

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

81st Legislative Day

November 8, 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 the Reverend Marilyn Brewer, Laurel United Methodist Church, Springfield, Illinois. Reverend.

THE REVEREND MARILYN BREWER:

(Prayer by the Reverend Marilyn Brewer)

PRESIDENT ROCK:

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

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Mr. President, I move that reading and approval of the Journals of Wednesday, November the 6th; and Thursday, November the 7th, in the year 1991, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. ...(machine cutoff)...from the Governor.

SECRETARY HAWKER:

A Message for the Governor by Mark Boozell, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following message:

To the Honorable Members of the Senate, 87th General Assembly - I have nominated and appointed the following named persons to the offices enumerated below, and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

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PRESIDENT ROCK:

Executive appointments. Resolutions.

SECRETARY HAWKER:

Senate Resolution 876 offered by Senator Daley and all Members.

Senate Resolution 878 offered by Senator Topinka.

And Senate Resolution 879 offered by Senator Topinka.

They're congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 877 offered by Senator Leverenz.

It is substantive.

PRESIDENT ROCK:

Executive. Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 1485.

(Secretary reads title of bill)

Senate Bill -- pardon me, 1486 offered by Senators Holmberg and Berman.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Rules Committee. ...(machine cutoff)...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 1409, together with House Amendment No. 1, passed the House, as amended, November 7, 1991, by a three-fifths vote.

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PRESIDENT ROCK:

...(machine cutoff)...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 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 85.

Adopted by the House, November 7, 1991.

PRESIDENT ROCK:

Consent Calendar, and the other will go to the Secretary's Desk. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes. Thank you, Mr. President. May I have some order please, 'cause I have two announcements?

PRESIDENT ROCK:

Senator Jacobs, will you pay attention, please. Senator Vadalabene has an announcement.

SENATOR VADALABENE:

Thank you, Mr. President. I've been here since eight o'clock this morning and I've had Members come to my desk for an Armistice Day Speech. And I don't have any, and I don't know what happened, but wing it. You guys know what to do. The second speech is there'll be a Democratic Caucus in the President's Office immediately.

PRESIDENT ROCK:

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

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, not to be outdone, there will be a Republican Caucus in Senator James "Pate" Philip's Office immediately.

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PRESIDENT ROCK:

All right.

SENATOR GEO-KARIS:

Republican Caucus in Senator Philip's Office immediately. I repeat, Republican Caucus in Senator Philip's Office immediately.

PRESIDENT ROCK:

All right. Republican Caucus in Senator Philip's Office immediately. Democratic Caucus in the President's Office immediately. The Senate will stand in recess for approximately one hour. Eleven-thirty, Ladies and Gentlemen.

(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

The hour of noon having arrived, the Senate will reconvene. The Secretary has passed out the list of recalls in a Supplemental Calendar. I would ask the Members to please acquaint themselves with both. Resolutions.

SECRETARY HAWKER:

Senate Resolution 880 and Senate Resolution 881 offered by -- excuse me. 880 was Macdonald.

Senate Resolution 881 was Senator Dudycz.

They're both congratulatory.

PRESIDENT ROCK:

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

SENATOR DALEY:

Thank you, Mr. President, Members of the Senate. I would ask leave for immediate consideration on Senate Joint Resolution 103.

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It is a congratulatory resolution for a -- a school in my district.

PRESIDENT ROCK:

All right. The Gentleman has sought leave to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 103, a congratulatory resolution. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Daley now moves the adoption of Senate Joint Resolution 103. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the resolution is adopted. Senator Jacobs, for what purpose do you arise?

SENATOR JACOBS:

Thank you, Mr. President. I would like to suspend the rules and have immediate consideration of a death resolution. House Joint Resolution 86.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the rules for the immediate consideration of Senate <sic> Joint Resolution 86, a death resolution. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Jacobs now moves the adoption of Senate <sic> Joint Resolution 86. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it, and the resolution is adopted. Ladies and Gentlemen, if I can direct your attention to the Order of House Bills 3rd Reading. House Bills 3rd Reading. There are two Members who have indicated the desire to recall for the purposes of an amendment. You have in front of you the Recall List. Senators Jones and Collins. Senator Collins, are you ready on 1573? Middle of Page 3, on the Order of House Bills 3rd Reading is House Bill 1573. Senator Collins seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes

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of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1573, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Collins -- pardon me, Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment merely deletes the immediate effective date on this bill and makes a technical correction, and I move the adoption of Amendment No....

PRESIDENT ROCK:

2.

SENATOR BERMAN:

2.

PRESIDENT ROCK:

Senator Berman has moved the adoption of Amendment No. 2 to House Bill 1573. Discussion? If not, all in -- if not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. ...(machine cutoff)...Dudycz, for what purpose do you arise, sir?

SENATOR DUDYCH:

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

PRESIDENT ROCK:

State your point, please.

SENATOR DUDYCH:

I -- Mr. President, I don't mean to be disrespectful to the

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Chair, but I've been extremely frustrated in my attempts to have tax caps extended to Cook County, and I had filed Senate Bill 1474 and currently it sets in the Rules Committee. My attempt previously, as you know, to have the Rules Committee discharged to have Senate Bill 1474 heard on Floor debate have been unsuccessful. Mr. President, just a question to the Chair: Is there -- are there any plans by the President to have a Rules Committee meeting scheduled in the near future, or, if there are, when?

PRESIDENT ROCK:

Probably in January, as we always do, yes. Ladies and Gentlemen, we will move to the Order of Conference Committee Reports. Page 6 on the Calendar. The Chair has been informed that Senator Berman has two reports he wishes to consider, and I understand Senator Marovitz has one. Middle of Page 6. On the Order of Conference Committee Reports, there's a Conference Committee Report on House Bill 1078, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report -- pardon me, Second Corrected Conference Committee Report on House Bill 1078.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Second Corrected Conference Committee Report on House Bill 1078 deals with two particular areas. One deals with the community -- Public Community College Act and the school board members. And the other one deals with the Capital Development Board and school board members. That affects two situations where members of those respective boards ran for the school boards. We wanted to make sure that they are not precluded from rendering appropriate public service. I'd be glad to respond to any

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questions, and I move the adoption of Second amended -- Second Corrected Conference Committee Report on 1078.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of the Second Corrected Report on House Bill 1078. Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1078. Those in favor will vote Aye. Opposed, vote Nay, and the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 46 Ayes, 6 Nays, 3 voting Present. The Senate does adopt the Conference Committee Report on House Bill 1078, and the bill, having received the required constitutional majority, is declared passed. 250. Senator Berman. Madam Secretary, on the Order of Conference Committee Reports. Middle of Page 6, Ladies and Gentlemen, there's a Conference Committee Report on Senate Bill 250.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 250.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you. This -- this bill, as embodied in the Conference Committee Report, does two things. It corrects the -- the numbers of the ratio that affects the numbers of judges in -- in Cook County. Because of a drop in population, this will allow us to maintain the existing number of judges. It doesn't increase - but it doesn't -- it prevents us from having to decrease them. The second portion of this is that it would exempt from the normal requirement of filing fees, actions initiated by private citizens to abate nuisances on private property brought pursuant to Municipal Code. That's a request from the Speaker's district, and

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I urge the adoption of Conference Committee Report No. 1.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of the Conference Committee Report on Senate Bill 250. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, my slight misgiving about this Conference Committee Report has to do with the provision -- the second provision that Senator Berman mentioned, having to do with the waiving of filing fees for this particular type of action. And my question I have is -- is whether we're not setting a questionable precedent by waiving filing fees for these particular types of actions - however meritorious they might be - where -- where we might face the possibility of similar requests in the future for other types of deserving law suits, domestic violence complaints and the like, where -- where a plaintiff or a complainant has to -- has to pay a filing fee. I -- Senator Berman, have we passed this by -- circuit court clerks or others who are in a position to sustain a revenue loss - however minor it might be - in this particular instance, to determine whether they are at all troubled by this potential precedent?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

I've not heard any objection. Let me address your concern, if I might. The nature of this type of action would be brought by a -- by a municipality, and as you are well aware, any municipality that would come in to abate a nuisance which exists in their city or village, pursuant to their Municipal Code -- they don't pay a fee. Because of the volume of litigation that already exists in these municipal departments, what this does is saying, if you're -- if you're attacking a public nuisance - even though the city

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hasn't filed it, but a community group is filing it - if the city filed it, they wouldn't be paying the fees; we ought not to impose the restriction on the community group in filing the fees. This -- the purpose of this is to attack the nuisance, but avoid the burden of the fee structure that really wouldn't exist if there were more lawyers employed by the city. This saves the cost of adding more lawyers in the city, but doesn't prevent attacking nuisances in the communities.

PRESIDENT ROCK:

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I hope everyone listens, 'cause this is, number one, a far bigger issue than it appears on the surface. Number two, I would say - and then I will come back to that - is this is something that Speaker Madigan has brought up, and I would say, with no real discussion, this is suddenly on his wish list. No real discussion, no public hearings, no nothing. Suddenly he's come in with it. Now let me explain what he's done. First, speaking to the issue Senator Berman spoke about, much of which is correct and I don't differ, but I want to stretch one point beyond. If a private group wants to come in on this cleaning up the nuisance thing. If they win, they get -- they can get their fees back, if they had a legitimate case, but if they're just harassing someone they don't like. What we're saying is we're making it easier for them to harass. We need a clearer definition on when this applies. But now let me give you the much larger part of the bill, 'cause that's small enough that I would overlook it, even though I don't think we should. Let me tell you what the big issue is: this is trying to get around the Judicial Districting Act. What it says -- the associate judges, who are not elected, who are appointed - we protect that number. The whole point of

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the Judicial Districting Act was to shift associates to elected judgeships, because once they're in the elected category, they go out into the various judicial circuits and out into the community. This bill says "Oh no, let's protect associates that are not elected by the people, but are put in strictly by a small group." If you would all believe that the Judicial Districting Act should take effect, you cannot support this Conference Committee. If Cook County wants to keep the same number of judges, and I have no trouble, I've supported giving Cook County twenty-two new judges and we did give them, and they were elected judges. We don't want to protect the associate judges who are unelected and are not subject to the same scrutiny of an elected judge. If Cook County needs judges, make them elected judges, and I frankly would support that provision that would put them in the judicial circuits. This is simply a carefully crafted - by the speaker - carefully crafted attempt to avoid the Judicial Districting Act for, admittedly not a ton of judges, but some, and as soon as you start saying "some," it's going to be more the next time the Speaker comes back. This would be a first little chink of saying, "Protect associates - don't make them elected, cause elected fits into the circuits."

PRESIDENT ROCK:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Will the sponsor yield for a question?

PRESIDENT ROCK:

Senator Berman indicates he will yield.

SENATOR BROOKINS:

Senator Berman, as you know, I am very concerned in this matter and I do not want to have the reduction of elected judges within the districts, and I need some explanation as to what is the intent of this as far as associate judges is concerned?

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PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Would you say it again? I'm sorry. I didn't hear it.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

I'm trying to find out if what you are doing with associate judges will diminish the amount of judges that will be elected in the district.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Let me explain for the record what my intent is, and what I believe the intent of the this bill is. And if it's of any help, Senator Keats -- Senator Keats, if you'd just listen to my explanation for a minute. Let me tell you what I understand the purpose of this bill is, and if there's a question of what I say - if you don't think that what I'm saying is correct, I'll be glad to take this out of the record and try to get some verification. But let me tell you what I believe is the intent here. The intent of this bill is not to diminish the number of judges that will be elected by districts; the purpose of this bill is to prevent a diminished -- a -- a -- a -- a decrease in the number of total judges associate -- total associate judges in Cook County, because of our decrease in population. We did this for downstate. We shifted a ratio number for downstate. When we did it for downstate, we asked Cook if they needed it. At that time they said, "No." Now they woke up, and says, "Yes, we need it." But again, I say to you, my understanding that this is only to keep the same total number in light of a decrease in population. If you don't think that that's what this does - if you think it's

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shifting associates to -- from -- or increasing associate judges from the judges that have to run from the districts, I'll pull it out of the record and get some verification on that question. But I want you to understand where I'm coming from. I believe -- it's been represented to me that the purpose of this is to maintain the same total number of judges. It's not to shift them between district -- subdistrict judges and associate judges. You tell me what you want me to do.

PRESIDENT ROCK:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Senator Berman, if -- if -- if that is true and if -- if -- if that is correct, then I'm prepared to support the -- the Conference Committee Report. If that is not true, as you know, I would not be able to -- be willing to support it, and I just need some assurance that what you have just said is real and true, and that's my standing.

PRESIDENT ROCK:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I just want to stand in support of Senator Berman, because I think what he's pointing out to the Membership is absolutely correct. As I understand the provision as far as associate judges, that after the census and a number of people in Cook County makes a determination as far as the number of associate judges. And what his bill is doing is maintaining the current number of associate judges; otherwise it'd be a loss, because of the census loss in Cook County. I just want to point out to the Membership that the case workload has not decreased; it has increased. The number of cases that are still awaiting trial has increased, not decreased. I think this is a reasonable approach, and I'd ask for you to support it. Thank you.

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PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT ROCK:

Indicates he will yield.

SENATOR FAWELL:

Senator Berman, you know, in our county we have, I think it's fifteen full circuit now and about -- about the same number -- twenty associate judges. Some of our associate judges out in traffic court in the different municipalities and some of them sit in Wheaton in the -- in the county courthouse and hear cases there. My question to you is, if you get the same number of magistrate -- what they call associate judges now -- are you -- are those judges going to be equally distributed among the population? So that, for instance, Oak Park where -- is my old hometown, will -- will have not only a full circuit perhaps sitting, but will also have a -- an associate to do the traffic work?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Senator Fawell, this bill doesn't deal with that at all. Assignment of judges is all up to the chief judge and the individual judges in their -- this bill doesn't effect that one way or the other.

PRESIDENT ROCK:

Any further discussion? Senator Keats, for the second time.

SENATOR KEATS:

I would request the sponsor to take it out, and I will explain why. Everything Senator Berman and Senator Lechowicz says, is technically correct. I believe you and that's good faith, but

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that isn't the effect. The agreement was, when we passed judicial districting, was that we would be shifting to elected judges by protecting the number of associates. Remember, we just gave Cook County twenty-two new elected judges. Just gave twenty-two new ones, so it's not that we're unwilling to give judges. But the point was we were diminishing the number of associates, which we have every right to do by law, and shifting them to elective judges. So what we're saying is, this negates the agreement we had with the Speaker of the House, which is the shift towards elected judges. Because the more associates we protect, in order to maintain the same number of judges, the less elected.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Let -- let me make you this deal. You've heard what I believe is my -- is the intent of this bill. I don't know how, at this hour, to get you a -- a proper explanation from an authoritative source. I -- I don't know who to reach out to. I'm stating on the record what I believe this intent is. I would ask that we pass this out now. If -- if I find, and you find, and we find, that what I'm telling you is not true, that I have been misled, and it's not what I am representing, I will join you in a message to the Governor that he -- that he veto the bill. I mean -- I'm just concerned as to the timing on this. So let me make that offer to you, and you tell me what you want to do.

PRESIDENT ROCK:

Senator Keats.

SENATOR KEATS:

This -- if the Speaker had been sincere in his interest and that was all he's doing -- 'cause I trust you, Senator Berman. I believe you and Senator Lechowicz were correct in what you're

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saying -- but that's not the effect. If the Speaker had sincerely wanted that, he might have mentioned to some of us, rather than snuck the bill out of nowhere without discussing it with anyone. The simple fact is, what you're saying is true, but that isn't the effect. The effect is to keep judges from being shifted to elective status, which puts them in the districts. We have agreed, and the Speaker understands - although he doesn't like it - that we want to go away from associates tort elected. And the more associates we maintain in Cook County, the less elected, and every new elective judge goes to a subcircuit. Every associate stays appointed by Judge Comerford and the other judges. They don't go to the circuits; therefore it goes -- flies in the face of the objective of increasing judges in the subcircuits.

PRESIDENT ROCK:

Senator Berman, to close.

SENATOR BERMAN:

All right. Let -- Roger, I don't argue with what you're saying might happen. My point is, I'm not sure that -- I don't think this bill does that. It hasn't been represented to me that way. Your best -- you know, the Governor signed the district election bill, it was passed with a bipartisan majority. All I'm suggesting is, so that we don't lose judges, I just ask you: let's pass this; if it does what you think it does, I will join with you in asking the Governor to veto it. We will be back in the spring. But I -- I just -- I don't know how to -- at this hour, if we were -- if it was two weeks ago, I'd take it out of the record. And I just suggest to you, let's -- let's see what we can do to find out what it is. I -- I can't get you an answer in an hour.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 250. Those in favor will vote Aye. Opposed, vote Nay, and the voting's open. All voted who wish?

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All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 23 Nays, 5 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House, and Senator Berman has requested a Second Committee of Conference. Any other Member have a bill on the -- Conference Committee Reports? Senator Marovitz, is that 1231? Top of Page 7, Ladies and Gentlemen, on the Order of Conference Committee Reports there's a report with respect to Senate Bill 1231, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1231.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

...(machine cutoff)...much, Mr. President and Members of the Senate. Conference Committee Report on 1231 expands the definition of airport facilities; extends limited liability under the Not For Profit Corporation Act to include entities that were previously covered under our predecessor Act, but were inadvertently left out when the new Act was passed; allows for a twenty-day period for dealers -- car dealers to record title transfers and salvage certificates, rather than fifteen days; clarifies reporting procedures required by the Secretary of State's Office of scrap auto processors; and allows an auto dealer twenty days to submit a title to the Secretary of State's Office. These were -- most of these were requested by George Ryan and the Secretary of State's Office. Also there is some stuff in here requested by the DuPage County Airport Authority, and I would ask for a affirmative vote on Senate Bill 1231's Conference Committee Report.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of the First

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Conference Committee Report on Senate Bill 1231. Discussion?
Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDENT ROCK:

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Marovitz, this is the Diesel Motor Emission Testing -- Diesel Powered Motor Vehicle Emission Testing Act. What does it do about diesel powered vehicles?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Nothing.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1231. Those in favor, vote Aye. Opposed, vote Nay, and the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1231, and the bill, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, will you turn back to Page 5. Senator del Valle are you ready on SJR 105? Senator Brookins in the hall? On -- on the Order of Secretary's Desk, Resolutions, Madam Secretary, Senate Joint Resolution 105.

SECRETARY HAWKER:

Senate Joint Resolution 105. No committee amendments.

PRESIDENT ROCK:

Senator del Valle.

SENATOR DEL VALLE:

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Thank you, Mr. President. This resolution simply adds the Illinois Commission on Intergovernmental Cooperation to the task force on capturing federal funds. That task force has not started to operate, but will very soon, and it also extends the deadline for the task force to report to the General Assembly from 12/31/91 to 5/30/92. I ask for its adoption.

PRESIDENT ROCK:

All right. Senator del Valle has moved the adoption of Senate Joint Resolution 105. Any discussion? If not, the question is, shall Senate Joint Resolution 105 be adopted. Those in favor, vote Aye. Opposed, vote Nay, and the voting's open. All voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Joint Resolution 105, having received the required constitutional majority, declared adopted. Senate Resolution 861. Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Senate Resolution 861 -- it requires hearings to determine an alternate method of funding to and from the regional transit system. The Transportation Committee will consider several alternate methods of funding such redistribution of the sales tax, using local motor fuel taxes instead of sales taxes, as Statutes allow. Increased State subsidies or other fees increased to drivers, and I ask for immediate passage of this.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of Senate Resolution 861. Discussion? If not, those in favor of the adoption with vote Aye. Opposed, vote Nay, and the voting's open. All voted who wish? ...(machine cutoff)... voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Resolution 861, having received the

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required constitutional majority, is declared adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Resolutions. Senate Resolution 875, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 875. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Philip and I are co-sponsoring Senate Resolution 875. It's kind of our response to the aborted movement over in the House for video poker and video lottery machines. It was brought to our attention that truly there was not literally enough information around as to what the impact of that proposal would be on both the lottery, the riverboat licensees and, in fact, the parimutuel wagering. What this calls for is a study to be done by our own Economic and Fiscal Commission concerning the impact of these proposals or other expansions of gambling on the existing revenues. I know of no objection, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Resolution 875 pass. 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. Senate Resolution 875 is adopted. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

On the last resolution, Mr. President, I'm seeking recognition to ask the sponsor a question, if he'd be so kind, and I have -- I have not had an opportunity to read the resolution. But I was

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hoping that we could also ask that the Economic and Fiscal Commission make a determination if there was slot machines available at O'Hare and Midway Field, what that would raise in revenue, as well as any possibility of riverboat gambling in Lake Michigan -- after the fact.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Senate Joint Resolution 105. Madam Secretary, read the resolution. All right. We did that. Okay. All right. On the Order of Resolutions, Senate Resolution 877, Madam Secretary. Senator -- Senator Leverenz, for what purpose do you arise?

SENATOR LEVERENZ:

Mr. President, I would want to move to have immediate consideration of Resolution 877.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. It was just read in a few minutes ago, apparently. So Senator Leverenz moves to discharge the Committee on Executive from further consideration of Senate Resolution 877. Is leave granted? Senator Donahue.

SENATOR DONAHUE:

I just have not been talked to about this - if we're discharging an Executive Committee, our side hasn't been discussed, and I would object, at this point, on that basis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Thank you. Mr. President, I'd like to ask leave to expediate Senate Joint Resolution 102, so that we can move it right out. It is congratulatory in nature only.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Brookins, we are discussing the discharge motion with respect to Senator Leverenz. All right. With leave of the Body, let's take Senator Leverenz's motion out of the

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record for the time being, while he discusses the amendment with various parties. Senator Brookins has -- Senator Brookins, where is Senate Joint Resolution 102? It is on the Consent Calendar. All right. I'm sorry. Okay. Now I understand. Senator Brookins has sought leave of the Body to consider Senate Joint Resolution 102, which is congratulatory, which is apparently on the Consent Calendar, and therefore it needs to pass out of this Body and needs to go over to the House, so the House can take appropriate action on this Senate congratulatory resolution. Is leave granted? Senator Keats? All right. Senator Brookins now moves the adoption of Senate Joint Resolution 102, which is congratulatory. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Joint Resolution 102 is adopted. With leave of the Body, we are still discussing -- with leave to come back to Senator Leverenz's resolution later on. Leave is granted. On the Order of the Supplemental Calendar No. 1 -- Supplemental Calendar No. 1, Secretary's Desk, Concurrence, is Senate Bill 1409. Senator Berman. Madam Secretary, read the -- read the bill.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1409.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This is the -- this is a bill that is very important in my district. This is the Fish Code legislation. This is the Legislative Reference Bureau rewrite of this. It's technical in nature -- no substantive change. And I move concurrence in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1409. Those in

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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 concur with House Amendment 1 to Senate Bill 1409, and the bill, having received the required constitutional majority, is declared passed. Conference Committee Reports is House Bill 1097, Madam Secretary. Senator Berman? 1097? We're on Supplemental Calendar No. 1. House Bill 1097, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1097.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Let's take that out of the record for a minute. We've got to get straight on which conference committee report we're talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. Senate Bill 922. Senator Rigney, are you ready to proceed? All right. On the First Supplemental Calendar is Senate Bill 922, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 922.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, first of all, Mr. President, I want to tell you, if any Member has any questions about any of the provisions in this bill, I don't intend to answer them, because what we have here is a collection of things that we will, I guess, have to refer to the original sponsor. Four of these items that are in this report are what is called noncompliance by the House. In other words, they

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were amendatory vetoes that they would not address in the House, and then they sent all of these things back in this bill. First of all, I think I'll mention those four very quickly. Apparently something that you had, Mr. President - Senate Bill 1172 - and it deals with estimations that are made of tax expenditures. You apparently must have said we were going to do it quarterly and the Governor said annually. And then there is one in here for Senator Barkhausen on noncompliance again; says that -- allows State agencies to obtain the State Police arrest information about job applicants, and the amendatory veto added in allowing private employers to also obtain this information. One here for Senator Holmberg that deals with license fee for fire equipment distributors, and the amendatory veto provided that there would not be a low-interest loan program. Senator Welch has one in here that -- preference for bidders using recycled materials. The Governor said we'll allow it on a pilot basis, rather than a mandatory basis. In addition, there are some other interesting things in here. There's a land conveyance for Mokena for a little plot of land in -- in that village. There's some early intervention legislation that originally was House Bill 954. There's things in here for the DuPage Forest Preserve District, and I think that Senator Karpziel has some interest in, as I understand. There's legislation in here where we define a golf cart - believe it or not - and trying to make those things legal to -- to cross a county road. We also have something that maybe you've already heard about - I have, when I got back home - about county board members and other elected officials serving on appointed boards. Apparently in our wisdom, this spring we decided that those people could not do that, and this is to clear that up to -- to say that, "Yes, they can serve on appointed boards," when there's statutory authority to do so. And then there's a couple of items in here that do nothing more than change

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the effective date. One of them for Senator Berman - Senate Bill 728 - and one for Senator Jones - House Bill 493. So, as you can see, this is one of those kind of clean-up bills at the end of the Session, and as I say, that's -- that's basically what's in there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Rigney, for my part, you explained my provision very well. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. One part of this does concern me a little bit, and that's the part that was described as defining a golf cart, and I think we ought to look a little more carefully at that one. We're making it a violation of the Vehicle Code, so I assume that would be your normal fifty-dollar fine, plus all the other add-ons that we make. For any person to drive or operate any golf cart upon any street highway or roadway in this State. And then they make a little exception for crossing a -- a road in certain instances, but I think particularly in downstate, we've got a lot of rural golf courses and subdivisions and people that live nearby, and many of those folks keep their golf carts at their home and they maybe have to drive it up a couple of blocks along that road or their street, and we're going to be putting them in violation of the law, and it will be a nice fifty-dollar fine, plus costs - it will probably go on their driving record and affect their insurance, and I don't think we want to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rigney may close.

SENATOR RIGNEY:

Since Senator Hawkinson has raised that question, I visited yesterday with Representative Steczo as our House sponsor on all of this. We pointed out a little problem with this Section dealing with golf carts. He recognizes there is a problem, and his answer to that was a very simple one - "Well, we'll take care

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of that in the spring." So this is maybe one of those full employment bills for the General Assembly. I would point out that our friends in the House gave it a unanimous vote, and there's some things in here that I think are pretty doggone important to some Members around here. Let's get it out of here, and if we have to do something with golf carts in the spring, let's take care of it at that time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 922. 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? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 10, 9 voting Present. The First Conference Committee is not adopted, and the Secretary shall so inform the House. It takes 36 votes. It is my understanding the Gentleman described various immediate effective dates in the -- in the Conference Committee Report, and therefore it takes 36 votes in order for it to be effective immediately. Motions in Writing. Senator Rigney, for what purpose do you arise?

SENATOR RIGNEY:

To make -- do I have to make some kind of a motion to ask for a second one, or do we just -- that's automatic. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rigney requests a Second Conference Committee. Motions in Writing. Senate Resolution 549. Senator Savickas. Senate Resolution 874. Senator Severns. Madam Secretary.

SECRETARY HAWKER:

Senate Resolution -- pardon me, I move to discharge the Committee on Executive from further consideration of Senate

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Resolution 874, and to suspend the rules to take up its immediate consideration and adoption.

Filed by Senator Severns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I move to discharge from the Committee on Executive, Senate Resolution 874, and -- and to suspend the rules to take up its immediate consideration and adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Severns has moved to discharge the Committee on Executive of Senate Resolution 874, and to take up its immediate consideration. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The rules are suspended, and Senator Severns now moves -- the committee is discharged, and Senator Severns has now moved the adoption of Senate Resolution 874. Senator -- Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. My co-chair on the Commission on Intergovernmental Cooperation is sponsoring an identical resolution in the House. It simply directs the Commission to study and make findings and recommendations to the General Assembly by April 1st, regarding the implementation of the Federal Cash Management Improvement Act of 1990 -- a federal mandate that they feel this resolution will help them comply with that mandate. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, Senator Severns has moved the adoption of Senate Resolution 874. 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

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the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Resolution 874 is adopted. With leave of the Body, we will return to the regular Calendar. Page 2. All right. Page 3. Top of Page 3 is House Bill 1573. Senator Collins on the Floor? All right. Bill is not physically here before us at the moment. Senator Jones, what about 2292? Okay. With leave of the Body, we'll come back to 1573. Leave is granted. On the Order of House Bills 3rd Reading, bottom of Page 3 is -- is 2292. Madam Secretary, House Bill, please.

SECRETARY HAWKER:

House Bill 2292.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. House Bill 2992 <sic> (2292), as amended, amends the Public Aid Code to add Illinois Development Finance Authority as the agency that may accept assignments or pledges or receivables as security for financing programs. Also it -- it allows providers to assign or pledge security interests in amounts due from the Department of Public Aid. Also it contains in there a provision that was added on by Senator Collins, which was the Governor's amendatory veto language that -- that required the Department of Public Aid to establish a system for day care reimbursement that gave priority to former AFDC families, and that's what the bill does, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, if --

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if we could have a -- a broad range support for this bill, because now this would indeed help our very beleaguered pharmacists, who are having a terrible time kind of keeping, you know, their bills paid, because we have been in arrears, and this would allow them to get loans. And it's -- it's just a real important issue to them to keep them afloat, else we continue to risk the continued demise of many of our local pharmacies. And that's in this bill, and it's really vital to the cause and terms of their businesses. So if we'd look at it from that standpoint, help it along, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)...Further discussion? If not, Senator Jones may close.

SENATOR JONES:

Yes, I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 2292 pass. 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 55, the Nays are none, 1 voting Present. House Bill 2292, having received the required constitutional majority vote, is declared passed. Okay. Senator Collins on the Floor? Senator Welch on the Floor? With leave of the Body, the only thing that's pending on the House Bills 3rd Reading is House Bill 1573. Senator Collins is not on the Floor at the moment. So with leave, we'll come back to that in a few moments. There is a -- Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Thank you, Mr. President. I have a Senate resolution that was sent to the Executive Committee. I would like to have the committee discharged and call up the resolution for immediate

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consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved to discharge the Committee on Executive, further consideration of Senate Resolution 862. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The Committee on Executive is discharged from further consideration of Senate Resolution 862. Senator Welch, on the resolution.

SENATOR WELCH:

Thank you, Mr. President. This resolution basically is in honor of -- former Representative Richard Mautino, who passed away in August. And the purpose of the resolution is to commemorate the late State Representative by naming a park after him in Bureau County. What we are doing is directing the Department of Conservation to rename an undeveloped property known as the Shallow Brook State Park as the Mautino State Park, in honor of Representative Dick Mautino. Representative Mautino lived two miles from me, he worked for years to try to get the Department of Conservation to buy this property. Finally, within the last year -- year or so he was able to achieve that goal, and the people in Bureau County are unanimous in wanting to rename it after him. And so what -- I would urge this Assembly to adopt this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would just have one quick question of the sponsor if you will, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

In your opening comment you said that we will rename this. Not

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saying that they won't, but it is just requesting the Department of Conservation and the Governor's Office to look into this. Right? We're not telling them that it will be renamed. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

This is a Senate resolution yet, not a joint resolution, so we're directing the Department to look into renaming the park. We're encouraging them to do so, and think it's a good idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall -- on the -- on the -- Senator Welch has moved the adoption of Senate Resolution 862. 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 57, the Nays are none, none voting Present. Senate Resolution 862 is adopted. Now with leave of the Body, we will return to the Order of House Bills 3rd Reading. Page 3. Senator Collins. House Bill 1573, Madam Secretary.

SECRETARY HAWKER:

House Bill 1573.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. House Bill 1533 < sic > (1573) has been stripped of its original content and has been replaced by an amendment that we believe will, in fact, give the Chicago Board of Education the necessary resources

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to fund its operation for this fiscal year. It also requires that the Finance Authority, which by some imaginary rule, decided that they would hold back in reserve, out of the Education Fund, approximately a hundred and fifty-one million dollars, at a time when it is very clear that the school board has made every conceivable attempt to balance its budget. This Body, over the years, have been talking about reducing the central administrative office, and they have. I don't think no one here will -- will -- will say that a real effort has been made on the part of the new board to reduce the operating expenses of the Chicago Board of Education. I think that system now probably operates lower than the central administrative office -- costs lower now to operate than any other major school district in this country. In fact, I think it is operating at a level right now that is questionable as to whether or not they can, in fact, provide the necessary fiscal monitoring and programmatic support that is necessary to provide a quality education to those children, without passing on to the local school themselves added responsibility of finding extra money for necessary resources. This amendment will, in fact, not only solve the problem today, but it will also go a long way to solve the problem next year. Every year we are faced with playing a game of dominoes with the lives of the children of the Chicago School District. It think it's unfair. I have heard everything from this bill, which is -- takes nothing and asking nothing of you - from the State - not one dime of this money is asked will come out of the State Treasurer or from taxpayers -- new additional burden on the taxpayers to operate the system this year. It's simply asking the financial authority to release -- to release the board's own money that they have levied and collected from the taxpayer, which is currently being held in reserve -- to release those dollars so that we can get on about the business of educating our children and bringing some stability to that school

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system. This is only fair. And the spirit of compromise -- and most of us, especially the Caucus, is adamantly opposed in both Chambers to granting those authorities to the Financial Authority -- powers to the Financial Authority -- that have already sunset from the original legislation. But in the spirit of compromise, we were willing to allow those authorities to be extended until 1995. That is not necessarily fair, but is a reasonable - I think - compromise over the amendment that is currently being voted on in the House. I -- I am pressing -- beg you please, let us stop this game of playing with the Chicago's -- the lives of the Chicago schoolchildren. If there's any place in this State that this Body ought to take a very serious look at, as we deliberate and as we look at the financial conditions of this State, it is in those areas that -- where there is high unemployment and a disproportionate number of people depending upon the welfare system. Because if this State is going to remain viable, we must assume the responsibility for educating the future generations in the -- in the minority communities. And that is not being done. We can't afford to play this game. We cannot afford to play this game. We cannot afford to have those children out on the strike. We passed - I think - adequate education reform -- school reform, for the Chicago system. But we have not given that system an opportunity to work. That interim board that was in place bankrupted the system by extending financial obligations with no adequate means of -- of -- of making good on those promises. The new board came in and they had no choice but to make extraordinary cuts and sacrifices in order to maintain a balanced budget. This cash reserve of a hundred and fifty million dollars is just helping to -- to -- to bankrupt and to make that system more unstable than it is today. We can balance the budget, and we don't have to have any money from anyone else. It is basic fairness, and I'm asking for your favorable consideration.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? The Senator -- Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senator Collins, we're not playing games. This is not a funny issue. It simply is not. And I agree with you - the lives of the boys and girls in the City of Chicago are at hand here. Every year we deal with this issue. Every single year. Last year was in a greater amount. The fact of the matter is - and this side of the aisle has agonized over -- over a strike there as well, believe you me - every caucus we've had, we've talked about that. This legislation should not pass. I don't believe the Governor would sign this piece of legislation. And every Member of this Chamber knows that efforts have been put forth by a number of groups and individuals to present, to both sides of the rotunda, a package that can pass, be signed, and avert a tax. And we're going to do that yet today, Senator Collins. We're going to do it with a realistic measure - one that will work and one that is in the spirit of compromise. This one, you and I both know, is not. This is a fruitless effort and ought to be defeated, and let's pass the bill that will be before us later, to avert that strike that you and I both want to avert.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman.

SENATOR BERMAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Berman. Ladies and Gentleman, can we -- we take our caucuses off the Floor? Senator Watson. Senator DeAngelis. Just checking to see if you're here. Senator Berman.

SENATOR BERMAN:

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

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I rise in support of House Bill 1573. I understand the art of compromise, and later this morning or later this afternoon - I'm sorry, later this afternoon - there may be another bill before us. But I -- I intend to vote Yes for this bill, because I think that it delivers several messages. Number one, it expresses on my behalf, the fact that I think that the amount of the reserves that the School Finance Authority has imposed upon the board's operation is not fair. And I will address that later today in more detail. Secondly, I think that this allows the board a reasonably large amount of money to give teachers what they deserve - and that is a fair increase in their wages - and prevents some very serious lawsuits involving the disabled and handicapped children. I think that we may have to settle for less, but as of this time, I want to support thirty-five million dollars, and that's why I'm going to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I know that this Body - and I heard Senator Maitland say it just a moment ago - says to itself, "Here we come again - that pesky Chicago School System, always in search of more money." This may, in fact, be a sentiment that some of my colleagues on this side of the aisle share. I want to -- and hope that you will consider the fact that this is a hometown issue. This is not money that's coming from the State. It does not affect any of your districts. This is a matter that concerns Chicago. Not too long ago, you helped us pass the second round of school reform. I am in the schools almost every day. I meet with local school councils; I meet with parents. They are serving in the best sense of volunteerism. These are people who enter unsafe neighborhoods, who cross gang territory to go into schools to sit down and practice the governance that we gave them. I urge you to

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give them this opportunity to have the thirty-five million that will give them the real chance to carry out this second generation of school reform. It is a hometown matter. I don't think that we need to have a lot of opposition to this. I ask you to vote Yes for it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. I rise in support of House Bill 1573. And in response to Senator Maitland, on the other side, as to what Governor Jim Edgar will do, well you know, and the Members of this Body know, that Jim Edgar goes whichever way the wind blows. So we -- none of us know which way Jim Edgar's going to go on anything. But to -- but as relate to the Chicago Public School System - a system that has a little over 2.1 billion dollars of funds to operate with - and to require it to have a hundred and fifty million dollars in reserve and here in the State of Illinois -- in the State of Illinois, with a twenty-seven-billion-dollar budget and all the Comptroller looks for is an average balance of two hundred million dollars. So what I'm saying to you that the figure's totally unrealistic. If you are talking about doing something for Chicago schools, you would support this piece of legislation, because it does not impact on the fiscal responsibility of the State. Not one dime of this money is -- is State dollars. These are all local dollars. There is no need for the Chicago School System to have a hundred and fifty million dollars held back. Those dollars can -- can help the children of Chicago get a decent education. But -- but if your intent is to continue to gut that system, where you will have only a generic form of education, then you will support the other bill that's coming over. But if you want to help Chicago do what it's suppose to do - and that is to educate children - you

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would not place a demand on it that the State of Illinois, with a budget of twenty-seven billion dollars, do not have to meet. So you should support this legislation, give them the thirty-five million dollars of their own money, so those dollars can also help educate children and also avert a teacher's strike in the public school system. And I solicit an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WICS has requested permission to videotape, and apparently a number of others. Is leave granted for all? Leave is granted. Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Time and time and time again, I have heard coming from the other side of the aisle, use your own money. Do it for yourself. Well, here we are -- here we are, asking to allow us to do it for ourselves. We have in reserve a hundred and fifty million dollars that belongs to the City of Chicago Board of Education - in reserve. And we're asking with this bill - 1573 - that we are allowed to take thirty-five million dollars from it to settle our school crisis. We're not asking for State money. We're not asking for tax increases. We're asking for money that has been held in reserved - an -- an inordinate amount of money held in reserve - to use it to help our school crisis. And I hear you on the other side saying "the art of compromise" and "responsible" and "responsiveness." This is responsive. I'm asking you to allow the Chicago Board of Education to reduce the reserve that it has been stated and proven and debated is really not needed. The percentage of reserves held by the Chicago Board of Education is more than the reserve held by the State of Illinois. So I see no problem with that. You talked about the art of compromise, and I think that we all know that art here, otherwise we would not be here. We have compromised, we have compromised and we have compromised. I am saying to you that

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we in our Caucus have compromised, and we'll be back to the wall on this one. I'm asking that, number one, that we send this bill to the Governor's Office. The Governor, who says that he is a educational Governor, that he is interested in education of the poor kids in the City of Chicago, then let's send him a bill that he can sign and send to Chicago so that we can educate those young folks in the City of Chicago. And I'm sure he will sign it, because he is great educational Governor. I urge you to vote Aye on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not -- I beg your pardon. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I rise in full support of this bill. Once again, I hear some of my colleagues talking about a temporary solution. We're talking about an alternative here - and we've all heard about that alternative - that addresses this issue by way of a two-year solution. That, I say to you, is not a solution. I think it's been said very well by Members here today, that we're holding the Chicago Board of Education -- the Chicago School District to a different standard. And some of you would say, "Yes, we need to do that because there are serious problems there." Well, it's those problems that this bill is attempting to address by making sure that we create a structure, within the Finance Authority, that is a fair one, and one that is going to insure that not just for two years, but from this point on, that the reserve that they have is a fair one - not one that takes in so much money that here we are asking them - begging them - to please allow us to use some of that money. And we're not only talking about teachers' salaries. Let me say that we're also talking about the mandated special ed programs that have been cut. We're talking about summer school. We're talking about restoring

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some programs that have already been cut because of the fiscal problems that we're experiencing. And so let's not just think of these dollars as being dollars for teachers' salaries. I think everyone will agree that the teachers need a raise in the City of Chicago. Maybe it's not seven percent, but everyone agrees that there is, I think, a need for some kind of increase. This money is for the purpose of allowing us to not only insure some kind of increment for teachers - some kind of increment - but also, I would hope, the restoration of much-needed programs, and we can't do that for just two years. And we can't do it with the amount of money that is being proposed in other legislation. This is the answer. This is the responsible piece of legislation, and I urge that you all support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. I, too, stand in concurrence with the previous speakers who support this piece of legislation. The question was answered by Senator Jones, let the Governor decide whether he will or will not sign into existence this cry from the legislators from the City of Chicago for the need of our children in the public school. I understand that the Board of Education is like unto a twenty-nine-billion-dollar corporation. I understand that this twenty-nine-billion-dollar corporation has shown itself to be fiscally sound by maintaining a balanced budget for the last five or six years, and that the reserve that is presently there has caused its occurrence. I'd also want to know why this district, again and again and again and again - I can say it over and over again - is so different from any other district in the State of Illinois. We just resolved, after a number of years and Senate Sessions here, the principal problem which made us different. And this continual problem of funding of the Chicago

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Public School - when will it be solved? Is there a diabolic plan afoot that the children of the City of Chicago shall be noneducated? And are we not unaware that noneducation is directly related to crime and to other social problems? Is it because we're interested in the continual building of prisons to fund other parts and sections of this great State? And what about that it costs roughly about twenty-two thousand dollars to keep an inmate in the penitentiary, when we can so adequately now, at this present time, vote to release this money and put it into the school, so that we can maintain an educational force for our children. I'm asking you to think about what you're doing. Don't send our children out into the streets here at this time and strike, because all it's going to do is keep us back, keep us struggling and keep us coming here and begging you for some type of assistance that we have to plead and beg for. Support this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

END OF TAPE

TAPE 2

SENATOR SCHUNEMAN:

Thank you, Mr. President. Every year we hear about Chicago's school problems in the Illinois General Assembly. I've been here for a lot of years, and every year this problem is brought to this General Assembly. Let me tell you something: you're not the only ones who have problems with schools. We have problems funding our schools. But I notice a study by the Illinois Taxpayers' Federation, which I find very interesting. The effective tax

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rates on residences throughout the State -- in my county, a residence that's valued at one hundred thousand dollars pays a tax of twenty-one hundred and thirty-one dollars. In the City of Chicago, a residence valued at one hundred thousand dollars pays a tax of fourteen hundred dollars. I'm telling you what the -- what the Taxpayers' Federation study shows. Now you can find fault with their study, and your argument is with them, but I think the perception is that the folks in Chicago are not paying their fair share of residential real estate taxes, when compared with the rest of the State. Whether that's right or wrong, it's up to you, I guess, to make the argument, but from the figures that I've seen and the assessed valuations that I've seen, I'm inclined to agree that the Taxpayers' Federation is right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in full support of Amendment 1 of Senate -- House Bill 1573. We have young people that come here to Springfield and -- to be inspired, that they might be -- become better citizens here in the State of Illinois, and then to tell them to turn -- return to their local schools and study hard. I speak this afternoon on behalf of these young people who cannot come into these Chambers and speak for themselves. But they are dependent upon we, who are elected officials, to share their burden, speak for them and give them an opportunity to get a decent education so that they, too, can go out and say, "What shall I take?" rather than "What can I get?" I know when we have wars in our country, it seems as though our blacks are about the first to go. And they're faithful and they're loyal. And they come back here to our State, and sometimes they can't even get a job. They can't get any kind of a loan or anything. But yet we have the audacity

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to say that they are not entitled to a decent education. Many of them have gone through service in order to get an education. But here we have an opportunity to give them the right to grow up as other young boys and girls, and then get their education in a normal way, and come out and become taxpaying citizens here in the State of Illinois. So I say to all of my colleagues here: If not for yourself, do unto others as you wish others to do unto you. These young people need your help. We have had our day and we're having our day. They want an opportunity to have a day. And so will you please be kind, and vote for this piece of legislation. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Severns. All right. Further discussion? If not, Senator Collins may close.

SENATOR COLLINS:

Thank you. Senator -- Senator Schuneman, I think, really set the tone of what this is all about, and you're right, Senator Schuneman. Every year, I don't know where you are, but every year after year after year for sixteen years I've been here, we come to this Body and it's always Chicago School District is basically used as some kind of whipping board. You're right - we have never adequately responded to any of the problems that were raised in this Body. You're right about the taxes, Senator Schuneman, also. We recognize that, and we attempted to raise -- to allow the Chicago School District to raise taxes before we left here in the Spring Session. And that side of the aisle - most of that side of the aisle - voted down that bill. This bill also -- we have a problem by keeping that amount of money in reserve, and this bill is an opportunity for us to solve this problem once and for all. But no, we don't want to solve the Chicago problem once and for all. In a few minutes, the bill that just passed the House will be coming over here. It's a temporary. It's a quick fix.

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Actually there is some serious question as to whether or not that bill would do anything at all. But most certainly it will not provide adequate money to deal with this problem, and then it's a loan. That's how we respond to the Chicago problem, so that next year we will be right back here, Senator Schuneman - trying again to balance that budget, against all odds. I think this is a reasonable compromise, and it is something that we have a responsibility to do, because under no rational reason -- none of us would operate a business the way this school authority has now positioned itself over that community-selected board, and sits up there as though they're some kind of almighty God, and almighty powers, and say, arbitrarily and capriciously, that we can hold back a hundred and fifty million dollars off of a budget that will mean the difference between having a school strike and not. That is unreasonable. That is unreasonable. You talk about compromise and you talk about fairness. There is no fairness in that. And most certainly there is no fairness in making us come back here next year and have to go through this same thing over and over and over again. I think this is an opportunity to solve this problem. If we solve it and cap it, as this bill says, at at least ten percent, we will have money to deal with the Chicago School System. Chicago taxpayers' money - not State dollars. Monies that have been levied to provide an adequate education for the children in the City of Chicago. And we won't have to come back here anymore. If you want to see us, then vote Aye for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1573 pass. 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 26, 7 voting Present. House Bill 1573, having failed to receive the

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required constitutional majority, is declared lost. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Mr. President, having voted on the prevailing side on -- was it 922? Is that a Conference Committee Report? I move to reconsider the vote by which it was defeated. And I should explain, the one provision that seemed to have Members upset - there apparently is an agreement from the sponsor that the Governor is going to veto that portion out, in it -- the golf cart portion. And that I think changes the complexion of the Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll return to the Order of Supplemental Calendar No. 1. Is leave granted? Leave is granted. Senator Keats, having voted on the prevailing side, moves to reconsider the vote by which the First Conference Committee Report on Senate Bill 922 failed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The Conference Committee is -- has been reconsidered. Senate Bill 922, the First Conference Committee Report, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 922.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney, for a second time.

SENATOR RIGNEY:

Senator Keats has explained it correctly. Apparently there is an agreement now that the Governor will take that Section out. I've also talked with the House sponsor since this time, and apparently it'll be looked upon as germane the next time around, and will not be disapproved over in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt

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the First Conference Committee Report on Senate Bill 922. 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 56, the Nays are none, 1 voting Present. The Senate does adopt the First Conference Committee Report, and the bill, having received -- Report on Senate Bill 922, and the bill, having received the required constitutional majority, is declared passed. Senator Thomas Dunn, for what purpose do you arise?

SENATOR T. DUNN:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes.

SENATOR T. DUNN:

Today happens to be the last day for Bill Kline - Bill Kline, who has been a loyal servant to the taxpayers of Illinois. If they ever got their money's worth out of an employee, it's been Bill Kline, and I ask you to join me today in wishing him good luck in his further continued service to the taxpayers. He's leaving us today, but he is remaining in government. So if you would please join me in thanking him for his good service, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1033 with House Amendments 2 and 3.

Passed the House, as amended, November 8, 1991.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Secretary's Desk. Senator Jacobs, for what purpose do you arise?

SENATOR JACOBS:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR JACOBS:

Along the same line that Senator Dunn was in reference to with Bill Kline, we will not be back - hopefully, anyway - before we lose another good employee from the -- the Senate. And that's Tim Sullivan. And we want to say the best of luck to Tim Sullivan, and thank you for your good service. Thank you, Tim.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Timmy. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Yes, Mr. President. I just want to make an announcement that my colleague that had just spoken - it's his birthday today. He's, I believe, a little over thirty-nine years old. And I'd like to extend best wishes from everyone in this Chamber to Denny Jacobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Let's -- happy birthday to Denny Jacobs - his fifty-sixth birthday. With leave of the Body, while we are momentarily waiting for -- to catch up on some paperwork, we'll go to the Order of Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 8-8-2 offered by Senator Topinka.

Senate Resolution 8-8-3 offered by Senator Holmberg.

And Senate Resolution 8-8-4 offered by Senator Vadalabene.

They're all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Consent Calendar. Introduction of bills.

SECRETARY HAWKER:

House <sic> Bill 1487 offered by Senators Weaver, Philip, Madigan, Carroll, Jacobs and President Rock.

(Secretary reads title of bill)

Senate Bill 1488 offered by Senators Karpziel and Friedland.

(Secretary reads title of bill)

And House Bill -- pardon me -- Senate Bill 1489 offered by Senators Karpziel and Friedland.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. ...(machine cutoff)...of Arms, can we get a page down here? Sergeant of Arms, can we get a page down here?

PRESIDENT ROCK:

Senate will please come to order. We have again been waiting, as we have had to in the past, for the paperwork to be delivered from the House. The Secretary is now having distributed Supplemental Calendar No. 3. So we have before us Supplemental 2 and 3. So there are eight or nine items of business yet remaining. Senator Leverenz, for what purpose do you arise, sir?

SENATOR LEVERENZ:

While we're waiting for the -- the parade, with a little lull, I'd like to move to discharge the Executive Committee for immediate consideration of 8-7-7 Resolution.

PRESIDENT ROCK:

All right. Senator Leverenz has moved to discharge the Committee on Executive from further consideration of Senate Resolution 877, and is asking for its immediate consideration. Discussion on that motion? Senator Donahue.

SENATOR DONAHUE:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the

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Senate. We have done a couple of discharges today on resolutions that really have no severe impact on anything. This -- this resolution is a different ball game, and I would object on that -- for those reasons. We were not talked to - either side of the aisle was not talked to - or discussed in this. And I would just hope the people on our side can vote No for the Motion to Discharge.

PRESIDENT ROCK:

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. I guess I resemble that remark, inasmuch as when I came to the Floor today, I did not talk with Senator Marovitz or Senator Donahue. The fact was that the Appropriations Committee was to meet yesterday. It is being detained for a later date. The resolution has to do with actions that will happen between now and the end of the month. And this is the last day that we are here. The Senator on the other side suggests that it might have a severe impact. I concur. And that's exactly what the resolution goes to. So I would ask everyone to join me and to get the resolution out so that we can talk about it, seeing that we have time to do that.

PRESIDENT ROCK:

All right. The Gentleman has moved that the Committee on Executive be discharged from further consideration of Senate Resolution 8-7-7, and that it be immediately considered. Those in favor of that motion 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 26 Ayes, 31 Nays. And the motion fails. Supplemental Calendar No. 2. Senator Daley. Senate Bill 1033. Supplemental Calendar No. 2, Ladies and Gentlemen. And then we will move immediately to Supplemental 3,

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and that should conclude our business. With -- with not too much rhetoric or dialogue, we could be out of here within the hour. On the Order of Secretary's Desk, Concurrence, Senate Bill 1033, Madam Secretary.

SECRETARY HAWKER:

House Amendments 2 and 3 to Senate Bill 1033.

PRESIDENT ROCK:

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President, Members of the Senate. I move to nonconcur with House Amendment No. 2 and concur with House Amendment 3. House Amendment 3 allows State's attorneys of each county to appoint one or more special investigators. Such investigators can be authorized to carry firearms when given permission by the State's attorney, to be eligible to carry weapons when authorized. The investigator must have successfully completed a course approved by the Illinois Law Enforcement Training Board. I'd be happy to answer any questions.

PRESIDENT ROCK:

All right. The Gentleman has moved to concur in Amendment No. 3 to Senate Bill 1033, and then to nonconcur with Amendment No. 2. Is that correct? All right. So the question is, shall the Senate concur -- any discussion? I'm sorry. Senator Topinka.

SENATOR TOPINKA:

If I may ask a question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield.

SENATOR TOPINKA:

What happened to Amendment No. 1?

PRESIDENT ROCK:

Senator Daley.

SENATOR DALEY:

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No. -- House Amendment No. 1 was defeated in the House.

PRESIDENT ROCK:

All right. The Gentleman has moved to concur in Senate -- House Amendment No. 3 to Senate Bill 1033. The question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 1033. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. 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 concur in House Amendment No. 3 to Senate Bill 1033. Senator Daley now moves to non-concur with House Amendment No. 2 to Senate Bill 1033. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. On the Order of Conference Committees, there's a Conference Committee Report on Senate Bill 630. Senator Luft. Senate Bill 923. Senator Welch. Supplemental Calendar No. 3. All right. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has accepted the Governor's specific recommendations for change, which are attached to a bill of the following title, in the adoption of which I'm instructed to ask the concurrence of the Senate, to wit:

House Bill 971.

Adopted by the House, November 8, 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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1097, together with House Amendments 1 and 2.

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Passed the House, as Amended, November 8, 1991.

PRESIDENT ROCK:

Secretary's Desk. All right. If I can turn your attention now to Supplemental Calendar No. 3. On the Order of Secretary's Desk, Concurrence, is Senate Bill 1097. Senator Etheredge. Madam Secretary, Senate Bill 1097.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 1097.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill which is designed to help keep the Chicago public schools open through this academic year. What it does is to permit them to use seventeen and a half million dollars, which have been set aside in a fund for the payment of bills. It also reinstates full powers to the Chicago School Finance Authority that had fallen by the wayside in FY'90, as a consequence of the schools having had six successive balanced budgets. What this does is to reinstate the powers of the Finance Authority for some additional -- period of time - until FY'98, I do believe - and then for six years thereafter, or -- or until such time as the public schools have six successive balanced budgets. I'd be happy to respond to any questions.

PRESIDENT ROCK:

All right. The Gentleman has moved concurrence in House Amendments 1 and 2 to Senate Bill 1097. Discussion? Senator Berman.

SENATOR BERMAN:

If -- I'm going to ask you a question, and then I'm going to address something, but I'll get back to the answer, 'cause I think we should have, from the sponsor, a clarification of what the date

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is regarding the Finance Authority's powers. I -- I'm not sure that they were correctly stated. And if you would take a look. And I'll get back to that question. But let me address the bill. A few minutes ago, many of us voted for a bill that provided thirty-five million dollars to the school board as a release of the money that's being held by the School Finance Authority. I thought that was a more reasonable number than seventeen and a half million dollars. Also, the Collins bill that received inadequate votes extended the Finance Authority's power for, I believe it was three years. And this one does it for a substantially longer period of time. And we'll hear that in just a moment. I think this is a very important bill. We are dealing with the question of providing resources to the Chicago Board to allow them to sit down at the bargaining table between now and November 18th, and hopefully reach an agreement with the union that will keep the schools open. In the order of preferences, that is my number one preference. I'm concerned about reserves. I'm concerned about balances. I'm concerned about the lifetime of fiscal responsibility. But I've got to tell you that I'm -- those things are not as important to me. Maybe they should be. But they are not as important to me as keeping the schools open and keeping the children in school. And at this hour on this day, our last day of this Session, if I am faced with a vote that will help to keep the schools open, versus not helping to keep the schools open, I must vote Aye. But let me tell you, Ladies and Gentlemen, and I -- I ask both sides to pay attention to this, because all of us will be involved. I question the validity, the necessity, the propriety of the very overwhelming amount of money that the Finance Authority keeps in reserve. I ask, very honestly, as to whether that amount of money should, in fact, be held in reserve. Illinois - the State of Illinois - with a thirteen-billion-dollar General Revenue Fund budget and a twenty-six-billion-dollar

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overall budget, doesn't even keep two hundred million dollars. The fund that the Finance Authority withholds a hundred and fifty-one million dollars from is only approximately one and a half billion dollars. That's -- that's almost ten percent. And I raise the question as -- as to whether that is reasonable. And I intend to hold a hearing of the Education Committee, at which we will invite the Finance Authority, because these questions are proper to be answered by the Finance Authority. And the powers that we are extending by this bill must be questioned as to whether they - five people appointed by the Mayor and the Governor - should have this kind of authority over a Board of Education that comes from the grassroots in Chicago. I raise these questions, and before the end of the next Spring Session, we're going to hold hearings on them, and we want answers. We're entitled to answers. The people of Chicago are entitled to those answers. Let me clarify one other point on this bill, and I think it's very important. This bill frees up seventeen and a half million dollars of the School Finance Authority's reserves for Fiscal '92. That's this current year. It also says that it frees up the same amount of money for Fiscal '93. I want the record to reflect - so no one is misstating the facts - that is not thirty-five million dollars, Ladies and Gentlemen. It is seventeen and a half million dollars that's available to the Board this year, if the Board uses that money in its wage negotiations - whether it be a bonus, a stipend or a pay raise. That same money - not new money - but that same money is available in Fiscal '93. It is not new money in Fiscal '93. It's only freeing up seventeen and a half million for one year, that does not have to be repaid the second year. But it may, under this language, have to be repaid the third year. And I suggest we have to look at that in the spring, also. So we are not freeing up thirty-five million in two fiscal years. Don't say that. It's seventeen and a half

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million dollars this year that need not be repaid the second year. It's very small. It's very tight. That's all this does. Reluctantly, I'm going to vote Aye.

PRESIDENT ROCK:

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you.

PRESIDENT ROCK:

Senator Jones, for what purpose do you arise?

SENATOR JONES:

Mr. President, I've been looking for this Conference Committee Report. I've asked for the..

PRESIDENT ROCK:

Well, it is -- it is not a conference committee report. There are two House amendments on a Senate bill.

SENATOR JONES:

I don't have the amendments.

PRESIDENT ROCK:

Well, I'm sure Senator Etheredge will make it available to you.

SENATOR JONES:

Because I don't want to be voting in -- on -- in the blind on something of this importance. There's some questions I want to ask. And without the amendments, I cannot ask the questions that I -- I need answers for.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. Unlike Senator Berman, I rise with no reservation and opposition to this bill, as amended. He raised the question, "What are we doing here?" And I'll answer that question for Senator Berman. But

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before I do, I'd like to ask the sponsor some direct questions as it relates to the bill -- the content of the bill. Senator, what powers did this bill restore to the Financial Authority, and for how many years?

PRESIDENT ROCK:

Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, the powers that are restored to the Finance Authority are those that the Finance Authority had up until FY'90. So there are no -- this does not represent an expansion of those powers beyond what they had a few years ago. But it does simply reinstate the powers that they had up until FY'90.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Senator, I understand that the bill reinstates those powers. But for the record here, I would just like for it to be put as a matter of record, because when we extended that authority, at least when you all did - that authority to the Board - there were some reasons why, and it was based on the fact of the Chicago School Board having a balanced budget. So what we -- and they do -- have had a balanced budget. They have met that challenge. So we would like to know now, for the record, what kind of powers have we given to the Financial Authority over the next twelve years?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

There are five specific powers here - the first being the power to approve or reject the Board's financial plans; two, the power to adopt - and from time to time amend - regulations identifying categories and types of contracts and other

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obligations of the board that shall be subject to approval by the Authority; three, the power to approve the appointment of a chief financial officer of the Board, and the power to remove such officer; fourth, the power to direct the Board to reorganize its financial accounts, management and budgetary systems in whatever manner the Authority deems appropriate; and fifth, and last, the duty to require the Board to establish and maintain separate cash accounts in separate bank accounts.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

In addition, financial management of the budget structure -- budget system, in other words. Senator, can you tell me how much money will be left in reserve if this seventeen million dollars -- amount is deducted from the current cash reserve?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Approximately a hundred and thirty-three and a half million dollars, Senator.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Senator, can you tell me whether or not you know of any business or any municipality operating in this State that would require that amount of money on two -- on a budget of 2.4 billion dollars?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

No. Senator, I must say that I am not aware of any other unit of government. But that does not mean there isn't one. I might

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just say, however, that this does represent a very small fractional part of their total budget.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Senator, how much of the State's budget is basically kept in reserve of -- of twenty-six and a half billion dollars?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Senator, I'm sure we're all familiar with the magic number of two hundred million, which sometimes we achieve and sometimes we don't.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Now. Thank you. Let me respond to the -- answer two questions for Senator Berman. Senator Berman raised some very serious questions. And he asked, one, I think: "Just what are we doing here?" This bill, as it is drafted, does absolutely nothing, with the exception of -- financially. But it does restore some very super powers for no reason at all. Most certain, it would not within the spirit or the letter of the law that when we originally -- or when you originally superimposed that Authority on the Chicago Board of Education. There is no reason at all. No reason at all for those kinds of -- of -- of controls. In addition to the Mayor and the Governor in this -- in this Act - which was not in it before - having over this school board - a new school board that you can find no legitimate fault in the operation. Surely, surely the Governor, nor the Mayor, nor this Chamber or the one across the aisle can blame the current Chicago Board for the financial crisis that the Chicago system is

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in. This School Board that is made -- that is made up of citizens, have not had an opportunity at all to try to deal with this crisis. They do have an opportunity and the resources to do so if this Body would leave them alone and give them the power that is necessary to do so. And if the -- if the Financial Authority does not find within its wisdom - which it should do - to release some of that money, then it is our responsibility to do so. I think we should defeat this bill, and God help -- I can't even imagine what is so important to the Governor's Office about putting this kind of bill on the desk which does absolutely nothing, which will also -- probably we'll still have a strike, and we'll still be back here next year attempting to try to deal with the problem of the Chicago School District. That is absolutely crazy, and we should not pass this amendment. I -- I say to those of you on this aisle -- side of the aisle and to those of you over there who really want to give the Chicago schools a chance - not to have to come here begging next year - let's defeat this bill and get about the business of solving this problem once and for all.

PRESIDENT ROCK:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd -- I'd like to ask Senator Etheredge two questions - one in the -- in the same breath. One, the total reserve money as of now; what is anticipated, for example, for next year; and I guess the third question in that is, are we giving any powers to the School Board that they do not already have with respect to using their reserve fund now?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

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Well the -- if I -- under -- the first question, Senator, that you asked was the dollar amount of the reserve fund now - a hundred and fifty-one million, approximately, Senator.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, my other question is, cannot the School Board or the School Authority now transfer and use the reserve fund? I mean, why are we having to go through this exercise? They already have these powers.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes. I'm -- the School Authority, I'm told, does have this power to make the transfer, yes.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't want to ask any more questions, but let me just say that in fact if the bill doesn't pass, they still already have the authority to do what -- that which we are about to do right now. Somehow or other we are being asked to give our stamp of approval over some process that they already have authority to do so. You know, I was concerned about school districts in Illinois. And, you know, when we left here January <sic> the 18th, my school districts were denied the opportunity for that thirteenth payment. We had to roll over a hundred and seventy-six million dollars of school aid into the next fiscal year. Lo and behold, what little did we know that Chicago schools are sitting on a hundred and fifty million dollars' worth of reserve? Well, isn't that interesting? Maybe they ought to give us -- maybe they ought to loan us a hundred and fifty million dollars so that we can bail

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out all of our downstate school districts and put them on a -- on a thirteenth budget system this year. That's -- that's almost incredible. We're -- we're going through an exercise here for somebody for some reason. And they're sitting on a hundred and fifty million dollars in money that they can already use. But yet, you're down here asking us for approval. I've seen everything in my seventeen years here today.

PRESIDENT ROCK:

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I'm not given to flaming rhetoric, but I am outraged today. We had an opportunity in this Body to allow us in Chicago to use our own taxpayer dollars - to use it in the way that we had selected for our children. And yet here we are not a half an hour later, having imposed upon us a decision that we did not make. And I resent that. We have had a number of guests in this Body from Eastern Europe, from Asia, who have come to tell us about their new-found freedom and about their ability now to make decisions for themselves. And yet here we are, Chicagoans, in the central city, asking for that same right, and we have been turned down. We know, good and well, that 17.5 million dollars will not do anything for our schools. And I want, once and for all, to clear up the idea that we have come here at all to ask the State for anything. This is our taxpayer money. All we wanted was to have it released. I want you to know that my own daughter is a senior in a public high school in Chicago. I will not be voting for this bill, even though it personally threatens my own household of a young woman who has a brilliant career ahead of her. I'm sure she would join me in not voting for this bill.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

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SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT ROCK:

Indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Senator Etheredge, is this money actually in the bank, where somebody can sit down and write out a check?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

I am not really in a position to answer that question, Senator. I -- although I don't believe it is.

PRESIDENT ROCK:

Senator Fawell.

SENATOR FAWELL:

So -- for -- in other words, it's like our reserve. It looks good on the books, but don't try and collect any -- pay any bills with it?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR FAWELL:

Because, frankly, if the money isn't there -- I mean if the hundred and seventy-five thousand -- a hundred and seventy-five million dollars isn't there, how in the world can we ask Chicago to spend a hundred and seventy-five million dollars or -- or spend it on your children if you haven't got it? Seventeen million you might have. A hundred and seventy-five million - I'll lay you odds nobody could come up and show me a bank book or a check account that says, "Here's the seventy-five million dollars reserve funds - no problems, boys, we're just sitting on it." I'll lay you odds it ain't there, boys.

PRESIDENT ROCK:

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Further discussion? Senator Joyce.

SENATOR J.E. JOYCE:

Am I on? Okay. Thank you, Mr. President, Members of the Senate. I rise in support of this legislation. And I would like to state, for the record and for those Members who are going to be involved -- those people who are going to be involved in this bargaining process - Board of Education and our friends in the Teachers' Union - that this is it. If there is one clear message that was in our caucus, and if there's one clear message coming out of this Chamber, it's we're not coming back here. So if we can put this out and provide what the Mayor of the City of Chicago and the Governor have come to terms on as something reasonable to assist the situation. This is what is going to be available. Fortunately, or in some opinion, unfortunately, this is what's going to be available from the State. When we go home today, this is it.

PRESIDENT ROCK:

Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDENT ROCK:

Indicates he will yield.

SENATOR JONES:

Senator Etheredge, could you tell this Body what the fund balance for the previous three fiscal years that the Financial Authority required the Chicago Board to hold?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator. Last year, the figure was a hundred and sixteen million.

PRESIDENT ROCK:

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Senator Jones.

SENATOR JONES:

Well, what I said - the past three fiscal years.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I only have the figure from the last fiscal year. I'm sorry, I can't give it to you for the prior two.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Well, let -- let me say this to you: Could you tell us how the Finance Authority arrived at the fund balance that must be held in reserve?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

This is -- is, Senator, is part of their -- their efforts to help the schools balance their budget. I rather suspect that -- that what is -- if -- while I don't have the figure for two fiscal years ago, I suspect that it was -- the balance was larger two years ago than the hundred-and-sixteen-million-dollar figure for the last fiscal year. And I think that's one of the concerns that -- one of the things that concerns the Authority.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Well, it's regrettable that you're proposing something on the Chicago School System that you don't know anything about. But let me explain just one thing to you. For the -- for FY'88, it was a hundred and thirty-seven million. FY'89, it went down to one hundred and thirty-three. FY'90, it jumped to one hundred and

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sixty-six million. Now, there's nothing statutorily in the language as relate to the Financial Authority as to the amount they have to require to hold in the balance. So this proposal that you have for us is really just smoke and mirrors. Who -- in FY'93, for example, they could require the Chicago schools to hold two hundred million in reserve and say, "We're going to give you seventeen million dollars back," when, in essence, you aren't giving them anything. Now the bill, as it is drafted, is really a -- just a play on words or play on figures and give the appearance that you are giving something, when, in fact, they aren't giving anything. And to -- to stand here and tell us that you're doing something for Chicago schools, when, in fact, you're just playing with the numbers, I don't know where -- who -- who drafted the bill? Can you tell us that? You sponsored it, but could you tell us who drafted this piece of legislation?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

The -- it was Representative McGann that carried this amendment in the -- in the -- over in the House, Senator.

PRESIDENT ROCK:

All right. Further discussion? Senator Jones.

SENATOR JONES:

Well, I won't address it to you, but to the bill itself and to the Members of the Body: We have a situation here. For the current fiscal year, we know for a fact what the reserve fund is. For the next fiscal year, you do not know for a fact. They may only need a hundred and fifty million dollars, as they said, for the next fiscal year. But they can easily raise it and say, we're going to give you -- we need a hundred and seventy million, and we'll give you seventeen million dollars back on paper. When, in essence, you haven't given them anything. And whoever wanted to

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play this game on the people of the City of Chicago - especially the schoolchildren - it doesn't make sense. It's a joke. And whoever drafted this -- I believe it came from the Finance Authority itself, to try to give the appearance that they are doing something, when, in fact, they are just juggling figures on paper. It's an insult to the intelligence of any Member of this Body, and should be voted down.

PRESIDENT ROCK:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I am really not wanting to speak on this. But we got to clear up a few points, 'cause I see people in the press box shaking their heads at people on the Floor. First of all, Senator Jones, to address your concerns. That reserve was created in a bill that you helped draft - yes, sir - in 1980 with the School Finance Authority. All right. Now, in addition to that, I chaired that investigation and -- out of that investigation came a bill that created that Authority. Now, let me point out to you, because a lot of people think there's a hundred and fifty million dollars sitting someplace in a bank account, and this is where we're going to take the thirty-five million from. Wrong. The amount is in accrual. And the way it worked - and I'm going to have to do this as an example. If I made a hundred dollars, and I decided to only spend seventy-five, I would have a balance of twenty-five. The following year, if I made a hundred, and I was going to save twenty-five, I could still spend a hundred, because I had reserved the twenty-five from the previous year. There is a carryover accrual of that amount which occasionally is dipped into by the Authority. And the reason that being there is that this amount is a reserve allocation available in the event - so as to preclude what happened before - in the event that something happens during the course of the year, that

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they may be able to tap into it. They wanted some type of cushion, so that they did not spend all the available balances. Those revenues are not there yet. So please understand that what -- the action that you're taking here and moving these thirty-five million dollars is not taking thirty-five million dollars out of a piggy bank or out of a bank account -- seventeen and a half million. It is an action that allows them to spend this amount of money with the idea that somewhere down the line, that money's going to be there.

PRESIDENT ROCK:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Let me say that -- we're saying that we have a hundred and fifty million dollars. Senator DeAngelis just explained that we do not have a hundred and fifty million dollars - that we don't have anything. But on paper somewhere, we're represented as having a hundred and fifty million dollars. Is that correct, Senator Schuneman? Will the sponsor yield for a question? Etheredge.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Brookins. Senator Etheredge.

SENATOR ETHEREDGE:

The -- the reserve is approximately a hundred and fifty million, Senator. Yes.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

I'm confused, and I guess everybody in the room might be confused. Senator Fawell asked if we had a hundred and fifty million dollars in a bank or investment that someone could transfer and write and draw from. And at that time, you answered,

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"I hope not. I hope it's not in a checking account." So it led us to believe that it was invested somewhere so that it is drawing interest. Senator DeAngelis just explained that there is no hundred and fifty million dollars, that it's -- the money that we accumulated is just on paper, and et cetera. So therefore, that means that we're dealing with an Authority that represents to us that there is a hundred and fifty million dollars in reserve. But in reality, there is no hundred and fifty million dollars that we can spend. Is that correct, Senator Etheredge?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes. I think the -- the answers to the questions are yes, no and yes.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Then you're asking us to vote to give these same people the authority over the Chicago Board of Education that are -- are -- are evidently not telling us the truth, not competent, and et cetera. Is that correct, Senator Etheredge?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

I think the answer to that question is simply no, Senator.

PRESIDENT ROCK:

Further discussion? Senator Jacobs. All right. Senator Brookins.

SENATOR BROOKINS:

The area that we're talking about - the City of Chicago - Board of Education - represents over seventy-five percent minorities or seventy-five percent Blacks or African-Americans in

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that school system and/or Hispanics. And therefore, I think that every representative of African descent or Hispanic descent on this Floor is asking you not to do this to their school system. We know that the ones that's going to be in the street if there's a strike will be our kids, our nephews, our grandchildren, and et cetera. We're saying, don't do this. Let's give them a decent shot at some education. Let's give them a decent shot as running their own school system. We voted reform. We went to the polls and placed people on the boards. And now you're going to say, "Let's take it back. It don't count for nothing. Your sitting on the Board don't mean anything. You're not competent enough to run your own school system." And I say that that is untrue. That is not right. And it is not fair. Time and time and time again, we have asked, let Chicago run the Chicago School System. You say, "No, we know better. We know what's good for you. We know what's going on." And now we in a problem and have a problem. And you're saying to us, "Let an incompetent group of people make the decisions." This is bad. This is terrible. This is awful, and we shouldn't do it. I say vote No on this.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me see if I got this straight, 'cause I'm just a little boy from downstate. We have an Authority that was created by this Body to come up with a reserve that is not there, that's a hundred and fifty-one million, but there is no money there. And we have schools downstate that -- that we took away a hundred and seventy-five million from. And we have the audacity, I guess, to say that we are going to try to take seventeen million dollars out of a reserve account? We're talking about reserves and school boards? And we're talking about education that's not being

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funded? I guess maybe I'm confused, but I just guess my one question I have is why -- why do we need this Finance Authority anyway? The way it sounds, why don't you just dissolve it, give the money back to the schools, and let them handle their finances?

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I move the previous question.

PRESIDENT ROCK:

That motion is in order. Senator Etheredge, to close.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me make it clear that this is not the Governor's bill. It is not my bill. I -- I sent a very simple, innocuous bill over to the House, and look -- it came back with some interesting companions attached to it. But I submit to you that we need, we need this legislation, we -- and the Chicago public schools need it. Now some of you might like to -- have a -- have referred to this as smoke and mirrors. I suggest we had a bill before us earlier that had twice as much smoke, twice as dense, and twice as many mirrors. I -- this is an agreement. I think this is a proposal that is -- is responsible. And I think it -- it should be approved in order that the schools can continue to operate through the rest of this academic year. The Chicago School Authority -- the reason we need this bill is because the Authority itself has refused to release the money. We need to enact this legislation so that this money can be made available to the schools. I would urge an Aye vote on the bill.

PRESIDENT ROCK:

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1097. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish?

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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, there are 15 Ayes, 37 Nays, 4 voting Present. The Senate does not concur in House Amendments 1 and 2 to Senate Bill 1097, and the Secretary shall so inform the House. 2-6-4. Senator O'Daniel. Madam Secretary, on the Order of Conference Committee Reports, there's a report with respect to Senate Bill 2-6-4.

SECRETARY HAWKER:

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

PRESIDENT ROCK:

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. The First Conference Committee Report to Senate Bill 264 totally rewrites the bill to include Senate Bill 930 and House Bill 1340, and new language pursuant to patrol -- parole supervision and -- anyway -- anyway, the bill - what it does, it accepts the Governor's specific recommendation to make technical corrections to House Bill 1340, which was Senator Fawell's bill. And it deals with Professional Services Act from provisions of the Public Contracts Act. And it also includes Senate Bill 930, Senator Marovitz's bill, which amends the Criminal Code to exempt certain skill ball games. And the Governor agrees to this. There's also a provision in there that dealt with the Unified Code of Corrections. And now the Department of Corrections is neutral on that. So I don't know of any objections. So I'd move for the adoption of Conference Committee Report No. 1.

PRESIDENT ROCK:

All right. Senator O'Daniel has moved the adoption of the Conference Committee Report on Senate Bill 2-6-4. Discussion on 2-6-4? All right. If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 2-6-4. Those

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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? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 2-6-4. And the bill, having received the required constitutional majority, is declared passed. Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones. Conference Committee Reports. We're -- on the Supplemental Calendar No. 3 is Senate Bill 7-7-4, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 7-7-4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones. Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Mr. President, having voted on the prevailing side, on House Bill 1573, I make a motion that the bill lay on the Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's out of order. We're not on that order of business. Senator Jones.

SENATOR JONES:

Mr. President, having voted on the prevailing side on Senate Bill 1097, I move that that vote be reconsidered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well.

SENATOR JONES:

Lay it on the Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, we have in -- Senator Jones, we have -- you have -- you have a -- we have a bill before us that is in the

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record. It is your bill. It's Senate Bill 774, and you may proceed.

SENATOR JONES:

All right. As soon as I complete this, I'll get back to the other one, then. I move that the Senate adopt the First Conference Committee Report on Senate Bill 774. And what this does is it exclude the -- from membership from the State University Retirement System certain persons who are not required to be covered under the Federal Social Security Act. And the purpose of this is that we have many -- some foreign employees and students who, according to the Federal law, either have to be either in a pension system or in the Social Security. And these persons are not citizens. So therefore, we need this piece of legislation. And I ask for an affirmative vote on the adoption of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, then the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 7-7-4. 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 7-7-4. And the bill, having received the required constitutional majority, is declared passed. House Bill 971, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 971, in manner and form as follows:

Amendment to House Bill 9-7-1

in Acceptance of Governor's Recommendations

Filed by Senator Jones.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Could you take this out of the record temporarily till I get my motion in? Will you recognize me for a motion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Right down the Calendar. That -- that's the order of business is -- is that we are on right now is Supplemental Calendar No. 3. Senator Jones.

SENATOR JONES:

I move that the House <sic> concur in the Governor's amendatory veto of House Bill 971. And what he did, in essence, is -- is that he removed the -- that provision as it relate to the soil and -- and water conservation districts, and also that provision as it relate to the treasurer of the City of Chicago, which he had indicated that he was going to sign, but he goes with the wind. So therefore, I reluctantly -- I -- I reluctantly accept the Governor's recommendation on his amendatory veto, and ask that the House -- I mean the Senate, concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 971, in the manner and form as just stated by Senator Jones. All 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 53, the Nays are 2, 1 voting Present. The specific recommendations of the Governor as to House Bill 971, having received the required majority vote of Senators elected, are declared accepted. House Bill 971, Madam Secretary. All right. The Senate will stand -- stand in -- just at -- loose for a second. Motions. Senator Rock, on -- which motion would --

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do -- do you want first? Senator Rock. Senator Rock. It doesn't -- you'll have to. ...(machine cutoff)...Rock, it appears that the entire system is temporarily not working. Try it now.

SENATOR ROCK:

Thank you. Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just say that it's the -- nearing the end of an otherwise arduous week and day. We have three items remaining. One is the schedule to -- I have a motion to amend Senate Rule 5 to set out the deadlines that we impose upon ourselves for the transaction of business for next year. I know of no objection, and I would move that Rule 5C be amended by inserting the following schedule and timetable. In addition, we will have passed out calendars which will outline the tentative, yet pretty definitive, schedule for next year, so that you can plan accordingly. Then there will be an adjournment resolution calling for us to return to Springfield on January the 8th. And I would ask this Body to entertain, one more time, a Motion to Reconsider the vote by which 1097 was defeated. And I intend to speak to that motion. And I think in fairness, we ought to reconsider that vote, for the reason that I'm sure everyone is painfully aware, that the Chicago Teachers' Union has, in fact, authorized a strike in the event that the negotiations between the Board and the Union are not acceptable. It does not seem to me to be in our best interest to leave Springfield not having done anything or not affording, in my judgment, the Board and the Union, literally, a way out of this dilemma. And so I would ask all reasonable people to reconsider that vote. And I'm going to ask Senator Vadalabene to place that motion, so that we can again have an opportunity to discuss what I think some may have misapprehended. There isn't any question in anybody's mind that the Finance Authority indeed does have this kind of authority at this moment. The fact is the Finance Authority has said they would be willing to release part

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of the reserve for this purpose, if indeed they were assured that they would have something more in the nature of control over the operation of the Chicago School System. It's a tradeoff - no question about it. But I think for us to leave having done nothing is a true mistake, because if indeed this Board does not reach a favorable conclusion with the Union, and the Union indeed calls its members out on strike, we can virtually rest assured that we will be back here around Thanksgiving. And I, for one, really don't want to do that. So I would move to amend Senate Rule 5 by deleting last year's paragraph and inserting, in lieu thereof, the following timetable for 1992. And I'd request a roll call on that motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the -- to amend Senate Rule 5C, and it is passed out before you. Is there discussion? Senator Keats.

SENATOR KEATS:

This Rule 5C - if all the Members would take a look at what it is - we have sat on this Floor for the fifteen years I've been in Springfield, and said, "Why do we always do the Conference Committee Reports in the last twenty-four hours in backroom deals?" If you look at the schedule that has been passed out, this guarantees, for the umpteenth year in a row, that the Legislature will do the same crummy job we do in July, 'cause everybody gets tired and the budget rolls off into July. All the providers - they don't get their money, 'cause it takes so long to get signed, because we agree to a Calendar that guarantees incompetence, because we can't get our job done based on the Calendar. So again, handed out before us is a Calendar where we put final 3rd Reading as June 24th. We're supposed to adjourn July 1st. Conference committee reports is essentially, you know, you look -- right at the end. We allow ourselves no time to

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accomplish our work. If everybody thinks it's fine to continue to be inept and roll over into July and leave social service providers and medicaid providers and municipalities and school districts without a budget, while they wait, while they diddle with little backroom meetings, while Speaker Madigan's nose gets out of joint, and this guy and that guy come in with their tight list of demands. If you want to guarantee it, here is your Calendar that says, "I think it's a good idea that we keep up with the same system that sucks." If you'd like to say that maybe you don't think it's a good idea, vote No. And I would request a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jeremiah Joyce.

SENATOR J.E. JOYCE:

I -- I would just like to, at the appropriate time, see if we could have a caucus before we go too much further down this road.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Rock, you may close.

SENATOR ROCK:

Thank you. This is a -- a timetable that essentially -- pardon me -- essentially mirrors what we have done in past years. It sets out the -- the system and the deadlines from the budget message forward. And you will look, I hope, and see that on this Calendar that I have passed out, there is no month of July. I don't intend to be here in July again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Excuse me, Senator Rock. Senator Philip, Senator Rock was closing. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In fact, the four leaders and our staff respectively have had a

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look at this schedule and have -- we have tentatively agreed to it. I don't agree with everything on the schedule, but I think it's well done, and for once, we have something ahead of time. And I will compliment Senator Rock. I agree with this schedule, and I think we ought to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

The hint is perhaps I shouldn't ask for a roll call. But I just want to remind all of us, the end of June next year, when we're all bitching about the mess and our four leaders in their little backroom deals, cutting deals excluding the public, behind closed doors - you did it to yourself by accepting this schedule.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of the motion with respect to the Senate Rule 5C. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. Further motions? Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Thank you, Mr. President, Members of the Senate. Having voted on the prevailing side, I move to reconsider the vote on which Senate Bill 1097 was passed -- or failed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has moved -- having voted on the prevailing side, moves to reconsider the vote by which the -- Senate Bill 1097, the concurrence motion failed. Is there discussion? Senator Brookins.

SENATOR BROOKINS:

I move that the motion lay on the Table. Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'd like to point out to the Membership that it takes 30 votes

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either way. So Senator Brookins has moved that Senator Vadalabene's motion lay upon the Table. Is there discussion? Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Again, the hour is late, obviously, but I think this is a matter that really deserves our reconsideration. I would ask for 30 affirmative votes. And I'd ask Senator Brookins to withdraw his Motion to Table, and let the motion ride or -- ride or -- for failure or approval on a straight-up vote. And I would ask Members to vote Aye to reconsider this. The fact of the matter is, we are confronted with -- with literally a tinderbox situation, where indeed the Teachers' Union has, in fact, already voted to authorize a strike in the event that negotiations are not successful between them and the board. And what this -- what these House amendments to this Senate bill do is afford, literally, the Board and the Union a way out of this dilemma. And for us to leave Springfield having done nothing, I think is truly a mistake, because we would face the very real possibility that we will indeed have to be called back here to Springfield to do essentially what we can do in the next twenty minutes. And so I would ask that we entertain and -- and vote Aye for Senator Vadalabene's Motion to Reconsider, and then we can debate the main issue and hopefully clear up some of the misconceptions that were -- were spoken about earlier.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

I refuse to withdraw my motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce. Senator Jeremiah Joyce.

SENATOR J.E. JOYCE:

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In the time that I have been in this Chamber, Mr. President, the request of any Member for a caucus has always been honored - that's almost fourteen years. So I will renew my request to the Chair that we have a Democratic Caucus before we proceed further.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There'll be a Democratic Caucus in Senator Rock's Office immediately. Senator Philip.

SENATOR PHILIP:

Quite frankly, Mr. President, I'm not sure a caucus is going to solve this problem. I would suggest that we defeat Senator Brookins' motion and get to the main point of business. And I want to remind the other side of the aisle - yesterday, how everybody was working so hard, twisting arms to pass six and a half million dollars to bail the CTA out. Here we are with a much more sensitive issue, preventing a strike, giving schoolteachers a small raise - a mere seventeen and a half million dollars - and you don't want to do it. Now, very honestly, we will put our share on. I expect your share on that side. Let's prevent the strike, do what's right, and get the hell out of here so we can all go home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Senate will stand at ease for fifteen minutes for a caucus.

(AT EASE)

(SENATE RECONVENES)

PRESIDENT ROCK:

Resolutions.

SECRETARY HAWKER:

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Senate Resolution 8-8-5 offered by Senator Holmberg.

And Senate Resolution 8-8-6 offered by Senator Daley.

They -- they're death resolutions.

PRESIDENT ROCK:

Consent Calendar.

END OF TAPE

TAPE 3

PRESIDENT ROCK:

Resolutions. Senator Welch, for what purpose do you arise, sir?

SENATOR WELCH:

Mr. President, I would ask that we go to the Order of House Bills 3rd Reading to take up a bill, 2589. I believe the House is waiting to receive it.

PRESIDENT ROCK:

All right. We have two additional items, and then we'll entertain Senator Vadalabene's Motion to Reconsider. There are two additional items that were remaining on the Calendar. Page 3 on the Calendar. On the Order of House Bills 3rd Reading, Madam Secretary. And then we will revert to Supplemental Calendar No. 1 for a Conference Committee Report on House Bill 1097 for Senator Berman. All right. On the Order of House Bills 3rd Reading is House Bill 2589. Read the bill, please.

SECRETARY HAWKER:

House Bill 2589.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

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Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is a bill that I explained yesterday. I added an amendment that exempted schools from paying fees in respect to sewer and water main hookups for schools. The original bill that passed that created the fees -- the Environmental Protection Agency intended to give the schools exemptions, but failed to do so in the bill. And basically, this bill corrects an error. I'd be glad to answer any questions.

PRESIDENT ROCK:

Any discussion? If not, the question is, shall House Bill 2589 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. House Bill 2589, having received the required constitutional majority, is declared passed. All right. Supplemental Calendar No. 1. On the Order of Conference Committee Reports, there's a report with respect to House Bill 1097, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1097.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill addresses three relatively minor items in the School Code. One -- one is not so minor, but it's a follow-up to the bill that we passed earlier. When we delayed the second installment of the June payment, another -- number of school districts are in a financial crunch. Whether that bill is signed or not, they're -- they're still in a financial crunch, and what -- one of the provisions of this bill is to allow these school

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districts to have a short-term borrowing provision to make up -- to borrow to make up for that nonpayment that was included in Senate Bill 45. Another provision in here - a request from Senator Maitland regarding correcting a bill that we previously passed - dealing with a combination of a consolidation vote, and the election of a new board for the school board involved with the consolidations. The third item is to make sure that petitions that were circulated in -- in the Highland Park area involving a consolidation proposal that, because of a date that's in existing law, will not invalidate the petitions that have been circulated. Those are the three points. I'm not aware of any objection to it. I solicit your Aye vote.

PRESIDENT ROCK:

Gentleman has moved the adoption of the Conference Committee Report on House Bill 1097. Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1097. Those in favor will vote Aye. Opposed, vote Nay, and the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1097, and the bill, having received the required constitutional majority, is declared passed. Senator Berman.

SENATOR BERMAN:

I would just ask for leave to correct the Calendar that we -- on this bill, and ask that the -- the Senate Calendar indicate that on this item, that the word "Corrected" be inserted where it talks about the Conference Committee Report. That's the one we just voted on, and I just ask for leave to have that corrected on the Calendar that was distributed.

PRESIDENT ROCK:

All right. Without objection, leave is granted. Resolutions,

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Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution 106 offered by Senator Demuzio.

(Secretary reads SJR No. 106)

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the adjournment resolution that calls for us, upon the completion of our business today, to return Wednesday, January the 8th, at the hour of twelve noon. I would move to suspend the rules for immediate consideration and adoption of Senate Joint Resolution 106.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the rules for the immediate consideration and adoption of the adjournment resolution, Senate Joint Resolution 106. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 106. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right. Ladies and Gentlemen, if I can have your attention. Senator Vadalabene has moved to reconsider - calling your attention to Supplemental Calendar No. 3 - Senator Vadalabene has moved to reconsider the vote by which Senate Bill 1097 lost. Senator Vadalabene, on the motion.

SENATOR VADALABENE:

Yes. Mr. President, I move to reconsider the vote on Senate Bill 1047 -- 1097.

PRESIDENT ROCK:

All right. The Gentleman has moved to reconsider the vote by which Senate Bill 1097 was declared lost. Those in favor of that

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motion will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 21 Nays, none voting Present. The vote is reconsidered. Senator Etheredge, on Senate Bill 1097. On the Order of Secretary's Desk, Concurrence, is Senate Bill 1097, Madam Secretary.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 1097.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate do concur with House Amendments 1 and 2. I believe that we all know what this bill does. I would request an Aye vote on this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)...Is there discussion? Senator Collins.

SENATOR COLLINS:

Thank you. Nothing has changed about this bill since we defeated it the last time. As a matter of fact, I think it has become clearer that this really is not about money. And I want you all to listen to this on the other side of the aisle. This is not about money. We've been told that the Financial Authority will, in fact, agree to allowing seventeen million dollars to be used from the reserve. If that's the case - they have the authority to do so now - why do we need this bill? It was raised over here, but the more I hear about it, this is about a power grab. This is about controlling contracts in the City of Chicago. I had hoped that this would not come down to this. Every week we -- we hear headlines -- new headlines about political fights in the City of Chicago. When -- four years ago

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it was all about council wars, and now there're all kinds of other wars brewing in the City of Chicago about politics, where decisions are being made that impacts on the lives of the people of the City of Chicago in the State of Illinois. To bring their fights into this Chamber, I think, is inexcusable, and we should not allow that to happen. Because this is not about money. Common sense will tell you that if it's about money, the Financial Authority has the power. Last year they allowed that board to use thirty-five million dollars of that reserve money. And so this year they're asking us to vote on a bill that gives them the authority this year to allow that board to use seventeen million dollars of the reserve. Well, that is inconsistent. That makes no logical sense at all. Let's then debate this issue about what it's about. This is a power grab. It is a power grab that says that that board, which is made up of the citizens that you - you, this Body - decided and determined was in the best interest of these -- of the students, the children in the City of Chicago, that if we select, from the community, representatives to sit on that board. We voted to do the Chicago School Reform, and we did so. They were selected. They have taken office, and I think they have done a hell of a job in trying to bring about some financial stability to that system. And in the midst of trying to do so, they have been hampered on every hand - on every hand. Some intentionally and some unintentionally. They've had to try and wrestle with a Citizens School Councils who were totally inadequately prepared to deal with the awesome responsibility that was thrust upon them without adequate monies for training and other resources to carry out the functions that we mandated for them to carry it out. This whole reform effort has been an illusion that people have been given the illusions that when we passed the Chicago School Reform that it was our intent for that legislative initiative to have some profound impact on changing

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the way the Chicago School System was administered, thereby providing a greater opportunity from some -- for some real effective changes in the quality of education that was being produced by that system. That has not happened. The interim board stayed there that was appointed by the Mayor, far longer than it had to be, and that board made some very serious financial obligations that was thrust upon this new board, that there was no way for them to get out from under that debt. At a time when there were monies in reserve that that Financial Authority held, and mandated that they would take off the top of the operation budget. And so what you are asked to engage in here today is some kind of power grab between the Mayor and -- the tradeoff rather, between the Mayor and the Governor. Yesterday he amended -- we restored the Transportation budget cuts, and justifiably so. And then he turned around and he amendatorily vetoed the pension bill. And I assume the tradeoff again, Chicago -- Chicago School System, Chicago children. And so we will now give the Mayor control over the board, and that's unfair. It is not in the best interest of the children. Thirteen million dollars would not avert a strike. I've talked with the teachers' union, and they said no. We're going to have a strike anyway, if they're going to strike. This is not about anything but giving the Financial Authority twelve more years of super control over a board who is struggling for self-determination and financial stability over its school system. And it's unfair. I think we ought to vote this bill down the way we did it before.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I will keep my remarks very brief. I voted for Senate Bill 1097 the first time, and I'm going to vote for it again. But I'm going to give my brief remarks to my

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colleagues on the other side of the aisle, especially those of you from Chicago. I just wish to repeat what Senator Jeremiah Joyce stated earlier. This is your last chance, Ladies and Gentlemen. This is your last chance. You vote this down, and you will be sharing the responsibility of what is going to be coming the next few weeks. Just want to repeat what was said earlier, and we can't make this any more forceful. This is your last and final chance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I'm not sure if I agree with Senator Collins that nothing has changed. I -- I guess a lot of things change and it can change very quickly. I'm still not sure exactly where I'm going to be on this bill, but there are some things I think have to be said, and I agree with Senator Collins that this is not about kids. This is not about education. This is about contracts, and who's going to control the contracts for the school board and -- the schools in the City of Chicago. But there are some things that have come to light since the last time. I was concerned about comingling of funds. Whose dollars are these really? And I still think, even though there are some State monies in -- in this balance, still 1.2 billion dollars of their -- their budget goes to local property tax. I think two things have got to happen. Number one, we have been told by -- by Senator Pate Philip; that powerful leader from DuPage, that Chicago needs this, and we have been told by -- also by Pate Philip that this will avert a strike, and I think that that was also alluded to by Senator Dudycz - in order to head off some problems in the next few weeks, we must do this. And I would say that that means that this will head off a strike. Hopefully, that's the case, 'cause that benefits the kids. But I don't think

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that we should -- whatever we do today, if we pass this out we should not stop here. We should come back in the spring and -- and take these board members on this Finance Authority -- take them off and appoint all new members. And the reason I say that - and I concur with Senator Collins - that these people have the authority to make this decision now. And if they are so damn calloused that they won't do this on their own, that we, as a State Senate -- and the Governor having to use his influence, have to pass legislation to allow that to happen which should happen naturally - that's foolhardy, and if they're going to be that way, then I think we should change them, restructure the board - whatever it may need. But I think that they need to do something with the Finance Authority. And I still don't know where I'm going to be on this bill, but will take a good, hard look at it before the vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There are three additional speakers. Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. There are some very disturbing factors about this bill. Number one: the deal that has obviously been cut between the Governor and the Mayor, which has nothing to do with this Body. Number two - and I would hope that we would all be quite aware of this: that this Body is being used in a way that is totally inappropriate. As has been said before, the School Finance Authority - and I went back and read this - is an independent body, and can make this decision on its own. We are being used in a way that fronts for a decision to make a massive power play for twelve years, over the objections of our community. We do not have that right. And thirdly: that there are assumptions being made here that we really don't know are true. First of all, we know that 17.5 million dollars will, in no way,

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meet and forestall a strike. That means that there are assumptions that this money is going to come from somewhere else. Are we going to leave here, and all of a sudden we're going to be faced with the Chapter I and the playground money and all of those again? Is the board supposed to come up with this money? Let's not do this. This is unfair. It's not right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis, there are three speakers: Senator Brookins, Senator Jones, and then Senator Rock. Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. We voted school reform, and I went back to Chicago and we sold it, and I'll say to you - if you look in the gallery to my left, you'll see the people that made school reform work in the City of Chicago. They have volunteered time and energy and everything. And what they are saying to me from my community is, "Don't vote for this bill. It is bad, bad, bad for the City of Chicago and the children that go to school and attend them schools." They have worked at this and made it work. They appointed a board that is working, that is doing the job that we have asked them to do. And now, on the other side of the aisle, people that I've known over the last six months have not voted anything that had the smell or looked anywhere like it would help Chicago, are now saying, "We know what's good for Chicago. We'll help Chicago." They're asking downstaters to enter into this fight in a community that does not involve them. That's what they're asking, and I am saying to you - this is bad. It is bad for the -- the City of Chicago. It is bad for the Chicago Board of

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Education. It is bad for my community. I'm asking you - let's not pass this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. I, too, rise in strong opposition to the bill. And I've heard it said here on the Floor many times - you know, when you lie down with dogs, you come up with fleas. And even though I see the groups here, I recall what happened last spring when we were trying to reorganize, and no one came over from the House to do something within the Chicago Public Schools, and they ran to the Governor. And now the Governor come right back and bit them, and is going to bite the children in the public school system. So you cannot always jump in bed with someone who is giving the pretense of trying to help you. This -- this bill is not about giving out any money. What -- if you're talking about thirty-five million dollars for two years, and also you're talking about extending the control of the Finance Authority to the year 2004, something is wrong somewhere. You're not trying to give additional monies all these years, so why you need that authority into the year 2004? It's a joke. It's a insult. But I warn you time and time again, when you jump in bed with a elephant down on the 2nd Floor, he'll come back to do it to you and do it bad, and this is an example of it. We had opportunities to try to solve that problem. The School Finance Authority has had a consultant who is advocating the voucher system. Yet and still, they want to take care of the public schools. This is a farce. It's a joke. It's an insult, but again, it goes back to last spring when we tried to tell you how to do it. You got in bed with the people on the 2nd Floor. Now this is what you're going to get. It's terrible. I'm voting against this, and it should be defeated.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Our last speaker, Senator Rock, and then Senator Etheredge, to close. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Again, I arise and ask the Members who have so kindly reconsidered their previous vote to literally reconsider and give us a vote in favor of the adoption of the amendments to Senate Bill 1097. It seems to me, as it always has seemed to me, that literally wherever you go throughout this State, there is no single school district that is happy with legislative action as it comes out of Springfield. In twenty years in this Body, I have never had a school board member or a school superintendent from any one of the nine hundred-plus districts come to Springfield or come to my district office and say, "Don't give us any more money. We've got too much. We've got enough. Everything's fine." Never happens. Never will happen. The point is, that when you are talking about a lack of funding for the school systems of this State, the world attention literally turns to Springfield. And so we can't ignore the real possibility that if indeed the teachers go out on strike, they will look - as they must look - to Springfield, and we'll be back in Session. And when we come back, having done nothing - if we do nothing - we will be confronted with a bill that's virtually identical to this one. The fact of the matter is, it does free up some money. It will afford the board the opportunity to successfully negotiate with the Teachers' Union. It does, in fact, reinstate some controls that the School Finance Authority had for many years over the Board, and I didn't see any ill effect of it then. This, it seems to me, at this point in time, is absolutely essential, and I would urge my Members and all Members to truly give us a vote. Vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right. Senator Etheredge may close.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would ask -- I think the -- there's been ample debate on this bill. I think we all know what it is. An Aye vote keeps the Chicago public schools open this year. I ask all of you to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1097. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. ...(machine cutoff)... 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? There's something wrong with my microphone here. Wait a minute. Hold it. Have all voted who wish? Have all voted who wish? All right. Last call. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 29, 2 voting Present. The -- the -- it fails.

PRESIDENT ROCK:

All right. 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, and the Calendar having been distributed, Senator Vadalabene will move the adoption of the Resolutions Consent Calendar. Any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolutions on the Consent Calendar are adopted. Any further business to come before the Senate? Any announcements? All right. If not, Senator Demuzio moves the Senate stand adjourned

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until January the 8th, at the hour of twelve o'clock noon. Senate stands adjourned.

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