budget cut and a massive revenue enhancement. This, I suggest to you, is the best long-term

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investment we're going to have the benefit of in the Eighty-seventh General Assembly, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. I, too, rise in support of Senate Bill 497, and I am concerned about perception just as much as anyone in this Chamber. But I find it a little hard to digest the hearts and flowers that's coming from the other side of the aisle about perception. If we are so concerned about perception, the time to have shown and expressed that would have been earlier today, when we passed the omnibus bill here that dealt with the Capital Development -- funds from the Capital Development Board and other kinds of projects that we fund here this afternoon, after so many elegant speeches on this Floor about not having any money and prioritizing -- having done the best we can to prioritize the budget in a way that we will respond to the most critical needs of the citizens of the State. And then later on we passed this big bill where we discussed on this Floor stud farms, monies for stud farms, monies for historical sites and all kinds of fisheries and all kinds of other things. That perception the people didn't understand here. They were still sitting in the galleries wondering what in the world are they talking about, because they said they didn't have any money. But we did that. And not only did we do it today, we do it every year. We have replaced the pork barrel by bonding away the future of future generations of this State, and we do it over and over again. But this is probably the second bill - the first one was the assessment bill - the best thing that we've done this year down here to respond to the financial crisis of the State of Illinois. I have worked with the people of McCormick Place, and my colleagues and people from the community, almost two years on

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this bill, and I can assure you that it has probably one of the best affirmative action programs -- the strongest affirmative action program in it that I've seen in this State since I've been a Senator for fifteen years here, and probably even before I came here. Not only would this bill prepare people for jobs, which is so critically needed at this time, it will also prepare them for skills to go on and to stay off welfare. Those are the kinds of actions that we should take here at a time when federal dollars are dwindling and where people are saying, "No more taxes in this State." We must look for means for creating revenue in the State without going into people's pockets, because they said they don't want it anymore. This is an opportunity to do this. It has a great monitoring aspect to it to make sure that the people who need the jobs the most get into the training. We have tied the colleges - the junior colleges - into this bill. I think it's good for the people of Illinois. It's most certainly good for the City of Chicago, and we should pass this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise for purpose of a parliamentary inquiry. Senator Rigney asked Senator Luft what the ultimate authority for these bonds were, and I believe the answer was the State. It's also my understanding, although I could be corrected, that excess money from the White Sox Park would be transferred from the State and directed to this project, and the ultimate backup is the sales tax, apparently as listed on Page 96 of the bill. Given that, parliamentary inquiry as to whether this takes 36 votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson, my Parliamentarian has indicated, like on Page 53, it says, "The State shall not be liable on bonds of the

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Authority issued under this Section. Those bonds shall not be a debt of the State and this Act shall not be construed as a guarantee by the State of Illinois the debts of the Authority." And therefore, in the opinion of the Chair, it takes 30 affirmative votes, Senator. Further discussion? Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I'll try to be brief, but I'd like for those that apparently haven't read the bill, to pay attention. As Senator Philip said, everyone should do what is right, and what is right is to know what's in the bill. First of all, we're not dealing with the State's share of the White Sox Park. We're dealing with the City's share of White Sox Park. As I stated earlier, and this is -- the financial model that will be running this project is one that has been well thought out and worked out to insulate the State. As I stated earlier, in the Year 2001, maybe - maybe at three-percent growth - now listen to this - at three-percent growth, and not even using the food tax - not even using the food tax - we may be ten million dollars short. Ten million dollars short without the food tax. That lasts for about three to four years, and then it kicks into the positive. Secondly, let me announce to you that the Bureau of the Budget has signed off on this bill, that it is no credit risk to the State of Illinois, because it's being funded by user fees. And I'll tell you what I'll do for those people that worry about perception. Those people that voted for a hundred and fifty-two thousand of new capital projects a while ago, those people that voted for five hundred and eighty-three reappropriation of capital projects a while ago, those Senators that voted for 1.2 billion dollars of reappropriations in Build Illinois a while ago, those Senators that voted for 2.5 billion dollars in road funds a while ago, and those that voted a total of 4.5 billion dollars in transportation

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funds a while ago - give me your vote. Because this is what's financed with the tax dollars that could have gone to help the poor. The taxes that are going to finance this project are coming strictly from the City of Chicago and do not imperil the State at all. And let's ask about a little perception. What do you suppose would happen if Senator Dick Luft was standing before you asking for you to approve Conference Committee Senate Bill 497 for two hundred thousand dollars for the City of Carbondale to create two thousand jobs, two hundred thousand dollars for the City of Champaign to create two thousand jobs, two hundred thousand dollars for the City of Bloomington to create two thousand jobs, two hundred thousand dollars for the City of Peoria to create two thousand jobs, and two hundred thousand dollars for the City of Springfield to create two thousand jobs? This bill would get 59 votes. The accolades would be unbelievable. Everybody would be standing at their microphone saying what a great piece of legislation it is, what great economic development it is to the State of Illinois, and the wonders would never cease. Well, Ladies and Gentlemen, we just condensed all of that for one city called Chicago. So why can't we give the City of Chicago eleven thousand jobs, rather than spreading them all out in the State? The perception on this isn't bad. The reality of it is it's good for the entire State of Illinois, and I would ask for the adoption of Conference Committee Report No. 1 to Senate Bill 497.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 497. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, 3 voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 497. And the bill,

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having received the required constitutional majority, is declared passed. Senator Brookins, what purpose do you arise?

SENATOR BROOKINS:

Thank you, Mr. President. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR BROOKINS:

Mr. President, we've been here now eighteen days over, and we've all been staying at the Capital Plaza Hotel, quite a few of the Senators here, and the owner of that hotel and her daughter is in the gallery on the Senate side, behind us -- on the Democratic side, Carolyn Ryan and her daughter, Michelle. And I'd like to give her a round of applause for the things and the hospitality that we have been treated to at that hotel. I think Senator Alexander -- Senator Alexander, Senator Collins, myself and quite a few of the State Representatives, State Representative Lou Jones, Representative Davis and Representative Shaw. All of us stay there, and they have just made our life in Springfield enjoyable as much as they can. Thank you, Carolyn. Thank you, Michelle.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, as we are moving through the Calendar to try to accommodate, I'd like to move to Page 11 on the main Calendar. Senator Weaver has Senate Bill 3-7-5. Doesn't wish to call it. Senator Luft has Senate Bill 629. Madam Secretary, please.

SECRETARY HAWKER:

House Amendment -- House Amendments 1 and 6 to Senate Bill 629.

PRESIDENT ROCK:

I'd ask the Members please to take their seats, or at least

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stay close. Ask the staffs to take the conferences off the Floor. On the Order of Secretary's Desk, Concurrence. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd ask that the Senate do concur in Amendments No. 1 and 5? 6.

PRESIDENT ROCK:

1 and 6.

SENATOR LUFT:

To Senate Bill 629. This is the coal bill. I'll briefly read the Digest and attempt to answer any questions. The bill authorizes an increase in the GO Bond Act to accommodate a thirty-five-million-dollar grant to ENR to be given to Illinois Power to provide State assistance in securing a federal grant for installation of a new technology scrubber demonstration project. We add duties to the Coal Development Board authorizing it to monitor compliance with the Clean Air Act affecting the use of Illinois coal. Mandates scrubbers at four generating units in the State to use Illinois coal for operational purposes. All electric utilities subject to the Clean Air Act shall file, and the ICC shall approve or reject within six months, a Clean Air Act Compliancy Act. Each utility mandated to build scrubbers shall include in its compliance plan a cost estimate for the installation of such scrubbers. After ICC approval and when operating, these costs shall be included in the utility's rate base; the cost included shall be the lesser of the actual investment for installation or the amount approved by the ICC. Illinois Power is released from the scrubber mandate if the proposed grant is not received by 10/01/92. And scrubbers installed as required by this Act shall be deemed prudent and used and useful by the ICC when placed under operation on a consistent and sustained basis. The ICC shall include an amount of CWIP into a utilities rate base for construction costs associated with

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costs, and the bill also allows for transportation costs of coal purchased under existing contracts to be passed to customers under fuel adjustment clauses.

PRESIDENT ROCK:

All right. The Gentleman has moved concurrence in House Amendments No. 1 and 6 to Senate Bill 629. Discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is a bill that does something that does not need to be done. It mandates and requires that Illinois Power and Commonwealth Edison, to comply with the Federal Clean Air Act, put scrubbers on their coal-burning plants. In exchange for doing so, the utilities have promised to keep Illinois coal miners working. It sounds like a good bargain. It sounds like an arms-length transaction, but the problem is that there is no need to mandate that they put scrubbers on their smokestacks, because that's going to be the least expensive way to clean the air as it is. It's the least expensive way that would be mandated by the Illinois Commerce Commission, should the utilities try any other way to comply with the Federal Clean Air Act. It's unfortunate that the Federal Government decided that savings and loan bailouts were a federal issue, that every State should chip in to pay for them. But when it came to clean air, that was a local issue, and Illinois and other midwestern states had to pay the freight. It's unfortunate, and it's also very expensive. The cost of this bill, as Senator Luft said, would be thirty-five million dollars directly to Illinois Power. That would be paid at approximately 2.9 million dollars a year out of the General Revenue Fund. On top of that, consumers will pay one or two dollars a month extra on their utility bills to pay for this proposal for these scrubbers. The thirty-five million dollars is not a matching fund. Illinois Power gets to keep it

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whether they build the scrubbers, whether they get their federal matching funds - which aren't matching funds - their federal grant application is awarded or not. So what this bill does is gives a windfall to Illinois Power of thirty-five million dollars. And I know that all of us think that Illinois Power is in dire straits, that they have had some rough times. Well, just today they announced that this year in their earnings report, they made six times the amount they made last year. Six times. Now think to yourself - if each of us got six times our salary from last year, that would be a pretty darn good year. We'd go home with two hundred and ten thousand dollars for this year's work. This bill could be easily cleaned up, remedied, fixed and made palatable to most of the objectors just by requiring that when these scrubbers are put on the smokestacks - and they will be put on whether this bill passes or not - that the utility prove after the fact that they are used and useful, that they can actually do what they say they are going to do, that they will help clean the air. That's not asking too much. It's not asking too much to say that the hundreds of millions of dollars we're going to spend on scrubbers are actually going to build something that works, that consumers are going to get their money's worth; because, much like the building of the previous nuclear power plants, whether they work or not, whether they're done on time or not, we're going to see the bills come rolling in to every individual in the State of Illinois. Those who lament the fact that REAP is not going to be fully funded this year should realize that there will be an impact on those consumers who are now not going to get State aid to pay those bills. The State's now going to allow these utility companies to recover their costs for the scrubbers by adding a dollar or two to their utility bills. So instead of getting their utility bills paid, they get an increased bill. This bill is unnecessary. It's been forged by the utility companies with a

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heavy hand over the miners, with a heavy hand over the coal owners, by threatening them to go out of State and buy low-sulfur coal. I think it's a shame that these threats had to be used. I think that the negotiations on this bill were not an arms-length transaction. They were done by a group that was very scared of losing a lot of jobs, losing a lot of sales, and I don't think that the coal miners and the coal mine owners really realize that the utilities are going to have to build these scrubbers anyway. And for that risk, all of the consumers in the Illinois Power and Commonwealth Edison area are going to have to pay an additional cost every single month for probably the next thirty years. I would urge a No vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I rise in support of this bill, because if we don't act, you're going to have thousands of Illinois coal miners and their mining families suffering. The proposed number of layoffs of miners alone - not counting all the affiliated businesses, but miners alone - their six months of unemployment benefit is larger than the thirty-five million that was talked about. Utilities can buy western coal, rather than build scrubbers, and the way the Commerce Commission rules are, they can add that on as a fuel adjustment cost. I happened to be well-acquainted with one of those western mines before Montana got greedy and raised the out-of-state hunting license so high that I refused to go anymore. You and I and every other citizen of any state that's buying western coal - and I don't know what it is now; it's been fourteen years since I was there, but at that time, every one of us were paying, as citizens of Montana, a dollar seventy-five cents coal severance tax. They don't have to levy other taxes, because you and I are paying that severance tax

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to bring the low-sulfur coal. This bill will result in the least cost to the State utility -- State utility ratepayers, will keep Illinois miners employed, their families not from going hungry, as well as all their allied support not only to the miners, but to every time that turns over. You're all economic geniuses. For every one dollar that you raise in wages, it's going to turn over in your community three to seven times depending on the economy of your community. And under the federal law, utilities have no choice. They must clean the emissions by 1995. And if we don't act today, it won't be able to act later. I urge all of you to vote Yes. Let's not throw this State into recession. Let's not make everything south of probably I-80, but at least from where the strip mines are - Peoria/Galesburg area south - let's not make us a desert. Let's pass this bill so that we can get on to keep people employed and make use of the greatest known reserve of soft coal in the world, which is right here in Illinois. And if you don't pass this, you talked about critical time, financial need. The unemployment cost in Illinois will multiply many times over if these miners become unemployed. The right vote today is a Yes vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. If this legislation were just about incentives for Illinois Power, it would go down. But SB 629 is about offsetting the cost of the Federal Clean Air Act for Illinois consumers. It's about keeping utility rates from leaping, rather than jumping. It's about saving Illinois coal mining jobs and the hundreds of other jobs that would be impacted by the Federal Clean Air Act. Consumers in my Central Illinois district pay among the highest utility rates in the entire State. While our utility bills will increase under

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the Federal Clean Air Act, in passing Senate Bill 629 we can offset the costs of the Federal Clean Air Act by providing a cap on the installation of the scrubbers, and by sharing the cost with the entire State, rather than having it impact just certain areas. Senate Bill 629 requires that IP submit building plans to the Illinois Commerce Commission which would place a cap on costs, and approve the rates passed on to consumers. This is a built-in safety net for consumers so that IP cannot come back with the cost overruns and expect residential ratepayers to pick up the tab, as in the case of Clinton Nuclear Plant. If a preapproval cap law had been in place fifteen years ago, the Clinton Nuclear Power Plant would never have been built. This legislation offers that provision, and I believe will be of benefit to the utility customers in my district who already pay rates too high. This bill, I believe, is a step forward in meeting the Federal Clean Air Act and the absolute rate increases that it will guarantee. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR GEO-KARIS:

Senator Luft, it is my understanding that the thirty-five million dollars here will be supplanted by federal money in the amount of about a hundred and thirty million dollars. Is that correct?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Luft.

SENATOR LUFT:

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Senator, it's not necessarily a match. There are dual funding purposes for this project, one of which is the federal funds that you allude to. The other is the money embodied within this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I believe Amendment 6 to the bill is still there, and I think it provides - if I recall correctly - that the -- public utilities will use pollution control facilities, and it didn't just specify scrubbers. Am I correct?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Luft.

SENATOR LUFT:

Pollution control devices was the terminology -- was the terminology used. That's my understanding.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I was the first Chairman of the Illinois Energy Resources Commission, along with -- Representative Dunn was on the Commission, and we looked into many, many systems to desulfurize Illinois coal, because, at the present time, there's so much coal being brought in from Wyoming and we can't use our own. I would like to suggest to the power companies that they look into the Illinois Institute of Technology processes. They've had what they call Inpinger I and Inpinger II methods to desulfurize Illinois coal. Our coal is good coal, but it has to be desulfurized to be useful to us. I know Gerald Hawkins, who is a member of the United Mine Workers of America. He's worked very hard in his field. He knows the needs of the miners. I've visited the miners myself. I've been down in the coal mine, and I can tell you it's not an easy job, but it's a

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job. And in this case, I feel justified in supporting this bill, and I urge my colleagues to do the same.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I'll be brief, and I know you like to hear that. This is what I consider a little bit of a "druthers" bill. You know, there's a lot of things in this bill throughout the period of time that we'd rather have, and a number of those things evolve all the way from whenever there was no oversight, whenever, you know, that -- the fact that they're going to get thirty-five million regardless, when it started out thirty-five million dollars to match a federal grant, and now they get that. And there's probably a lot of things that are wrong with this bill. And one of the things that is really wrong with this bill is it doesn't provide a provision to where we must buy Illinois coal. However, even without that provision being in there, it's been said earlier that there was a lot of people that may have forced the coal miners into wanting to support this bill. But the first people to come to me in favor of this bill were the coal miners. There were a lot of people in opposition when this thing first started. They all seem to be pretty well together. There are a few groups that are still opposed to it, but I think it's a good bill for Illinois. It's another economic development bill. I think we have to protect our coal miners, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. As a hyphenated sponsor of the bill, and having spoke on it a couple weeks ago, the points that were made then applies today. And I

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think that this Body saw the importance of this legislation in terms of jobs and the use of Illinois coal when we sent a bill out of here 73 <sic> to 0. However, briefly, let me just simply say that the Federal Clean Air Act will really place the use of Illinois high-sulfur coal in a serious bind. And we must pass this legislation here tonight, during this Session, or we will run out of time for putting everything in place for the 1995 compliance, and that is extremely critical. This is a good bill, and many people have spent numerous hours putting together this legislation. It eases the burdens and hardships placed on the use of high-sulfur Illinois coal. It will save many jobs, coal miners' and others, and also create new jobs. It will also boost our economy. We cannot afford to switch to low-sulfur western coal; and with scrubbers, we can burn the high-sulfur coal and it will be fifty-nine percent less costly. This is the most economic technology that we have for the use of high-sulfur coal that we can go commercially. I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in support of this bill. As many other bills during this Session, it isn't perfect, and I am the first to admit that. There are many components of this bill that I wish could be different; however, the real bottom line and the real issue of this particular piece of legislation is the loss of an entire industry to the State of Illinois. The coal industry has been historic in the State of Illinois; and in my opinion, to lose all of those jobs ultimately, due to the Clean Air Act that has been delivered by Congress upon this date, would be really regrettable. And for us, who are citizens of Illinois and Legislators of Illinois, not to support the coal industry, I think would be totally wrong. I think that this bill should be put on

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the Governor's desk, and if there are some compromises further than what those -- that we have already enacted with the utility companies and others on this bill, that it would be a very good thing, and good insurance for the State of Illinois, so that we will not be losing jobs that are very essential and necessary to this State, to all of the coal miners, their families and their children in Downstate Illinois. So I urge an Aye vote on this particular bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm going to ask you, because I'm going to be very brief - you haven't heard me say much - so -- but I'll tell you this: that we need jobs in Southern Illinois. And really, this is something that we've made a lot of tough votes here today, but I tell you, we don't need to be sending money outside the State for other coal when we can get it done here. So please, vote affirmatively on this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you very much, Mr. President. We used to have a slogan here in Illinois and bumper stickers that we used to have on our cars that said "Illinois, a happy State." What I'd like to do is invite all of you to drive down Route 55 - Interstate 55 - and get on Illinois Route 127 and go into Hillsboro, where the Coffeen mine was located, and see if that's a happy State in Hillsboro and Coffeen area. And go on down Route 127 to my home community and little further south to Carlyle where the Albers coal mine is located, where they've been people off over the last several years because of the reduction of usage of Illinois coal, and ask those

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people, "Is this a happy State?" The downtown areas of the rural Illinois and Southern Illinois -- just take a look as you drive through those communities as what's -- to happening. The downtown areas are drying up. Businesses are moving out. People are leaving. We're trying to keep our young people in our communities, and unfortunately, they have to leave because of -- of the lack of jobs. We're trying to hold on in what we call Downstate Illinois or Southern Illinois, and we're doing the best we can. But something we don't need, Ladies and Gentlemen of the Senate, is for the Clean Air Act to force the coal miners of this State out of jobs - and we're talking about thousands and thousands of jobs. We heard a lot recently here this evening, just tonight, about economic development and the importance of economic development in this State. Well, I want to tell you this is a pro-Illinois -- pro-Illinois-job legislation, and without it - without it - thousands - believe me, thousands - of families will be impacted, and impacted negatively. We need to support this legislation, and I urge you to vote Aye.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. I rise in support of Senate Bill 629. You know, some of the previous speakers have been concerned about the thirty-five million dollars that we'd be spending. If we take a look back at what we spent on Diamond-Star - estimates anywhere from eighty to two or three hundred million dollars - to create twenty-five hundred jobs. Magna International at Nashville, anywhere estimates up to a hundred million dollars to create five or six hundred jobs. If we develop this natural resource we have here, it'll create more jobs than -- than everything else we could possible do to create jobs here in the State of Illinois. We have enough high-sulfur, high

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BTU coal in the nation to supply our energy needs for several hundred years. All we have to do is get serious about the environment and remove the sulfur from this natural resource we have. This is a very good bill, and I would -- I would ask for everyone's support.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President. I'm impressed by the north and I'm impressed by the south. I come from Edwardsville, Illinois. It's between both of them. Now I just heard some of the speakers talking about jobs. They voted against eleven thousand jobs for Chicago, but now they want to vote for -- jobs for Southern Illinois. This is a -- Chicago is in the State of Illinois. Jobs are jobs, wherever they are. Let's not kid each other. Vote for this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. For the third time today, happily, I rise in support of the motion placed by Senator Luft that the Senate do concur in Amendments No. 1 and 6 to Senate Bill 629. And I would encourage everyone on this side of the aisle - and as a matter of fact, I would have the audacity to encourage everyone on the other side of the aisle - to also support this Motion to Concur in these two House amendments. I think this is important for the State of Illinois. And as one who comes from the northern part of the State, I have been privileged on more than one occasion to have the opportunity to visit in Southern Illinois, and as a matter of fact, I can recall vividly in 1984 having the opportunity, with some of my Democratic colleagues, to visit a coal mine in Southern Illinois, which I

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frankly had never seen in my life and have not seen since. But I think I have a feel for what is necessary. And unfortunately, I think, as Senator Watson was prepared to say but didn't - and I will - that that piece of legislation that is called - I think euphemistically - the Clean Air Act, is a misnomer. It is one of those buzz words. In my judgment, it should not have passed the Congress of the United States, but they, unfortunately, did not have the political will to sort the wheat from the chaff, much like I might say, parenthetically, those who vote for merit selection of judges. It's a buzz word. It means harm. And the Clean Air Act harms the people in the State of Illinois. We have an opportunity to repair some of that harm, to repair what otherwise, in my judgment, will be almost irreparable damage to Southern Illinois. And I proudly stand as one from Illinois and ask all of you to support Amendments No. 1 and 6 to Senate Bill 629.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Luft, to close.

SENATOR LUFT:

Thank you, Mr. President. Within the last hour, we have created eight to nine, ten, eleven thousand new jobs in one part of the State, and hopefully, with this bill, we're going to retain at least nine thousand jobs in the far southern part of the State. But there is a difference. This cannot fail, because there is no tomorrow. Because of federal guidelines and federal time limits, it has to be done now. It can't be done in the Fall Session, and I want to publicly thank Senator Watson for his efforts in rounding up votes on the other side of the aisle. I know how hard he worked. But let me tell you that you can argue that this is revenue-neutral. The 37.5 million dollars for these scrubbers - do you know what it costs for nine thousand people on unemployment? Two hundred and fifty to three hundred dollars

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benefits per month? Almost thirty million dollars a year. So I would suggest to you that you support this, because it's extremely important not only to the nine thousand families in the industry, but I truly believe if we don't pass this deal, we'll lose part of the soul of this State. And I would ask for an Aye vote on concurrence to Amendments 1 and 6 to Senate Bill 629.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. The question is, shall the Senate concur in House Amendments 1 and 6 to Senate Bill 629. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 12, 4 voting Present. And the Senate does concur in House Amendments 1 and 6 to Senate Bill 629, and the bill, having received the required constitutional majority, is declared passed. Senator Weaver. Senate Bill 675. 375, I'm sorry. Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 375.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1 to Senate Bill 375. This would be an increase in the GO bond authorization for the college savings bonds by two hundred million dollars. This amendment also deletes the proposed increases in the authorization for capital facilities from the bill, and it pertains only to the college savings bonds of two hundred million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

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

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I -- I join with Senator Weaver in urging adoption of Conference Committee -- of the concurrence motion on Senate Bill 375. I think it's absolutely essential for this wonderful program that we do pass this, and would urge all the Members to vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate concur with House Amendment 1 on Senate Bill 375. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 375. And the bill, having received the required constitutional majority, is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. The Secretary has caused to be distributed Supplementals No. 9 and 10, and I would just ask the Members to take a look. There will be an 11, and that might pretty well -- wind it up. I would ask leave to go to Supplemental No. 8 if Senator Topinka is ready to present Senate Bill 45.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will go to the Order of Supplemental Calendar No. 8. Senate Bill 45, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 45.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. I think we've spent a great deal of time tonight talking about perception, and what is timely and what is not, and how we view

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things, and how they will play back home, and all the things that I guess we take into consideration as political animals. Well, let me call to your attention that Senate Bill 45 has nothing to do with perception. It is total reality. It is a harsh reality. It is the harsh reality of the fact that we have a 1.8-billion-dollar deficit in this State. It is the fact that we are trying to develop a budget - a budget that is currently out of whack. It's also a reality that none of us are going to like this bill. It is neither a privilege nor an honor to have this bill. It is a burden. And let me tell you, it is -- it's one that I have wrenched with all week as we've waited to call it day after day. I think we've all seen it as it's been on our desk. We've walked through it in caucuses. I think it's a linchpin of this year's budgeteering; and without it, everything else that we've already done is really for naught. It's something that we're going to have to pass, whether we like it or not. It's something we're not going to be able to crow about when we go home or write glowing reports about in our newsletters, but it will show, and I think probably put forward the fact that from time to time we do, indeed, exert some statesmanship and some leadership and the ability to do what has to be done, even when the situation gets very tight. This particular bill means 724.9 million dollars worth of cuts. Some of those cuts are hard and fast, some have eliminated programs, some have scaled back programs, some have been done through monetary transfers or through prospection <sic> of what is anticipated. But however you cut it, it adds up to 724.9 million dollars, and there's no getting around it, and there's no pleasant way to say it. Since everyone does indeed have a pretty good idea of what is in this bill, I'm not going to read through it, because it would keep us here longer than -- than I think all of us want to be. It's already passed in the House. I think the House has done what it had to do 74 to 41. I would be

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more than happy to answer any questions on any specifics of the program. Other than that, I think we have to be about our business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Like the prime sponsor, I guess I rise in reluctant-but-firm support for the Conference Committee Report in Senate Bill 45. As Senator Topinka so well pointed out, this is no great honor or privilege or wonderful vote that we will write home about, but maybe we should. We have found ourselves in the plight of a financial dilemma, partially of our own making, partially, maybe, of administrative makings of the past. But it is reality, and we know that significant reductions will have to be made if we are not going to increase taxes and live as a State that can live within its means. Yet, with all that, we have done so much this year to ease the pain that looked March 3rd as if it would be coming our way, that this bill should be a relatively easy vote. We thought, for example, we were going to have a health care crisis. But no, we solved that. We solved that through an assessment plan. And yes, this bill removes those Acts that were to have been removed if we did not have the assessment plan, but now are removed because we have found a creative way to make our health care delivery system even more sound than it was in the past. We have eliminated other programs - that is for sure; but through a lot of bipartisan and bi-Chamber effort, we have made sure that the most important programs for the well-being of the citizens of Illinois are being maintained. If we have a responsibility to the people who sent us here and to the creditworthiness of this State and its financial health in the future, as hard as it sometimes may be, this is one of those times

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where we have to do the absolute right thing, and vote Aye on Senate Bill 45.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Karpziel.

SENATOR KARPIEL:

I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

There are five additional speakers, Senator Karpziel. Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Collins.

SENATOR COLLINS:

Senator Topinka, I see new language in this bill which was not in it before, dealing with elimination of the State-funded portion of the IREAP program. Does this mean that we are eliminating the program, as it is today, in its entirety?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Well, we're going to pay the Fiscal -- Fiscal '91 liabilities. That will be paid for, and that's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

What's the total amount?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Basically, I can tell you the fact that we will continue to use the federal block grant monies, which are sixty-five million

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dollars, to fund the program. So the State will be able to use federal funds. But in terms of State funding of the program and State funds, '91 ends it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator -- Senator Collins.

SENATOR COLLINS:

You still didn't indicate how much State dollars we had cut out of the program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

We are going to save roughly between forty and forty-four million dollars on -- on the cut.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Not save. How many dollars are we cutting out of the program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Program in '91 was thirty-six million dollars in GRF.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

How will the federal monies now be administered?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

They'll be administered through the Department of Commerce and Community Affairs, which has this program underneath its jurisdiction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Collins.

SENATOR COLLINS:

Will it be based on some kind of assessed needs or a flat grant?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

It will be based on need.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

What did we do in this bill in reference to the senior citizens' pharmaceuticals?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

What we have done is to put a cap of eight hundred dollars on the Senior Citizen Pharmaceutical Program; and assuming that -- not assuming, but it is -- it is acknowledged that the average person who uses that program uses it to the tune of about seven hundred and fifty dollars - eight hundred dollars is a pretty high cap. We also ask for a copayment of five dollars for the use of a generic drug and ten dollars for the use of a name-brand drug. And there is a feeling that if, indeed, we encourage more people to use the generic drug, the money will go farther and it will discourage those who really may not have a need for the drugs but because they're available, they may avail themselves.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Does the cap still apply to life-sustaining drugs for those people who may not have the copayment, like heart trouble,

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insulin, life-sustaining drugs to those people that's making less than fourteen thousand?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, the cap applies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Thank you. To the bill: Let me just say, Senator Topinka, I can clearly understand why this bill is such a burden to you and why you have to think about it -- as you said, mull over it at night. And I would just suggest to you that it is a burden. It's a very serious burden to those people that I just talked about -- to seniors and to those people who need heat in the winter. And I would suggest in order to relieve your burden -- it's not "down by the riverside," but that you take this thing and put it in the river, and let's just vote it down and be about the people's business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

END OF TAPE

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SENATOR TOPINKA:

Yes. In talking to Senator Carroll, he would suggest that the question, although not phrased in such a way, may be asking what occurs if there is not a generic drug -- that a senior citizen who needed a drug that they could not get a generic equivalent for it,

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what would they do? They would still have to take a -- a name-brand drug, but the Department of Revenue has stated that they, either by a rider bill or through rule, will make sure that that problem is addressed, and that that person will be charged as a copayment on the generic drug five-dollar portion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Watson.

SENATOR WATSON:

Yes. I, first of all, wanted to declared a conflict of interest, and I will vote my conscience, but I do want to speak in behalf of the Pharmaceutical Assistance Program, behalf of the Governor's Office who has been -- worked very hard with those others who are concerned about the seniors. I want to thank the Illinois Pharmacists' Association, Retail Merchants, who now support this, the Illinois Retired Teachers, the AARP and other senior groups who have worked to prevail when, in fact, the original bill had only a four-hundred-dollar cap. We now have an eight-hundred-dollar cap with a copay, and the idea being behind the copay is that we're shifting, hopefully, people from the brand-name drug to the generic drug. And this is going to save a lot of money, and it's going to hopefully impact the program positively for the future. So those of you who are concerned about the future of this program ought to be pleased that this copay is in there. We're not asking for a lot from people. Five dollars for a generic drug is not necessarily a lot to ask for. That's about what the normal insurance carrier -- what their copay is, and this is an excellent attempt to try to address the many concerns that were brought forth in this particular piece of legislation. So I encourage a Yes vote, and again, declare my conflict of interest, because I am a pharmacist and have a drugstore, but I do think that voting my conscience will be a Yes vote.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We addressed this issue approximately nine days ago, and the Senate made the right decision when it defeated the First Conference Committee Report on Senate Bill 45. Let me point out to the Membership that since that time I've spent an awful lot of time with our staff and some other people, trying to raise the issue for the senior citizens of this State, the people who have an income of fourteen thousand dollars or less, and the disabled, who are currently participating in a Circuit Breaker Pharmacy Program. My concern was brought about on the Floor eight days ago. I couldn't believe that somebody would present to this Body a provision that would provide a copayment - and you may think it's only five and ten dollars. Put yourself in the position of a person who has fourteen thousand dollars or less in total income, and unfortunately, is probably over sixty-five and a participant in not one prescription item, but probably all three. The three areas that this covers is heart, diabetic and arthritic conditions. So put yourself in that position. In two out of the three, generic drugs are normally not recommended by the physician; one for the heart medications and two for the diabetics. So their cost is going to be approximately twenty-five dollars every time they go to the pharmacist, or maybe thirty, once or twice a month, and their total income is fourteen thousand dollars a year for the senior citizens and disabled. I tried to work with the Governor's Office and our own staff. On January 12th, I asked Marcia Thompson of our staff to give me some figures on the Senior Citizens' Circuit Breaker Program - how many people are affected and what the costs are, and if there's some way we could eliminate the copayment. Interesting enough, she came back

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to me that later -- latter part of the day and informed me that the Department of Revenue placed an embargo on her request on those figures, and that the figures were laying on Mr. Belletire's desk, and that I would have to contact Mr. Belletire in order to get my numbers. Well, I don't have any problem with that. Not only did I draft a quick letter to Mr. Belletire, but I called him directly. Let me point out to you this is his handwritten note, which I received the same day. Said, "Reflected below is the estimated savings associated with various cap levels for the Circuit Breaker Pharmacy Program. These figures assume a five-dollar copayment that is made for each generic prescription and a ten-dollar copayment is made for each brand-name prescription. These figures also assume savings for an increased use of generic drugs in the program. Six-hundred-dollar cap: forty-five million. Seven-hundred-dollar cap: forty-one million. Eight-hundred-dollar cap: thirty-eight million. Nine hundred: thirty-six million. Thousand-dollar cap: 33.9 million." The State budget book assumed a savings of forty-six million would be achieved, which was part and parcel of the original proposal in the First Conference Committee Report on Senate Bill 45. All of us may be concerned about some of these cuts, and I am as well. And I also know the responsibility of my position when the State is in debt to the tune of a billion eight hundred or nine hundred million. Well, rest assured, Ladies and Gentlemen, none of us should be made part and parcel of a Conference Committee Report where we're going to be taxing, increasing the taxes on the senior citizens of this State on pharmaceutical items. None of us should be part and parcel of a program that's going to increase the taxes - and that's what it is - to the disabled of this State. Shame on all of you who vote Aye on behalf of this program - if for one reason: because it's right. We should defeat this Conference Committee and say, "Come back. We'll support your cuts, but not

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on the backs of the people who have paid their taxes and worked, and now need a helping hand." And you're going to be charging them five and ten dollars. You may think it's nothing; but at that income level, it's everything. I encourage a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Here's the lineup: Davidson, Jacobs, Fawell, Marovitz, Brookins, Severns, Smith, Hall, Butler, Rock and whoever. Senator Davidson. I -- there were? I didn't know which five. I didn't write them down. I'm sorry. Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he -- she will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Topinka, currently a retiree who is under sixty years of age or has fewer than thirty-five years of service is assessed an early retirement penalty of one-half of a percent for each month a retiree is under sixty years of age. With the State now in the position of encouraging early retirement, is this penalty going to be assessed against those retiring under this plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The answer is yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, I'm reluctantly going to vote for this, because everybody is pushing for early retirement, but I want to put everybody on notice: When we come back in October, we have to address this, because the retirement system is going to penalize

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these people who we are encouraging to retire. And that's not right. We need to address this. We can't do it now, but we certainly can do it in the Veto Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, and to Senator Davidson: I think you have the right idea, and I think it's probably a glitch in the bill. And I certainly would have no objection in the fall of working that out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, I'm basically committed to this bill, but I'm really, right at the moment, a little hesitant to vote for this bill and/or to argue for it, because I think there's other bills that should come before this Body that I don't think are going to be called. And I think one of them is a pension bill that I'm quite concerned with. But regardless of that, I think that because this bill is such a large amount of the total package, that I'm going to have to stick with this bill and -- and make a few points for this bill. This is almost a billion dollars of our total package that we're cutting out, and it's something we can't play games with; or otherwise, I'll tell you right now, I'd probably do that, but this is too big of an item. As far as Senator Lechowicz has said and others have said, I, too, was concerned about the pharmaceuticals. We went from four hundred dollars to six hundred dollars. That's not bad, but it wasn't good enough. We went from six hundred dollars to an eight-hundred-dollar cap. Well, I've done my homework. In my district, for 1990, the average was six hundred dollars per client

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or per membership, if you will, in my district. In the County of Cook, it was five sixty-three, well below the eight-hundred-dollar average, or the cap that we have set. Now it is true - it is true - there are going to be those who will pay more than that eight hundred dollars, and for those I sympathize. There are also those who will pay for the -- the surcharge up front, and for those I sympathize - because let me tell you what it does. I think it's fair on this one to point out both sides of the picture. For the County of Cook, as an example, the amount paid is twenty million three hundred and six thousand dollars. The surcharge, if you will, or the -- the copayment that the senior citizens will pay - if we figure half is generic and half is non-generic - will be six million four hundred and fifty-three thousand dollars, spread over thirty-six thousand people. Well, when you take that into the bigger picture with all the senior citizens of this State, that's not a bad compromise for something that otherwise was sitting at four hundred dollars and then they were dead. So I think that this is a pretty good compromise, and I urge support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Just to remind the Assembly, three and a half years ago, there was no Pharmaceutical Program. When Dawn Clark Netsch introduced this program, I was the one that asked her how much was this going to cost. She told us max five million dollars. Absolute max. Well, let me clue you in. Last year, it cost ninety-seven million. This year they estimate a hundred and twenty million. If we keep it up, there's no way we can afford this program. I think this is a good compromise, and we ought to remember we are doing our very best for the seniors. I happen to be one of them. And I think we ought to all vote for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. Well, Senator Fawell, it's nice to know that you're one of those seniors, but I doubt that you're one of those seniors that could qualify for this program by earning less than fourteen thousand dollars a year. So I don't think you'd be one of the seniors qualifying for this program. And -- when we expanded the program from heart to diabetes to arthritis, there was no cap and there was no copayment. And one of the concerns on this side of the aisle - as expressed to the budgeteers and those on the 2nd Floor - was that if you can't raise it -- if you have to have a cap, then at least remove the copayment. These are people who need this medication for their very existence. And what would that cost? What would it cost to remove the copayment, so every time a senior who earns less than fourteen thousand dollars doesn't have to pay five or ten dollars for their prescription, which oftentimes is less than the cost of the copayment? The drugs are less than the cost of the copayment, in many instances. And the cost to remove that copayment is one-eighth of one percent of the budget - one-eighth of one percent of the budget. Now I'm pretty sure this bill is going to pass, and everybody's gotten something out of this Session. I guess maybe some people got some things out of the Session. And I think we have to go home feeling happy and that we're doing the right thing. We've all been down here a long time. I'm not going to vote for this bill, and I'm going to go home, even though it's going to pass, feeling a lot better that I didn't vote for this bill, because, even though we have to make very drastic cuts - a billion and a half in cuts, and we have to do that - many of those I don't agree with. There has to be a point when we draw the line. And when we're jeopardizing and putting the burden on the backs of seniors who earn less than

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fourteen thousand dollars a year and have heart and diabetes problems and need this medication to exist, shame on us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. A couple of speakers before me made the point very well, and earlier today I wailed and went through an emotion tirade. Then one of the speakers on the other side of the aisle, when we was voting on the previous bill that was a tax bill and was a spending bill, went on to say that Illinois used to have signs that say this is a happy State. Illinois is a happy State. And he went on to say when you drive through certain towns in Carlinville and the coal town, that they're not happy anymore. Let me let them know that when you drive through Peoria or East St. Louis or when you get up into Chicago area, you will find that it's not a happy State anymore. It's a mean, cruel State, because we are punishing the people that brought us over. We are punishing our senior citizens. We are punishing people that have less. We don't have an IREAP Program, so we're going see people this winter burning up, and we're going to be burying them, because we're not a happy State anymore. We're a mean State now, because we want to say that we're statesmen, and that we're going to take the hard cut, and we're going to be mean, and we're going to draw the line, and we're going to draw that line on people that are least able to help themselves. No - Illinois is not a happy State anymore. Illinois is a mean State now. And yes, to the Senator that's carrying this bill - I know that your head should be hanging, and I know that you should be crying when you go home, because you have to carry this mean bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Severns.

SENATOR SEVERNS:

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Thank you, Mr. President and Members of the Senate. This is not an easy vote. But it is not an easy year. We have a 1.9-billion-dollar hole to fill, and we cannot fill it without this bill. This bill alone will help close that 1.9-billion-dollar gap by eight hundred and ninety-three million dollars. As one who sat at the budget conference table with Senators Carroll, Hall, Welch, Maitland and Etheredge, none of us enjoyed the kind of cuts that were required, but we simply have no other choice on this July 18th. Tough times require tough decisions, and I think we have no choice but to vote Aye on Senate Bill 45.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. If the sponsor will permit me, I'd like to ask Senator Watson a question, if I may.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Watson will -- indicates that he will answer. Senator Smith.

SENATOR SMITH:

Senator Watson, I'm not trying to take out of context, but you are a pharmacist, are you not? You have people that come to you who use generic drugs. Is that right? They purchase generic drugs?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes. Yes, Ma'am.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

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If their doctor -- thank you. If that doctor prescribes that they cannot use generic drugs but they have to use the genuine medications that they prescribe for that particular illness, that's more money. Is that not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

And that could very easily use up the eight hundred dollars allocated to the patient. Is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, quite honestly, a lot of it depends on the relationship that the physician has with the patient, and also the relationship that the physician has with the pharmacist. Many times we'll call the doctor and tell them that this particular program or this particular insurance policy or whatever it might be pays for generic drugs. Would it be okay if we utilized generic drugs for this particular patient, because of the savings it will impact on that individual? And I -- in my store, we would do that for that individual, because it's important and we want to save them money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

That's all well and good, but there are some cases - and I know a case in point - where the person cannot use generic drug. They cannot dilute their medicine. She has to have full-strength medicine. And therefore, her bill goes up. And I'm saying to

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you, as a pharmacist, do you -- do you think that you could be able to maintain your business, your pharmaceutical business, with a person having to have full-strength medicines, and you not getting your money, to continue to serve that person or persons? Do you find -- wouldn't you find difficult there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, we have the FDA, which approves medication. We have a formula here in Illinois which -- which says that certain generic drugs are very -- if you're talking about absorption rate strength, that they are identical to the brand name, or they couldn't be used. It's as simple as that. There have been problems with some generic drugs and they've been taken off the market because of that, but there's also been that same problem with brand-name drugs. So I don't think that we can really honestly say that just because somebody wants to use a generic drug, or that we're emphasizing generic drugs, that it's any less of a medication and we're not concerned about the public health and interest of that patient. I just don't think that's the case, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

I'm still stating the fact, sir, that you would run in the hole trying to oblige a person who is ill, cannot use generic -- drugs, but has to have full-strength medicines. We have had hearings across the State, and these pharmacists are saying that they are going broke for trying to serve the people the type of medicine that is prescribed for them. They are having to mortgage their homes, and some of them are about at the close of their business. What I'm trying to say to you -- that it is very

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difficult and very hard for pharmacists to try to -- oblige patients who are in dire need of full-strength medicines. That's what I'm trying to get over to you. So therefore, the cuts that we are having are -- in this particular budget or this bill, I think is very, very bad for the people who are dependent upon the pharmaceutical companies for their livelihood.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There are three additional speakers before the motion that Senator Karpel had made to close the debate. Senator Hall, Senator Butler and Senator Rock. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Hall.

SENATOR HALL:

Senator Topinka, I know you're not a pharmacist, but do you know the difference between a generic drug and a non-generic drug?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Topinka.

SENATOR TOPINKA:

Senator Hall, having been the Minority Spokesman on the Health Committee in the House and now in the Senate for innumerable years, I have a pretty good idea, although I would not have the proficiency that someone like Senator Watson would have, who is in the field.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

But if I read this, the copayment is - if a person needs a drug and they can get the generic drug, it's five dollars, and it's ten dollars if it's non-generic. Is that still in the bill?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, it is, sir. And for those who cannot find a generic equivalent of a name-brand drug that they need, the Department of Revenue, which monitors and handles this program, has said that either by a -- a follow-up bill or through rule, that they would, indeed, see to it that it would be -- it would -- the charge would be at the five-dollar generic copayment, rather than at the higher price, because the person would not have a choice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall.

SENATOR HALL:

This is the revenue enhancement. I'm asking you here: What is the Build Illinois bubble? What is that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Could Senator Hall be just a little clearer as to what he refers to as the Build Illinois bubble?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Yes. Did I get an answer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No. The Lady -- Senator Topinka.

SENATOR TOPINKA:

Again, I would ask, could Senator Hall be just a little clearer on what he is referring to as the Build Illinois bubble? I don't relate to that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

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SENATOR HALL:

I read here that this Build Illinois bubble, 28.8. I just want to know what Build Illinois bubble is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

If you will hold just one second. Apparently, that terminology is unique to the Democratic staff analysis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Why don't we come back to it? Senator Hall, she'll come back to you in a few minutes. Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. I have not been in this Chamber very long, as all of you know, but I think there may come a day when I'm going to hear a first. Senator Lechowicz cautioned all of us to put ourselves in the position of a senior having an income of, say, fourteen thousand dollars or less. Well, I, as -- for obvious -- it's obvious I am a senior. But let me tell you something - I haven't heard one person in this Chamber in the last few days bleed one tiny drop for the poor sucker that's making about twenty-five thousand dollars a year, trying to raise three kids, trying to educate them. When his kids get sick, he's got forty/fifty/sixty dollars of bills. And here we are talking about ninety million dollars year before, a hundred and twenty million dollars. Who's going to pay for that? Now, this bill is going to pass. I'm going to vote for it. But just once, just once, I'd like to hear somebody in this Chamber bleed a little bit for the working guy that makes twenty-five or thirty thousand dollars a year and has to pay full price for his medicine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

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SENATOR J.E. JOYCE:

Thank you, Mr. President and Members of the Senate. I wasn't going to speak, but I just have a couple of thoughts, and I will be very, very brief. When I first came in this Chamber, I believed - and it has since been ratified by my experience here - that everyone in this Chamber believes that government should try to help those who, because of causes that they did not create, are unable to help themselves. And I think we've done that many, many times, whether it's been for blind people, or disabled or whatever. The -- at dinner time, we were figuring out -- I probably have watched about a quarter of a trillion dollars worth of budgets go through this place, and some of them have been driven by cronyism - maybe a lot of them. Some of them have been bloated. Some of them have been outright stupid. But I don't think any of them were cruel. And I think that's what we're dealing with this evening. I think that this budget can best be characterized by the term "cruelty," and I think it goes against that concept that I think we all stand for here, and that is that we're here to try to help those people who can't really help themselves. And so I'll be voting No on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Palmer, then Senator Rock and then the close. Senator Palmer.

SENATOR PALMER:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Palmer.

SENATOR PALMER:

I'm looking at the staff analysis, and it says that this bill establishes two categories of single adult GA recipients: non-employable (chronically needy) in parenthesis, and employable. Would the sponsor please explain what criteria will be used to

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decide which of Illinois' citizens are non-employable and which are employable?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

If I may first, while I have the microphone, address Senator Hall's bubble. That is basically twenty-eight million dollars - give or take a bit - from the Build Illinois Bonding Fund, and it's transferred directly into the General Revenue Fund. That is your bubble. And now on to Senator Palmer's question. Yes, indeed, we do restructure the General Assistance Grant Program. In terms of who we consider employable and how that is defined, if you will look at the bill, on Page 53 there is a significant list. "The individual has a serious physical or mental handicap which significantly restricts an individual from working. The individual is over age fifty and has no high school diploma or GED and no sustained employment history. The individual is needed to provide care for another person in the household. The individual suffers from an addictive drug or alcohol abuse problem. The individual is homeless as defined by the Illinois Department in Rules." And it goes on like that right on down the line. In terms of definitions, it's pretty specific.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Palmer.

SENATOR PALMER:

With all due respect for the list, as I am reading in the analysis further, it says that those who are employable, however they are defined, are limited in their assistance that they will receive from the Public Aid to nine months during FY'92 and six months during FY'93 and beyond. Is that correct, Senator Topinka?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

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SENATOR TOPINKA:

Yes, that is correct, because there is a feeling that this group would be the least affected by these cuts. So it would free up money for those who would -- who would be significantly in need, especially in terms of younger people, as in children.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the Conference Committee Report on Senate Bill 45, and well recognize, as have earlier speakers, that this is probably the single most difficult vote that most of us are going to be called upon to posit this Session. I would point out, however, I think what has not been pointed out, and that incorporated in the provisions of Senate Bill 45 are some two to three hundred million dollars worth of revenue enhancements - revenue enhancements, I dare say, that were able -- or enabled the Members of the Appropriations Committee of the Senate at least, and I assume the House, to make some much-needed adjustments, adjustments to try to make the budget less burdensome, less harsh - yes, I suppose, less cruel. But the fact is, by virtue of some ingenuity and some agreement with the Governor, we were able to literally come up with close to three hundred million dollars in revenue enhancements, so that we could address some of the problems about which we've heard spoken. I don't think, frankly, it's insignificant that when the subject of the Pharmaceutical Program was first discussed and presented in March by the Governor, that there was a four-hundred-dollar cap. I did not, frankly, hear any great hue and cry from either the senior organizations or any Member. Now, that's not to say there wasn't one. I just, apparently, wasn't paying attention, or didn't hear it. Once having been brought to notice that this is somehow --

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was not in the best interest of that group, we immediately proceeded and obtained the consent of the Governor to go to eight hundred dollars, and I am reliably informed that the average cost is somewhere between eight hundred and twenty-five at the top and seven hundred and fifty, on an average, for the majority of the folks in this program. So I'm a little reluctant to say that the proposal is cruel or harsh. I think it's an effort - albeit perhaps a misplaced effort - to save some forty million dollars that otherwise couldn't be saved, by capping a program that, in the opinion of many, frankly, has become much, much more expensive than anybody thought it would be, due in large part, I might say, to the pharmaceutical houses who seem to generate, almost on demand, very expensive drugs that somehow cannot be generically emulated. I guess what I'm saying is let's don't, please, focus on that one provision. This is a bigger, more global bill and one that's probably the toughest one we'll have to vote for. But for those who wish to engage in wholesale - yes, wholesale - cutting of State spending, who have said to their constituents or to their prospective voters, "I will be fiscally responsible and I will either raise taxes or I will cut spending," this is the spending cut. But at the same time, we have provided some revenue enhancement that afforded us to make some choices that we otherwise could not have made, and I would urge all who can to support Senate Bill 45.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Topinka, to close.

SENATOR TOPINKA:

Well, Mr. President and Ladies and Gentlemen of this Chamber - and it is a good and caring Chamber - and -- and I -- I feel badly for all of us tonight that we have to take this vote. At the same time, I -- I want to remind you that sometimes, you know, the good comes with the bad, and no one ever said this job would be

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easy. As Spike Lee said, "Do the right thing."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 45. Those in favor will vote Aye. Those opposed, Nay. The voting is open. ...(machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 21, none voting Present. The Senate does adopt the First -- Second -- Second Conference Committee Report on Senate Bill 45. And the bill, having received the required constitutional majority, is declared passed. Senator Joyce has requested a verification of the Members who voted in the affirmative. Senator Joyce has requested a verification. All Members will be in their seats. The Secretary will read the affirmative votes.

SECRETARY HAWKER:

The following Members voted in the affirmative: Barkhausen, Butler, Carroll, D'Arco, Davidson, DeAngelis, Demuzio, Donahue, Thomas Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Holmberg, Hudson, Jacobs, J.J. Joyce, Karpriel, Luft, Macdonald, Madigan, Mahar, Maitland, O'Daniel, Philip, Rigney, Savickas, Schaffer, Schuneman, Severns, Topinka, Vadalabene, Watson, Weaver, Woodyard and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce, on the verified roll call, the Ayes are 37, the Nays are 21, none voting Present. The Senate does adopt the First Conference -- the Second Conference Committee Report on Senate Bill 45. And the bill, having received the required constitutional majority, is declared passed. There has been a -- before we leave the Supplemental Calendar No. 8, there has been a motion that has been filed with respect to House Bill 505, Madam Secretary.

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SECRETARY HAWKER:

Having voted on the prevailing side, I move to reconsider the vote by which the First Conference Committee Report on House Bill 505 failed.

Filed by Senator Karpziel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Having voted on the prevailing side, I now move to reconsider the vote upon which House Bill 505 was defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpziel, having voted on the prevailing side, moves to reconsider the vote by which the First Conference Committee Report, House Bill 505, failed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion -- the vote is reconsidered. On the Order of Conference Committee Reports is House Bill 505, Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 505.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, and Ladies and Gentlemen of the Senate. Once again, this is the Conference Committee that would pass the ordinary and contingent expenses for the operation of the entire court system. This is significantly less cutting in areas like probation than that which was proposed in earlier versions. It takes the Governor's level. We imposed a turnover and hiring lag on the court itself. We cut the pay raises that they were intending to give to their own employees to that which we giving to other State employees, and we have asked the court to take a

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five-percent reduction in all of their operating lines but for the Statutory-set salaries. I would answer any questions and urge adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Hall.

SENATOR HALL:

I want to ask -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Is this -- the bill came back to us in the same form that we defeated it last time? Did they make any changes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Senator Hall, this is still the First Conference Committee Report. Senator Karpziel, having voted in the negative, moved to reconsider. That motion prevailed, and we are back to debating the First Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Question is, shall the Senate adopt the First Conference Committee Report on House Bill 505. Those in favor will vote Aye. Those opposed, Nay. 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, the Ayes are 38, the Nays are 12, 2 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 505. And the bill, having received the required constitutional majority, is declared passed. Page -- oops. Supplemental No. 9. We'll move to Supplemental Calendar No. 9, is House Bill 1692. Senator Schuneman. Madam Secretary, 1692, House Bill.

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SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 1692.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and Members of the Senate. Senate -- or House Bill 1692 was intended to be the vehicle for the health insurance agreement between the administration and AFSCME. That agreement finally wound up on Senate Bill 45, which we just passed. So, for that reason, we now -- the Senate can now recede from the Senate Amendment, and the bill will pass as in its original form. So I would move that the Senate recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right. This will be final action. Senator -- question is, shall the Senate recede from the adoption of Senate Amendment 1 to House Bill 1692. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does recede from the adoption of Senate Amendment No. 1 to House Bill 1692. And the bill, having received the required constitutional majority, is declared passed. House Bill 2385. Senator Philip. I'm sorry. House Bill 2385. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2385 was that bill sponsored by Senator Philip which provided for the Office of the Secretary of State --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, could I just hold you for a second? We haven't read it in. I had no idea you were -- all right. House Bill

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2385, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 2 to -- or Senate Amendment No. 2 to House Bill 2385.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I am going to move to recede from Senate Amendment No. 2. Senate Amendment No. 1 on Senator Philip's bill provided for the Office of the Secretary of State the opportunity, for FY'92, to raise the cap on the amount of road funds that could be utilized for that Office. As the Secretary has, I'm sure, informed everyone, he needs additional money to provide license plates to the people of this State. Senate Amendment No. 2 was that one that I think is a great idea. I still think it's a great idea. It provided that we could use the Road Fund for a mass transit subsidy; but, in the interest of comedy, the House didn't think it was such a hot idea. I still think it's terrific. I'm going to bring it back next year; but, at the moment, I'm going to recede from Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate recede from the adoption of Senate Amendment No. 2 to House Bill 2385. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Can I vote? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 6, 3 voting Present. The Senate does recede from the adoption of Senate Amendment No. 2 to House Bill 2385. And the bill, having received the required constitutional majority, is declared passed. Conference Committee Reports, Senate Bill 372, Mr. Secretary, please. Oh, I'm sorry. We've already accomplished 372.

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Supplemental No. -- all right. The Secretary informs the Chair that we have to have a couple of minutes of down time in order to load the machine for 10, 11 and on up to whatever -- infinitum, I guess. ...(machine cutoff)... 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 refused to adopt the First Conference Committee Report on House Bill 56, and requests a Second Committee of Conference to consider the differences between the two Houses in regards to Amendments 1 and 2.

Action taken by the House, July 18, 1991.

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 adopt the First Conference Committee Report on Senate Bill 972, and requests a Second Committee of Conference to consider the differences between the two Houses in regards to Amendment No. 1.

Action taken by the House, July 18, 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves that the Senate accede to the request of 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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 77.

It is substantive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. There has been -- there was some confusion with

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respect to Senate Supplemental No. 9. So, with leave of the Body, we will return to Supplemental Calendar No. 9, Conference Committee Reports. Senate Bill 3-7-2 was, in fact, not acted upon. So we will go back to Supplemental Calendar No. 9, Conference Committee Reports, is Senate Bill 3-7-2, Mr. Secretary.
ACTING SECRETARY: (MR. HARRY)

First Corrected Conference Committee Report on Senate Bill 372.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 3-7-2 is the OCE for the Department of Public Health, and let me just mention a couple of things that are of particular interest to the Body. It does restore the funding for the Illinois Cancer Council, and it also addresses hemophilia and renal disease, both of which were talked about to some extent. Also, we made additional changes in the First -- in the Conference Committee Report, in that we added a technical change to allow the Department to use funding for AIDS notification which passed as per Senate Bill 999 earlier this week. Also debated for some -- at some period this Session was the WIC's issue, and that, for your information, is funded at about a hundred and fifty-seven million dollars. The bill now carries a price tag of three hundred and seventy-four million one hundred eighty-nine thousand. I would move, Mr. President, for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Corrected Conference Committee Report on Senate Bill 372. Those in favor will vote Aye. Those opposed, 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

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question, the Ayes are 51, the Nays are none, 2 voting Present. The Senate does adopt the First Corrected Conference Committee Report on Senate Bill 372. And the bill, having received the required constitutional majority, is declared passed. ... (machine cutoff)... If you will turn to Supplemental No. 10, Conference Committee Reports, House Bill 736, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 736.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses of the Office of the Attorney General. This is also at the five percent reduction, though because of the problems there, it ends up being a net of two, just as the Secretary of State was a net of two. And I would urge adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 736. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 4 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 736. And the bill, having received the required constitutional majority, is declared passed. House Bill 1960, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Second Conference Committee Report on House Bill 1960.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

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Thank you, Mr. President. What we did with 1960 now is removed all the garbage out and all the other bills, and it's just administrative bills now. And I don't think that any one have any objection to any of the bills that are in there now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Is it the administration's policy then to increase the load limit on the trucks as far as from sixteen to twenty-six thousand? Is that in the Conference Committee Report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Would you -- Senator Lechowicz, would you further elaborate on what you're asking? I think that was in the old bill and was taken out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I just asked you if -- in 1960, as far as the -- in the old bill, it increased it from sixteen to twenty-six thousand, as far as the weight of the vehicle and who can drive it. And -- I'm just going through it now. And my question to you is, is that still in this Conference Committee Report on 1960?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

No, it isn't, Senator Lechowicz. That's in a bill that will become Senate Bill 1471, if you wish to address it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

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Could you tell me what's in this bill -- in this Conference Committee Report then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you. Senate Bill 1250 authorizes IDOT to enter into agreements with public and private entities to promote and develop high-speed rail and magnetic levitation transportation within the State. Senate Bill 1285 defined commercial motor vehicles and farm market <sic> agricultural transportation. Senate Bill 1280 removes the requirement of high school education to operate commercial driver's license school. Senate Bill 1279 make technical change in commercial driver's license, the Act to comply with federal standards. Senate Bill 753 - truck weight inspections -- inspectors to write tickets for overweight trucks. House Bill 1995, for the purpose of audit interest and penalties that the Secretary of State must perform. Persons means -- individuals, corporations or partnerships or an officer or an employee of any corporation, including the dissolution of corporations or members under the duties to perform the Act in respect to which the violations occur. And House Bill 1995 allows special license plates for federal cabinet members, and House Bill 1124 increased the damage required to report accidents to IDOT. And that's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, to tell you the truth, I think this Conference Committee should maybe be held till the Fall. I've been trying to go through the six pages of the analysis of the Second Conference Committee Report. To tell you the truth, it's very difficult to keep track of all this fine legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Further discussion?

SENATOR LECHOWICZ:

But it says -- let me just point out on the -- on Page 5 of the Second Conference Committee Report on 1960, it says, serious traffic violations expanded to include an increase from fifteen to sixteen miles per hour above the legal speed limit, improper or erratic traffic lanes or following another vehicle too closely. What does that really mean?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have so many lights on up here, I'm beginning to get blinded. Further discussion? Senator Fawell.

SENATOR FAWELL:

This is the bill that we have asked for from the House before. This is a good bill. We all ought to be on board, and let's vote it out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR LEVERENZ:

Are there any fee increases in the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Mr. President, let's take this off the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. House Bill 2352. Philip. Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

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A Conference Committee Report on House Bill 2352.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This Conference Committee Report No. 1 on House Bill 2352 does quite a few things. Amends the County Code to allow unspent funds remaining in County Super Bond Fund to be spent on other highway projects. It's eleven million dollars for Cook County. It also amends the Revenue Act in the calculation of interest on delinquent taxes. That was Senate Bill 872, which passed this Body previously. It also adds three additional judges in the 19th District; that is DuPage County. It adds three additional judges in the 18th District, which is Lake and McHenry. It also adds new language to water commissions. If a water commission is outside of another county then it doesn't allow that other county put a tax on it. It also adds in Senate Bill 801, which is Luft's bill, that amends the Revenue Act. Add no new fees to those which were paid pursuant to tax sales. Adds Senate Bill 1506, which simplifies the Revenue Act governing tax sales. Last but not least, amends the Revenue Act to correct a reference to clerks of the courts. This was House Bill 1123, which passed here before. Be happy to ask <sic> any questions, and I would hope we would adopt this hopefully final Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. My legal counsel standing at my left tells me this is an awfully good Conference Committee Report, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate

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adopt the First Conference Committee Report on House Bill 2352. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 3, 3 voting Present. And on this awfully good Conference Committee Report No. 1, the Senate does adopt the First Conference Committee Report on House Bill 2352. And the bill, having received the required constitutional majority, is declared passed. House Bill 2489, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 2489.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 2489 -- this bill is substantially different, because the Conference Committee deleted all the provisions of that bill. The new language in this bill would now create a Job Opportunity Advisory Council within the Department of Public Aid, with the purpose of developing a plan for the employment of persons on general assistance who are deemed employable. The Council will contain twenty-three members: three appointed by the Governor; the leaders of the General Assembly each would have two; and the Mayor of Chicago. And this has been signed off on by the Governor and all four leaders. I ask your --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 2489. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2489. And the

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bill, having received the required constitutional majority, is declared passed. Senate Bill 358, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Second Conference Committee Report on Senate Bill 358.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. It seems like the House didn't agree with the OCE for the Department of Professional Regulations, but I think it was just simply to add something that was skipped for the Department of Agriculture. It's -- an appropriation that should -- is going to be equally split between the county fairs and the horse racing industry, and it's not GRF - it's their own money. And let's get this one out of here and move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 358. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. The Senate does adopt the Second Conference Report -- Conference Committee Report on Senate Bill 358. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 361, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 361.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

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

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This is the OCE for the Department of Revenue, and this now stands are four hundred and thirty-six million two hundred and ninety thousand two hundred dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 361. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 1, 3 voting Present. And the Senate does adopt the First Conference Committee Report on Senate Bill 361. And the bill, having received the required constitutional majority, is declared passed. Conference -- Senator Carroll, for what -- I'm sorry. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. While the Secretary is loading Supplemental Calendar No. 11, I might point out that this appears to be the last Calendar we may see this evening. Prior to that, however, statutorily we are required to indicate that we have met our fiscal responsibility, and I would ask the Chair to yield to Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Under the Constitution of the State of Illinois, in Article VIII, Finance Section 2(b), "The General Assembly, by law, shall make appropriations for all expenditures of public funds of the State. Appropriations for a fiscal year shall not exceed the funds estimated by the General Assembly to be available during that year." As we all know, we came into this year with a problem we now know to have been a billion nine hundred million dollars. By

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the actions we have just taken, in completing the budget but for one bill on Postponed Consideration, we have, in fact, sent to the Governor a budget that is balanced and leaves him approximately two hundred million in the bank at the end of Fiscal '92. He had had a hundred million in the bank coming in to this fiscal year, and now -- he had a revenue estimate -- or we have a revenue estimate of approximately fourteen billion ninety-six million. After you take care of lapses and so on, we had resources available of twelve billion three hundred and ninety-eight million. We will appropriate thirteen billion four hundred and seventy-nine million, lapsing a hundred and twenty-five million, converting lapse-period spending of approximately nine hundred and ninety-three million. So, therefore, we have a spending of twelve billion three hundred and seventy-five million of General Revenue, and therefore, in balance. To put it in a different way, as the Governor has been approaching it, the revenue shortfalls are basically met by the suggested new forms of revenue or the speedups in tax collections. The spending cuts, and the deferral of the State Aid second payment, pay for the spending additions that we did to the Governor's budget, and therefore, once again, pursuant to the Constitution, we have, in fact, submitted to the Governor a budget that is approximately ninety million dollars better than the Constitution required, and will allow him to approach the two hundred million dollars in the bank. Let me just add one more comment of admonition to ourselves. Senator Geo-Karis, at one point, asked a question that many others had asked as well, and that is, how did we get into this problem, if we've always been able to make these kind of statements and if these statements were accurate. And they were accurate. There were four problems that went into why we got into this trouble, in my opinion. Number one, lapse-period spending grew by significant amounts each and every year. Used to be in the

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three-hundred-million-dollar range. It is now in the eight- and nine-hundred-million-dollar range. Number two, we created new programs for which there were no revenue sources. We only looked at that year's spending and not the future years' spending. Number three, when we, in fact, added these programs, we didn't find a revenue source; and when we had supplemental appropriations during the year, there was never additional revenue to pay for those supplemental appropriations. If we watch ourselves on those supplemental appropriations and on new programs, I believe -- and control the lapse-period spending, we can, in fact, maintain the type of fiscal health we now have. Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would simply like to follow up the comments of the previous speaker, and on behalf of Senator Maitland and myself, like to say that we appreciate the help and cooperation that we have received from the Members of the Appropriations Committee, both on this side of the aisle and on the other side of the aisle. It has indeed been a very difficult year to fashion this budget, which, as Senator Carroll has just pointed out, we regard as a -- a balanced budget, which has been achieved in a very difficult time with respect to the sources that we have to call on for the revenue. I would like to point out to everyone here, however, that if we think that this year's budget building was difficult, I should warn you that next spring the task will be no easier, because this budget does include revenues in the amount of approximately five hundred million dollars that come from one-time sources - sources that we will not be able to tap next year. So that we may look forward to the need to hone the budget very, very carefully in order to see that - not just this year - but next

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year's budget will fit within the available resources. Once again, I express our appreciation for the help that we've seen from all of those involved in the appropriations process.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Supplemental Calendar No. 11. Oh, I'm sorry. We have a Message from the House.

ACTING SECRETARY: (MR. HARRY)

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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 77.

Adopted by the House, July 18, 1991. It's a substantive resolution. The Senate sponsor is Senator Leverenz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Leverenz, it is my understanding that this Message was read in earlier in the day. This resolution was assigned to the Committee on Executive. So Senator Leverenz moves to discharge the Committee on Executive from further consideration of House Joint Resolution 77. All those in favor, indicate by saying Aye. Opposed, Nay. I'm sorry. Senator Donahue.

SENATOR DONAHUE:

As the Spokesman on Exec, can I have the courtesy of knowing what the issue is involved?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

Absolutely. It's a resolution that directs the Department of -- the Director of the Department of Public Health to provide a Task Force to report by March of next year to identify and analyze various new models of acute health care delivery, and he would be

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in complete charge of the Task Force for the report, helping us set a direction for that type of service.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Donahue.

SENATOR DONAHUE:

Is there any appropriation or any cost or anything involved whatsoever?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

I know of none. It would be handled within the Department.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 77. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee on Executive is discharged. Senator Leverenz now moves the adoption of House Joint Resolution 77. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. House Joint Resolution 77 is adopted. All right. Supplemental Calendar No. 11. Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 701 offered by Senators Rock and Philip and all Members.

It's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves to suspend the rules for the immediate consideration and adoption of Senate Resolution 701, which is a death resolution. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution 701. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 701 is adopted. On the Order of

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-- Page 11. I'm sorry -- Page 11. Supplemental Calendar No. 11. We'll start at the bottom, because there is the -- the last appropriation bill is there. Senator Butler, we will begin with you. On Senate Bill 349, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 349.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Senate Bill 349 appropriates the expenses of the Department of Financial Institutions. It was discussed earlier this evening. One Senator had some problems, but I understand they've been cleared up. I would move concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 349. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 2 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 349. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1471. Jones. Senate Bill 1471, Madam Secretary.

SECRETARY HAWKER:

House Amendments 2 and 3 to Senate Bill 1471.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. You said 9 or 1471? Which one did you say?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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1-4-7-1.

SENATOR JONES:

I didn't hear you clearly. Okay. Second Conference Committee on Senate Bill 1471 restricts the tax levy authority for DuPage Airport Authority from .075 to .0025 of assessed property valuation. It allows the Authority to adopt an appropriation ordinance prior to the beginning of the fiscal year. It allows an individual with a Class A license or a B license to drive a truck weighing up to twenty-six hundred pounds for personal/rent use only for noncommercial purposes. It allows a county board to enact a one-hundred-dollar fee for a second and subsequent violation for a DUI law, and expands the definition of an airport facility. That's what's all contained in the Conference Committee Report, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Question -- question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Jones, does this bill have in it yet what's known as the Ryder truck amendment which we have voted down three times in this Senate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I don't know anything about a Ryder truck amendment that you refer to, Senator Davidson, but what this -- what it does is permit a person with a Class A license - those same persons who can drive a motorhome that's much larger than the -- the rental trucks that are on our highways and streets for noncommercial use

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purposes. So therefore -- that's all that it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, it does a little more than that. It has nothing to do with mobile homes. It has to do with a twenty-six thousand pound truck. We know it around here as the Ryder truck amendment. At least those of us on the Transportation Committee and other Members of this august Body. We've voted it down three times. And for it to show up again, I got to say, they got -- they are persistent. This may be a Second Conference Committee Report, but I think to be consistent, I would urge all of you to vote No, because they've snuck this thing in again. This would be the fourth time, and that's three times more than they need.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, as Senator Davidson so aptly described, this bill permits trucks of twenty-six thousand pounds - that's thirteen tons. And the Illinois State Police have grave concerns about public safety if this legislation is allowed to pass. And frankly, I speak against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Leverenz.

SENATOR LEVERENZ:

On Page 7, I direct your attention to 7, line 2, where is starts off saying, "Driver's license classifications shall be prescribed by rule and regulation promulgated by the Secretary of

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State." The new language on Page 7, line 9 -- would this not be the first time that we are going to circumvent the Secretary of State, rather we are legislating who gets a driver's license and eliminating it from the control of the Secretary of State's Office? Is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

This piece of legislation, for your information, Senator, was put together by the Secretary of State's Task Force. So it came from individuals on the Task Force. It was not put together by yours truly. So, his Task Force is the one that put this together.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I would like to point out that it's now two minutes after twelve. I'd ask the Gentleman to take this out of the record. The House is awaiting the Adjournment Resolution, and I'd sure like to get on with that Order.

(MIDNIGHT)

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