

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

106th Legislative Day

May 15, 1996

PRESIDING OFFICER: (SENATOR WEAVER)

...Session of the 89th General Assembly will come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Reverend Daryl Fansler, Methodist Church of Petersburg. Reverend Fansler.

THE REVEREND DARYL FANSLER:

(Prayer by the Reverend Daryl Fansler)

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Sieben, for the Pledge of Allegiance.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading of the Journals. Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. I move that the reading and approval of the Journals of Wednesday, May 8th; Thursday, May 9th; and Thursday {sic} (Tuesday), May 14th, in the year of 1996, be postponed, pending the arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, it is so ordered. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 826, together with the following amendment, which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment No. 1.

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We have like Messages on Senate Bill 1467, with House Amendments 1 and 2, and Senate Bill 1527, with House Amendment 1. All passed the House, as amended, May 14th, 1996.

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

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

House Bill 3451, with Senate Amendments 1 and 2.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of Amendment No. 3 to House Bill 3451.

Action taken by the House, May 14th, 1996.

PRESIDING OFFICER: (SENATOR WEAVER)

Resolutions.

SECRETARY HARRY:

Senate Resolution 211, offered by Senator Collins and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 212, offered by Senator Hendon.

And Senate Resolution 213, offered by Senator Cullerton.

They're both substantive.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Senator Weaver, on the -- for purpose of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your...

SENATOR GEO-KARIS:

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Mr. President and Ladies and Gentlemen of the Senate, I'm delighted to have with us today one of my constituents who is a lady, is a CPA, and her son is going to be our honorary Page today: Mrs. Mary Ann Wheeler from Libertyville, and her son, Nathan, who's going to be our Honorary Page. And Mrs. Wheeler is sitting up there in the President's Gallery, and I'd like you all to welcome Mrs. Wheeler and her son here today.

PRESIDING OFFICER: (SENATOR WEAVER)

Will the Senate please recognize our guests? ...have your attention. This is the final day for moving House Bills on 2nd Reading. If the Members would please come to the Floor, we'll be progressing on that order of business very shortly. ...what purpose does Senator Demuzio arise?

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I have a special announcement today. This is the birthday of one of our colleagues - esteemed colleagues - who is here, Senator George Shadid. He won't tell me how old he is, but I'm -- I'm sure that we can all guess. So I just want to have everybody recognize George Shadid on his birthday today.

PRESIDING OFFICER: (SENATOR WEAVER)

Happy birthday, George. For what purpose does Senator Raica arise?

SENATOR RAICA:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR RAICA:

I'd like to ask Senator Shadid if he brought cake for everybody, or is he following in the footsteps of Senator Demuzio, who didn't.

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Shadid disappeared. Okay. We'll -- on page 6 of your Calendar, we'll go through House Bills on 2nd Reading. Is there leave to come back to 322 and 2751? Hearing no objection, leave is granted. Senator Klemm on the Floor? You wish to move 2927? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2927.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm, for Senator Madigan.

SENATOR KLEMM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment 2 is basically something that's come a long way. As you know, this is the bill that has -- sell insurance for the banks, and the insurance companies and the banks, of course, have had different opinions for some time. But I think during this -- deliberations that have been going on between all the parties, Amendment No. 2 is what has come out of an acceptance of both sides of some of the conditions and terms that I think we'll be dealing with. Let me just thank, first of all, the Professional Independent Insurance Agents of Illinois, and the Underwriters' Association and the Community Bankers Association, who have worked together with this, and also the Illinois Bankers Association, the Savings and Loans, and all those who are still going to continue the work. Senate Amendment No. 2 does a few things. Becomes a --

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probably a watershed here, because it allows all financial institutions to sell insurance, which would be national banks, State banks, savings and loans, et cetera. It has the financial institutions would have to set up a separate subsidiary, however, to sell insurance, which is all agreed to. They cannot tie credit to the insurance products or solicit insurance -- excuse me, prior to a loan commitment. There are a number of items in the amendment that they have agreed to. We wish this bill to continue so that the negotiations that are going on between the few remaining points between the bankers and the insurance agents can be resolved. So I do ask for your adoption. I'll answer any questions that you may have on this amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Klemm moves the adoption of Amendment No. 2 to House Bill 2927. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Any further amendments?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Butler, on 2128? Do you wish to move the bill? ...wish to move the bill, Senator Butler?

SENATOR BUTLER:

I believe there's an amendment. May I come back to this, please, when I get organized?

PRESIDING OFFICER: (SENATOR WEAVER)

Take it out of the record. Senator Dudycz, on 3349? Do you wish to move the bill? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3349.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

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PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz, to explain the amendment.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 3349 creates the Motor Vehicle Leasing Act. Members of the Transportation Committee had some problems with some portions of it, specifically with the portion which prohibited the filing of a class action lawsuit under the Act. The amendment -- Floor Amendment No. 1 removes that prohibition. Additionally, questions arose by the committee Members regarding the portion of the bill that -- which granted the lessor have sixty days to determine excess wear and damage to the vehicle. That has been decreased. It has been reduced from sixty to thirty days, and that has met with everyone's objections in committee. And I would seek support for Floor Amendment No. 1 to House Bill 3349.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Shaw.

SENATOR SHAW:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he would.

SENATOR SHAW:

What did we do in terms of the class action?

PRESIDING OFFICER: (SENATOR WEAVER)

Excuse me, Senator Dudycz. The committee report has not been read in yet, so we'll -- let's take this out of the record at this

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point. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Fawell, Chairperson of the Committee on Transportation, reports Senate Bill No. 817, motion to concur with House Amendment No. 1 Be Adopted; and Senate Amendment No. 3 to House Bill 2294 Be Approved for Consideration; Senate Bill {sic} (Amendment) No. 1 to House Bill 3349 Be Approved for Consideration.

Senator Cronin, Chairperson of the Committee on Education, reports Senate Amendments numbered 2 and 4 to House Bill 545 Be Adopted.

PRESIDING OFFICER: (SENATOR WEAVER)

Back to the Order of House Bills 2nd Reading is House Bill 3349. Senator Dudycz. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3349.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Senator Dudycz offered Committee Amendment No. 1 -- pardon me, Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz, to explain the amendment.

SENATOR DUDYCH:

Thank you, Mr. President. As I stated earlier, the House Bill 3349 creating the Motor Vehicle Leasing Act had two provisions which the Members of the Transportation Committee had two objections to. Those provisions have been corrected. To answer Senator Shaw's earlier question about the class action suit, that

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provision has been completely removed from the -- from the bill. And we have reduced the time period from sixty to thirty days for the portion of the bill granting the lessor sixty days, or thirty days now, to determine the excess wear and damage to the vehicle after the expiration of the lease.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Dudycz moves the adoption of Floor Amendment No. 1 to House Bill 3349. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Is there leave to return to House Bill 3380? Leave is granted. Senator Parker, 3520? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3520.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senators Parker and Berman.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Parker, to explain the amendment.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment to Senate Bill 3520 amends the State Employees' Group Insurance Act to allow recipients or survivors of recipients who receive a disability benefit from the Teachers' Retirement



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System to participate in the State Employees Group Health Insurance Program.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Parker moves the adoption of Floor Amendment No. 1 to Senate Bill 3520. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The -- the amendment is adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Is there leave to come back to 3694, (36) 95, (36) 96 and (36) 98? With leave of the Body, Senator Donahue will handle 3694. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3694.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Donahue, on 3695? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3695.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 3696. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3696.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 3698. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3698.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Butler, do you wish to go back to 3128? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3128.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. On page 3 of the Calendar are House Bills 3rd Reading. We will proceed to that order of business. Is there leave to come back to... On the Order of 3rd Reading, House Bill 22. Senator Rauschenberger? Read the bill, Madam Secretary. Do you -- excuse me. Senator Rauschenberger seeks leave to return House Bill 22 to the Order of 2nd Reading for the purpose of an amendment. There leave? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 22. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger, to explain the amendment.

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SENATOR RAUSCHENBERGER:

Amendment No. 3 to House Bill 22 repeals a Section in the Health Facilities Planning Act which permits the Health Facilities Planning Board to go -- to enjoin and to go to court to seek redress in case of a court decision that -- that is rendered against their decisions as a regulatory body. This would prevent them from doing that. It would leave the CON process as it exists, but it would not allow them to enter court as a -- and use taxpayer funds to sue a hospital. I urge its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

...very much, Mr. President. Senator Rauschenberger, we don't have any problem with the adoption of the amendments. There is currently in the Rules Committee another amendment, I think offered by Senator Carroll, both to this bill and to the next bill. Would we have an opportunity to -- to take those up, providing that the Rules allows those to come to the Floor?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger. Senator Demuzio was asking if you would bring this back from 3rd Reading for future amendments.

SENATOR RAUSCHENBERGER:

If -- I -- I would be happy tomorrow, if -- because we're running up against deadline, I would be happy tomorrow if it comes out of Rules to move back to 2nd to adopt. No problem.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Fitzgerald.

SENATOR FITZGERALD:

Question of the sponsor...

PRESIDING OFFICER: (SENATOR WEAVER)

Excuse me, Senator Demuzio. Do you have further questions?

SENATOR DEMUZIO:

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I might inquire of Senator Rauschenberger. Perhaps an intermediary could answer the question. Will there be a Rules Committee meeting today?

PRESIDING OFFICER: (SENATOR WEAVER)

Yes, sir.

SENATOR DEMUZIO:

Thank...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fitzgerald.

SENATOR FITZGERALD:

Question of the sponsor, please, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR FITZGERALD:

Senator Rauschenberger, is there a particular hospital now that is being sued that this affects?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Fitzgerald, I don't think so, because the -- the repeal would be prospective. So any -- any action that the -- the Health Facilities Planning Board is currently involved in would -- I don't think would be affected.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fitzgerald.

SENATOR FITZGERALD:

Senator, are -- are there hospitals that have encouraged you to introduce this amendment, that are supporting this, behind this?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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No, Senator. They actually encouraged me to introduce a different bill. But I -- I think it's fair to tell this Body that almost all of the hospitals in their districts are somewhat frustrated by the Health Facilities Planning Board. In a time when the marketplace has truly begun to rationalize the provision of medical care, it seems a little archaic to have a -- a group convene to -- to rule on CONS.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would.

SENATOR GEO-KARIS:

Senate -- House Bill 22 - is that the one that you propose to eliminate the Illinois Health Facilities Planning Board?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

No, this does... Thank you, Senator Geo-Karis, for the question. This does not repeal the Health Facilities Planning Board.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What exactly does this amendment do, because I got lost in the shuffle with different queries here?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

This -- this bill repeals the Section of the Health Facilities Planning Board {sic} (Act) which allows the Health Facilities

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Planning Board to intervene in court and to enjoin hospitals who have won circuit court decisions and to appeal those decisions. In other words, it -- it limits them to their regulatory role and takes them out as a court-intervenor.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? If not, the question is the adoption of Floor Amendment No. 3 to House Bill 22. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Any further amendments?

ACTING SECRETARY HAWKER:

Amendment No. 4, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. This Senate -- or, Floor Amendment No. 4 to House Bill 22 deals with an issue that, through the appropriations process and also through the task force dealing with -- DCFS, we have uncovered as an unintended consequence. In the budget implementation bill last year, we actually reduced the amount that we pay monthly to subsidize adoptions by twenty-four dollars. This reverses that reduction and actually increases the monthly subsidy for adoption through DCFS by six dollars, or it's a thirty-dollar change. I urge its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 4 is adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. What purpose does Senator Welch arise?

SENATOR WELCH:

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A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR WELCH:

Mr. President, over here in the gallery on the Democratic side, in the back, we have the eighth-grade class from Northlawn Junior High School in Streator, Illinois. I'd like to give them a welcome to the Senate.

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guests please rise and be welcomed by the Senate? Welcome to Springfield. For what purpose does Senator Watson arise? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR WATSON:

There's considerable interest in the game tonight, and I just want to tell everybody that the game is on. We -- till 1 o'clock. We have till 1 o'clock to make a decision. If it doesn't rain by 1 o'clock, we're going to proceed with the game. Just so I don't have to answer all those questions. The game is on.

PRESIDING OFFICER: (SENATOR WEAVER)

Thank you, Senator Watson. Senator Karpiel, on House Bill 24, do you wish it returned to 2nd Reading? Madam Secretary.

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpiel, to explain Amendment No. 1.

SENATOR KARPIEL:

Thank you -- thank you, Mr. President. First of all, I do want to say that we would like to adopt the amendment onto House

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Bill 24, but that my commitment in committee and to the Governor's Office and other interested parties is that we will hold the bill and not proceed with the bill until a lot of things have been worked out on it. But the -- Senate Amendment 1 to House Bill 24 does several things. It creates the Office of the Inspector General, effective July 1, 1997, by consolidating the three existing inspector generals for the Departments of Public Aid, Children and Family Services, and Mental Health. And -- and it abolishes those offices also on that date. The Office will be headed by an Inspector General, appointed by the Governor and confirmed by the Senate, and the Inspector General is -- and they will appoint up -- or the Governor may appoint up to three Deputy Inspector Generals with Senate confirmation. Terms will be for four years. The Inspector General shall report directly to the Governor. It gives the Inspector General the ability to create the divisions -- divisions within the Office, and is given all the powers and duties that are now granted to the existing three inspector generals. Prohibits the new Office of the Inspector General from exercising any powers, duties, functions greater than were exercised by the current offices of the inspector general. Transfers all existing personnel into the new Office of the Inspector General. Will require that he or she continue to issue reports to the Governor and to the General Assembly as required by law. And that's -- and requires that the Auditor General conduct a management or a program audit on this Office for at least five years.

PRESIDING OFFICER: (SENATOR WEAVER)

...there discussion? If not, Senator Karpziel moves the adoption of Amendment No. 1 to House Bill 24. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Are there further amendments?

ACTING SECRETARY HAWKER:



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Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Floor Amendment No. 2 to House Bill 24 is precisely the same Amendment No. 4 that we moved on House Bill 22. It raises the adoption subsidy thirty dollars, -- recovering the twenty-four that we reduced last year and adding six additional. I urge its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Rauschenberger moves the adoption of Amendment No. 2 to House Bill 24. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. Amendment's adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. On the Order of 3rd Reading, House Bill 115. Senator Dudycz? Senator Dudycz on the Floor? Out of the record. Senator Fawell has some visiting guests that she would like to introduce. Senator Fawell.

SENATOR FAWELL:

Thank you, Ladies and Gentlemen. If I can have your attention for just a minute. Senator Karpel and I have the pleasure of introducing a group from Glenbard West, and they have been recently awarded the first place -- they are the first place in the Illinois State High School Gymnastics competition. In fact, one of them scored a perfect ten on the pommel horse. Never having been on one, I'm not sure what that is, but... And I would like to introduce their coach, Mr. Kafka, who will introduce his team.

COACH KAFKA:

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(Introduces Glenbard West Gymnastics Team)

SENATOR FAWELL:

Obviously, Representative Persico is also -- has part of these students. Number of them are coming back next year to beat you again, and I would like the Senate to offer them a hearty congratulations. We do have certificates that have been signed, and I will give them to their coach to hand out.

PRESIDING OFFICER: (SENATOR WEAVER)

Back to the Order of 3rd Reading is House Bill 456. Senator Rauschenberger, do you wish to call the bill, 456? Out of the record. Senator DeAngelis, on 527? Out of the record. Senator Cronin, do you wish House Bill 545 returned to the Order of 2nd Reading for the purpose of amendment? Senator Cronin seeks leave of the Body to return House Bill 545 to the Order of 2nd Reading. Is there leave? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 545. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson, on Amendment No. 2 to House Bill 545. Explain the amendment.

SENATOR WATSON:

Yes. Thank you. I would like to move for the adoption of Amendment No. 2 to House Bill 545. We heard this amendment in the Education Committee this morning. Negotiations are going on now between the East St. Louis School Board, the State Board of Education and the Panel, that -- the oversight authority on fiscal matters...

PRESIDING OFFICER: (SENATOR WEAVER)

Excuse me, Senator Watson. Will we -- please take your conferences off the Floor? It's hard for the Members to hear

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these -- the explanation of these amendments.

SENATOR WATSON:

Yes. Thank you...

PRESIDING OFFICER: (SENATOR WEAVER)

Continue.

SENATOR WATSON:

Thank you, Mr. President. The -- this amendment addresses primarily the East St. Louis School District. The language is not specific for that district, but ultimately this is the district that's impacted. We, in 1994, established an Oversight Panel to deal with fiscal matters of the district. Since that time, there's been considerable debate as to whether or not the local Board has responded in a reasonable fashion and a responsible fashion, and as the result of that, we are trying to expand the powers of the Panel. Now, the -- we -- as I mentioned earlier, we had this amendment debated in the Education Committee this morning. Senator Clayborne has objections to this amendment and -- and opposed it in committee; however, we are negotiating with the State Board of Education, with the Panel - the Oversight Panel - and the Board of Education, along with Senator Clayborne and myself, to try to resolve the matter. But I would like to move the bill and -- and adopt the amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition. And, Mr. President, I -- I would ask for a roll call on this motion to adopt. We had over an hour of testimony this morning in the Education Committee on this subject. I think that there has to be some corrections made to the legislative Oversight Panel, but I would suggest that this amendment goes much too far and doesn't zero in on what the

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problem appears to be. I think the problem is a lack of communication between the Oversight Panel and the locally elected School Board. And keep in mind that a Yes vote on this amendment says that you are siding with a appointed three-person panel and you are disagreeing with an elected school board. That's an important distinction here. Also, I would suggest to you that this is a very punitive amendment. In the whole hour of testimony - in the whole hour of testimony - nothing was stated regarding any serious problems with the teachers, and yet, this amendment prohibits for three years or, perhaps, for ten years any right to strike and limits the areas of collective bargaining for the East St. Louis School District, so that the Board or the Panel, whoever's going to be doing the collective bargaining, cannot even discuss in the collective bargaining negotiations things such as the academic calendar, class staffing, class assignments, class schedules, class sizes, hours and places of instruction. None of those subjects can be discussed in the collective bargaining process. All of those things regarding antiunion really don't belong in here. That wasn't brought to our attention in any of the testimony. I would urge -- oh, and let me add just one other item. And being of the race that I am, I am comfortable in raising this issue, but I want it to be of record. If this amendment passes and if this bill becomes law, there will be only two school districts in the State of Illinois out of nine hundred and five school districts that have limitations on the right to strike and limitations on the subjects of collective bargaining. That'll be Chicago and East St. Louis, and those two school districts are majority African-American. Now, you decide for yourself whether that's racist or not. I urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Clayborne.

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SENATOR CLAYBORNE:

Thank you, Mr. President. Senator Watson has made some statements as regards to negotiations, and we hope to continue to negotiate. But as this bill currently reads - this amendment reads - it does not address the fundamental problems that exist in our school system. This bill does not place the responsibility of resolving problems by the local Board in its hands. This bill does not allow the citizens who've elected this Board to be responsible and accountable to the children in School District 189, to make sure that the -- that the -- that the programs -- educational programs are there that are needed, to make sure that the school conditions and repairs are provided for and to make sure that there's financial responsibility. What this bill does, it says, "Oversight Panel, you do the job. Don't hold the Board responsible. Don't hold the Board accountable to the people that elected them." As I've stated, if we're really about addressing the problems that exist in East St. Louis and in the school district, the State Board, the Oversight Panel and the School Board will sit down and develop a comprehensive plan over three to five years to address these problems and that the Board would be in charge with the task of implementing this plan. And if there is not cooperation, if the -- if the plan is not implemented, then there should be some enforcement mechanism. But to take the authority and the responsibility away from the Board members and not to hold them accountable and responsible to the citizens that elected them and to make an oversight panel of appointed members, who there is no level of -- of control over them, responsible for implementing these programs is the wrong message. This plan was implemented -- or drafted within a week to two weeks. Clearly - clearly - no one else would want their school districts to be affected by a plan that was drafted in such haste. The next thing of all, this -- we're here today because a judge, about a month

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ago, said that the law was unconstitutional. So we're here today to address an issue that was decided by a judge. Maybe it's in -- in the hands of the Supreme -- being appealed to the Supreme Court. Maybe the Supreme Court will reverse and will say that they have the powers to do it. But what happened, Ladies and Gentlemen of -- of the Senate, was that a superintendent was not -- her contract was not -- her contract was renewed in violation of what the Oversight Panel told the Board members to do, and as a result of that, they -- the Panel abolished the elected officials on this Board. And what I say to you, if we're interested in resolving and providing a quality education for these children, we will sit down, put a comprehensive plan together and require the Board to implement that plan, and if they don't, there has to be some enforcement mechanism. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. I, too, request -- add to Senator Berman's request for a roll call on this amendment. I rise in strong opposition to this bill, not because I don't concur or recognize that there is a need to deal with and address the financial problems of that school district in East St. Louis. And there's also probably a need for some kind of fiscal oversight. However, the problems with this particular bill, and the problem exist in -- in East St. Louis, as to why the various parties cannot come together and implement a -- and put together a comprehensive plan, it is more personal than anything else. And we cannot -- as Senator -- one of the Senators said, you most certainly cannot legislate relationships. What happened in that court case is when that board -- the Oversight Committee -- and you all should listen to this -- decided to usurp the -- the authority, really, of the Constitution, and that is giving the right to vote

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to the citizens, and they wanted to dismiss a board that had been duly elected by the citizens, they should have come to the Legislature. Maybe that's when they should have come to the Legislature. We did it in the City of Chicago, and we could have done it there. But they did not have the authority to do so, which helped to create the atmosphere of a noncooperative, antagonistic School Board and -- and Oversight Committee. And the teachers: If -- if -- if -- if we want to see any -- if there is any hope for any progress in terms of improving the quality of education in that area, this is not the way to do it. No one discussed, as Senator Berman said, the fact that under -- if this plan would sanction, we'll sanction. The fact that right now there are thirty-five pupil per teacher in the classrooms in East St. Louis and they have to lay off something like forty-some more teachers, and they can't even collectively bargain under the collective bargaining law. So, who's going to get hurt? The children in East St. Louis are going to get hurt, and this bill is just going to add to the problem. So I suggest we vote No, and request a roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I feel most compelled to respond to one of my colleagues on the other side of the aisle who raised the issue of race. I resent that implication, that explicit remark. The State's intervention in both Chicago and East St. Louis is based on objective data of financial problems - financial problems unlike any other school districts in the entire State. In Chicago, with the appointment of a three-member board or a three-member panel, they have done great deeds - deeds that have been praised by you and others from your side of the aisle. So, please, my colleague, Minority

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Spokesman on the Education Committee, your hysterical remarks do nothing to help the children of East St. Louis.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. First, I must defend the character and the intent of Senator Berman. Senator Berman is most certainly a -- a -- a person who has shown integrity in this Body in the area of -- of education, and while he does not need me to defend him, I feel compelled to do so, because I know that anything he -- he says as far as education, he is sincere. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

SENATOR HENDON:

Senator Watson, I know you won't hold this against me and I'll still get to start today on our softball team because winning is more important than anything else, but I must ask you: Has the situation in East St. Louis improved since we set up this Oversight Committee, or has it deteriorated further?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Well, it's actually a -- a hard question to assess, Senator. We have -- in fact, I've got with me the fiscal audits that were done in '93, '94 and then once again in '95. I would suggest that the audits are not complimentary to the operations and management of the East St. Louis school system by the East St. Louis School Board. So I -- to say whether there's been progress, I know that there's been a -- a commitment made by those involved in the Panel to -- to make a difference, and I feel that they have, but we just don't see the results, and that's the reason, unfortunately, that



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we have to -- to come forward with a proposal such as this.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon.

SENATOR HENDON:

I was -- had the opportunity to meet with the Board, and I was told that they have balanced their budget - something this State hasn't done in the last two years. So if they have balanced their budget, how can you say that they haven't made progress? Isn't -- isn't the purpose here to have a balanced budget? Aren't many of us, especially Republicans and fiscal Democrats, seeking to have balanced budgets all over the place? Did you know that they had balanced their budget?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

They made that comment in committee today, yes.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon.

SENATOR HENDON:

Well, if they've balanced their budget, my esteemed colleague, that means they have made progress in the fiscal area. Secondly, have the test scores with the students improved, which I think is the most important thing? And I believe that you're sincere about the quality of education for the children. So, has the -- I'm more concerned myself, personally, about the education of the children than the fiscal end of this matter. So my question to you is: Do you have any data showing that the students are doing worse than they were prior to this?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes. I -- I appreciate that concern, and -- and I think we

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all share that. The problem we have here is, this is a Panel that deals with fiscal oversight - that's the financial operations. As far as the performance of the district from an academic point of view, I'm -- I'm not aware of, Senator.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon.

SENATOR HENDON:

Well, I'm -- I'm going to be brief, Mr. Chairman.

PRESIDING OFFICER: (SENATOR WEAVER)

Appreciate that.

SENATOR HENDON:

But let me just say that, from the information that I have received, the students are doing better. The -- the budget is balanced; the students are doing better. An oversight committee -- the word "oversight", that's an overseer. That's all. That's not -- they're not supposed to run anything. They're supposed to just look out for the -- the situation there, make comments, but they're not supposed to be running the -- the East St. Louis schools. What this Oversight Committee is doing, clearly, is trying to run and take over the -- the schools in East St. Louis. This Board that is there now has been in place for a few years; they've balanced the budget. I want to repeat that for all my Republican fiscal-conservative friends: They have balanced the budget. Why punish someone who has balanced the budget? And finally, on what Senator Berman raised. Senator Cronin, to you, my dear friend, no matter how it looks to you, when you're in this black skin, it looks totally different when you see that only two school districts have these constraints against them and both of them are predominately African-American.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz.

SENATOR DUDYCZ:

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Thank you, Mr. President. I stand on a point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR DUDYCZ:

Mr. President, Ladies and Gentlemen of the Senate, earlier in the discussion on this bill, one of our colleagues from the other side, Senator Berman, said something which I vigorously resent and I think insults the integrity of one of our Members. When Senator Berman stated that racism drives this amendment, he's saying that racism is involved in the intent of the sponsor to -- to do something or other, which is telling the public and telling his colleagues that it is his firm belief that Senator Watson is racist. And I am deeply offended by Senator Berman using that term and that word. Senator Berman, you should not have used that word "racism" when you're describing a Member of the Senate or bringing it up in discussion in this amendment. This is an insult to the Senate and an insult to the -- the sponsor of the amendment. And, Senator Berman, you owe Senator Watson an apology.

PRESIDING OFFICER: (SENATOR WEAVER)

May I admonish the Membership to confine their remarks to the contents of the amendment. Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President. I stand in opposition to this bill for the simple reason that the authority of an elected body is being transferred to three appointees. There is no provision in this bill for a transition period, where the Oversight Committee can tell the Board what to do and how to do it and see to it that it is done that way. None of us -- none of us ignore the fact that there are problems in that school district. There have been problems for a considerable length of time. The school district

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needs help. An Oversight Committee -- an Oversight Panel is there to help them, but they should be helping the people that have been elected by the voters of that school district to learn how to deal with the problems of the school district. The Panel should not be running the school district. How long are they going to be running it? Forever? I think not. I think that this transition period must take place, and I would ask the sponsor of the bill to reconsider at this point and give us an opportunity to meet during the summer to try to resolve some of these differences. There are fiscal responsibilities that are identified in this bill, but there is no indication as to how they're going to be financed and from what funds they are going to be financed. It authorizes the sale of property. It authorizes the leasing. Who is going to pay for this? They -- an inspector general - who's going to pay for that? There is nothing in this bill that identifies the source of that financing. I would -- I would ask my fellow colleague from the 55th District to consider setting this bill aside to let us meet and resolve some of these problems and get into a transitional situation for that school district, in the interests of those youngsters who are going to school in deplorable, deplorable conditions. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler.

SENATOR BUTLER:

I think Senator Cronin used the right word the other -- a few minutes ago, and that is when he used the word "hysteria". From the comments I hear now, I wonder how many have really read this bill, because the fact of the matter is that none of this would take place unless and until the school district is in violation of its own plan. The idea is to allow the school district to create a financial plan, an operating plan, and then if they fail to do what they said they would do, then this kicks in. And the fact of

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the matter is, they failed to do what they were supposed to do, what they said they would do; therefore, this plan now is -- would be in effect. So let's not jump to the conclusion that all of a sudden there's -- this big brother is descending down on -- on a poor, little school district. They're in trouble. They're still in trouble. The Panel -- this Body said this Panel should have certain responsibilities. All this amendment does is to say, "If you do not carry out your responsibilities, then the following must take place." Secondly, remember -- remember this: that these districts were in meltdown. That's the reason why the Oversight Panel was put in Chicago and in East St. Louis. They didn't just reach in haphazardly and say, "Well let's pick on poor, little Chicago and poor, little East St. Louis." They were in trouble. Final point: It seems to me, in listening to all that testimony this morning, that there was a -- there was a desire on the part of the School Board to pick and choose what they would agree to do or comply with. Their own plan had to be in place, but beyond that, they said, well -- it seemed to me they were saying, "Well, we don't want to do this", or "We don't want to do that." Remember, I repeat: This kicks in only when their own financial and operating plan is violated, period.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR PALMER:

Senator Watson, how many schools -- districts in Illinois are on the Financial Watch List?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

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SENATOR WATSON:

We believe there's six.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Six? Oh, please, let -- let's be a little clearer than that. There are probably more like sixty-nine.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Palmer.

SENATOR PALMER:

Yes. I have several questions for the Senator. Senator, of these sixty-nine or more districts on the Financial Watch List, how many of them have oversight panels with the broad powers that are represented in this amendment?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes. And thank you, and I beg your pardon. I did misspeak. The "six" figure is those that are certified. You're correct, I believe, at least in your evaluation of how many are on the Watch List. I know there's -- there's considerable number. And there are -- no one that is under the oversight provisions that are present in this bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Will this Panel apply to any of the other sixty-eight that are on the Financial Watch List should it be passed?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

We -- this goes now back to the -- the number "six" that are

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certified. Those people -- those districts could be impacted if, in fact, they violate their -- their plan. If they are in violation of their own plan, that's when this would kick in, and that's why this only impacts East St. Louis.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Has Senator Clayborne, who represents East St. Louis, been involved in fashioning this amendment, or has he been party to the discussion about what should happen in his own school district?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

No, I guess, probably -- the answer to your question is, he was made aware of the amendment yesterday. I gave him a copy of it. I've discussed with him and others on your side the hopes that we could be bipartisan in our efforts to try to solve the problems of -- of East St. Louis School District, and obviously, similar as to what happened with the Chicago public schools, it seems as though this side of the aisle is the only one who's willing to stand up and go to the plate and take a swing.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

...do you live in or near East St. Louis, Illinois?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes, ma'am, I do. I -- my district goes into St. Clair County, and it borders Senator Clayborne.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

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SENATOR PALMER:

...Board party to or aware of this amendment?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

I'm -- all I can tell you is what they said this morning, and that they were not involved; that they got the amendment yesterday, similar as to what Senator Clayborne. The -- the Oversight Panel, State Board of Education were the ones who were the primary authors of this.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

...conclude this by just reminding you of -- the Body of what the answers to these questions were: that the Senator who represents the district was not involved, in any fashion, in discussing what should happen in the area that he represents - that he was elected to represent - did not know about this until yesterday; that the Board that represents - that was elected to represent - the children in this district were not told of this until yesterday; that there are sixty-nine districts on the Financial Watch List. To get on the Financial Watch List means that you are in serious financial difficulty, yet only one district will have an oversight board that has the power to make and execute contracts, leases, so forth, purchase real or personal property, hire and fire and so forth - all three people of them, as opposed to the Board that was locally elected. The bottom line of this: There is hypocrisy at work here. And I would suggest to you that you do not do unto others or their communities what you would not want -- want done to yourself and your community. Now, those of you who advocate for local control, it will be hypocrisy for you to vote for this with all of the facts that we have just



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suggested in place. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. A couple years ago I was on the East St. Louis Investigative Committee, before the present Senator was in place, and it was, frankly, at the behest of our former colleague, Senator "Sam", that I was on that committee. East St. Louis had a lot of problems. At that time, their garbage hadn't been picked up for about two and a half years, they had no fire department, they had no police department, their financial records were in complete disarray. And -- and we were requested as a State to come down there and to give our -- our fellow citizens a hand, and we did so. And -- and I think East St. Louis, frankly, has come a long way since those days, with our help. But I also talked to a number of the citizens down there, because -- and I'm trying to think of what her name was, but it's a little nun that used to come around here all the time, that used to be in charge of Marillac House and has gone to East St. Louis, and perhaps the good Senator can tell me what her -- her name is. But she took me around and introduced me to some of the residents, and we talked. And they do have a problem with their schools down there. There's no doubt about it. The dropout rate is -- is pretty phenomenal. These are people that are struggling to bring back their community. They had lost a lot of industry. There are some very, very good people down there that have tried to make their community a good community, but they need our help - not only financially, but in other ways. I think this is a good amendment. I think this will perhaps finish the job that we started out to do a few years ago. It is -- it is a community that is struggling. It is a community that, frankly, I'm sure gets most of their support financially from the State. We ought to help it. We ought

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to help it with this amendment. This is a -- not a forever-type legislation. It's a type of legislation that will help get them back on their feet so they can continue to grow as we all want our communities to grow. There's nothing wrong with this amendment. If my schools were in that kind of trouble, I would hope the State would help us, too. I think we all ought to be on this amendment, and -- and I think we all ought to be willing to help East St. Louis.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Petka. Senator Petka, you seek recognition?

SENATOR PETKA:

Thank you very much, Mr. President. Would -- would we move -- could we move the previous question, please?

PRESIDING OFFICER: (SENATOR WEAVER)

Well, Senator Petka, we have one other speaker for the first time and three that are seeking recognition for the second time, or third time. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Just to clear up a few points. First of all, this Oversight Authority is in effect already. It is not a new... All right. Well then, let's not suggest that we're now imposing something. This already exists. And the reason that this is being brought up today is because the Board willfully ignored the decision of the Authority. Now, this Authority, or Panel, whatever you want to call it, only was triggered when the Board in turn, initially, violated what was supposed to be its plan to conduct its business. So, I just want to clear the record. Nobody's trying to put a collar on anybody. The collar was there already. And if I'm not mistaken, I believe every Member in this Body voted for it in the first place, as many did with the Chicago plan, Senator Berman. And to suggest that the Chicago plan was a racist move, I really do believe you do owe an

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apology to the entire Body. I mean, there are efforts trying to help people regardless who they are. The main trigger is the financial condition of a situation. And I wish some of you could have been there this morning to listen to some of the answers we got. The so-called balanced budget did not include some things that ought to be included in a balanced budget. And then, all of a sudden, it got to be, "Well, maybe it was the accountant's fault." It was a "Who shot John?" kind of thing. You know, what's happening here is that people are ignoring the fact that the very people that need the help, which is the kids, are being ignored. What we have is a territorial war over several groups who want certain authority that they feel is being eroded with this bill. Well, you know, maybe it is. But I got to tell you, if it's going to help the kids, I'm for eroding that authority.

PRESIDING OFFICER: (SENATOR WEAVER)

For a second time, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. On a point of personal privilege. Senator Dudycz, you didn't listen to me, and if you were listening to me, you didn't understand me. I did not use the word "racist". I did not use the word "racism". I stated that if this amendment becomes law, there are only two school districts in Illinois that will have limitations on the right to strike and limitations on the subjects of collective bargaining, and both of those school districts are majority African-American. That's a fact. I don't owe any Member of this Body an -- an apology, because I did not tell -- accuse any Member of this Body of racism. I am stating a fact. If the facts disturb you, Senator Dudycz, that's your decision, but I'm just telling you that I did not and I am not accusing anyone of racism. I'm stating a fact. And I suggest to you, Senator Dudycz, before you respond to me, that you get a transcript of my comments, and if you show in my comments that I

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used the word "racism" or "racist", I will apologize. Fair enough? You've got it.

PRESIDING OFFICER: (SENATOR WEAVER)

We are addressing Floor Amendment No. 2. Senator Hendon, for the second time.

SENATOR HENDON:

Thank you, Mr. President. I apologize for rising a second time. Will the sponsor yield for a couple of very brief questions?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

SENATOR HENDON:

Senator Watson, you said that you wanted bipartisan support and that it was apparent that only those on that side of the aisle were willing to step up to the plate, but at the same time, you said that Senator Clayborne only received the amendment yesterday. Now, once again, I want to let everybody know I wasn't here in the days of Phil Rock, where you said the Democrats mistreated you so bad. But don't you think that's mistreating Senator Clayborne? And how do you expect to get bipartisan support presenting something to someone yesterday and tell them to move on it today?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson wish to respond? He does not wish to respond. Any further discussion? Senator Hendon.

SENATOR HENDON:

Another question, Senator Watson. Does the State of Illinois have a balanced budget? That's okay. Does the State of Illinois have a balanced budget?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

That has absolutely nothing to do with this issue. We ought

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to be talking what's best interests of the young people of East St. Louis, but, yes.

PRESIDING OFFICER: (SENATOR WEAVER)

Let's please try to confine our questions to the amendment. Please. Any further questions, Senator Hendon?

SENATOR HENDON:

Yes. I -- I want to ask Senator Watson another question, since he clearly is not going to answer it in the way that he should - appropriately. You know doggone well the State of Illinois does not have a balanced budget. You know doggone well we borrow money all the time, and we'll try to borrow some more. And if you don't feel that the State of Illinois deserves an oversight committee, nor does the Board in East St. Louis. In conclusion, let me just say that any oversight committee should not have the -- the right or the authority to just tell the Board what to do. Yes, there are some things that the Board accepts from the Oversight Committee, and there's some things that they reject from the Oversight Committee, and that's the way it's supposed to be.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you -- thank you, Mr. President. I apologize for rising again; however, I -- I wanted to clarify a few things. Senator Butler, you talked about whether the plan is -- this only kicks in whether the plan is implemented. Senator Butler, it's very evident that you -- your analysis is either incorrect or you have not read this bill. Senator Butler, what this bill does, it says "We, the Oversight Panel, will do everything. We, the Oversight Panel, will not allow those people that are elected to be responsible." And that's why I've gone and said let's develop a plan, let's have everybody sit down, and if the -- and allow the

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Board to implement the plan. Now, if the plan is not implemented, then there has to be some mechanism to make sure the plan is implemented. I'm -- I'm -- I want responsibility and accountability. I was educated in the school system. My parents taught and still teach in the school system, Senator Butler and other Senators. I want nothing but the best for the children in the School District of 189. Believe me, that I am stepping up to the plate, and I am -- I want financial responsibility. Senator Fawell, as it relates to the City of East St. Louis, one of the reasons why the City of East St. Louis has been so successful is the fact that the City Council, the City Manager and the administration is responsible - they are responsible - for making sure that the day-to-day operations are -- are efficient, to make sure that there's a balanced budget, to make sure that the essential needs of City services are being provided to the citizens of East St. Louis. But the difference in what is happening in the City of East St. Louis and what this bill proposes, Senator Fawell, is that the board -- the oversight panel of the City of East St. Louis helps, provides guidance, provides direction. They do not do what the City Council has been elected to do. They make sure that they're operating within their budget. They make sure that the essential services for trash, for police, for fire are in the budget, that address the needs of the citizens of East St. Louis. This bill does not do that, Senator Fawell. What this bill says is, "I will do it. I will not allow the people to take -- to vote, to let their elected officials be responsible." And I am not opposed, Senator Fawell, Senator Butler, Senator Dudycz and the others, that if a plan is developed, that the Board has to follow that plan. And if they don't follow the plan, then there should be some mechanism to make sure that the plan is followed. This bill does not do it. One last question of the sponsor, if I may, Mr. President; that is,

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Senator Watson: Who will pay for the purchase of land, office space, the hiring of -- of different employees for this Oversight Panel? Because, clearly, this Body and -- and this State has not stepped up to address the inequity -- the inequities in the funding of school systems downstate, compared to some of the -- the legislators in the northern district -- northern part of this State. Surely this money will not be taken away from the budget to provide quality programs for these children. Who will pay for this, Senator Watson?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

It comes out of the operations budget of East St. Louis School District.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

And just to finish. That's what I'm talking about. We're taking away from the kids for this. This is not needed. Let's put something in to hold the -- the Board accountable and responsible. Thank you. I urge a -- a No vote on this.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson, to close.

SENATOR WATSON:

Okay. Thank you. And, you know what I think? This is 2nd Reading, right? So, we go through this again on 3rd Reading if the amendment's adopted.

PRESIDING OFFICER: (SENATOR WEAVER)

I hope not.

SENATOR WATSON:

Well, let's just roll out the transcript, and we'll just set it out here in the middle and have a roll call on 3rd Reading,

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hopefully, and -- and get it over with, so we don't have to go through this again. And that's unfortunate that there's been comments made and -- and issues that do not belong on this Senate Floor get brought into this. But, first of all, Senator Clayborne, I -- on your parting shot there and -- and remark and what -- the monies that are good for the kids of East St. Louis, and I wish you would please read the audits and see the mismanagement - the blatant mismanagement - and, really, disregard for a professional audit that was done last year and then done again in '95 -- done in '94, '95, with repeat findings. There's -- there is a big financial problem in the fiscal management of the East St. Louis School District. So, there's where a lot of the money is going and, unfortunately, it isn't going to the kids. And I think -- somebody made the comment about what kind of a -- why should I be -- you know, why should Frank Watson -- it seems like I get a lot of this: Why should Frank Watson be the one who comes in and has to go into Senator Clayborne's district and do what -- what many -- many of us feel needs to be done? Well, we have a responsibility to the taxpayers of this State. Fifty million dollars goes to the East St. Louis School District, in the -- in the name of State aid. Right from the coffers here in Springfield, it goes to East St. Louis. We have a responsibility - I think we all have a responsibility - to the young people who attend those schools in East St. Louis, who in many cases are being robbed of a quality education because of what has gone before us. And, Senator Clayborne, I want you at the table, and we've talked about that. And the discussion that's going on on this Senate Floor means nothing to what's going on downstairs right now on the First Floor, and that's where the negotiations are taking place between the parties that are involved. And hopefully something can -- agreement can be reached. I don't like the idea at all of State involvement in local decisions. It



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should be made at the local level. We created this oversight, and I believe it was a bipartisan effort that created this Panel in 1994, in November. And we've got a good man in there by the name of Richard Mark, who's not paid a dime for what he does. He's doing it because he's dedicated to the kids of East St. Louis. And he's downstairs right now, negotiating with good faith and trying to come up with some reasonable solution. Kenny Hall invited me down several years ago, when I was Chairman of the Education Committee, invited me to East St. Louis. And there's -- there's big problems there, Jim, and I know it, and they need to be addressed. And I'm willing to work with you and everybody in the community to try to address those issues, and that's what I'm trying to do here. I'm not trying to be punitive. I'm not trying to be someone coming from the outside, be a -- dictatorial. I want to be part of the solution, and I want your people to be part of it also. And that's the sad part about this. The community has made great progress. The community has made great progress and...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson has moved the adoption of Amendment... Excuse me. Excuse me, Senator Watson. For what purpose does Senator Jones arise?

SENATOR JONES:

Thank you, Mr. President. I would -- wish the previous speaker would condone his -- I mean, confine his remarks to people of Illinois, when that -- that term he used "you people" -- or "your people". We -- we represent all Illinoisans here, and I would -- I know he gets very emotional on issues. I don't think that was his intent, but I would suggest that he clarify that because..

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones...

SENATOR JONES:

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...that is a wrong statement to make on the Floor.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones, Senator Watson was closing on Amendment No. 2 to House Bill 545. Do you have anymore -- further comments, Senator Watson?

SENATOR WATSON:

Just to clarify that I had no intention of -- of meaning anything that would have been motivated by what Senator Jones said. And if anyone takes it in that -- that regard, I -- I apologize, and that's not what -- that's not what I meant, and I think Jim Clayborne knows that. But I do -- the community, unfortunately, in East St. Louis is torn apart, and -- and Senator Clayborne and I have talked about this, and it's over the school system. And fortunately, this is an effort to try to bring that together. And I would hope that the people on this side of the aisle, once again, would -- would come to the plate and do what needs to be done in the name of the people of Illinois and in the name of the -- of the kids of East St. Louis, in trying to provide a quality education. And I encourage a Yes vote. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson has moved the adoption of Floor Amendment No. 2 to House Bill 545. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 27, none voting Present. Senate Amendment No. 2 to House Bill 545 is adopted. Are there further amendments?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel. For what purpose does Senator Berman arise?

SENATOR BERMAN:

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I would ask for a verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR WEAVER)

That is always in order. Senator Berman has requested a verification. Will all Senators be in their seats? The Secretary will read the affirmative votes.

SECRETARY HARRY:

The following voted in the affirmative: Barkhausen, Burzynski, Butler, Cronin, DeAngelis, Dillard, Donahue, Dudycz, Fawell, Fitzgerald, Geo-Karis, Karpiel, Klemm, Lauzen, Luechtefeld, Mahar, Maitland, O'Malley, Parker, Peterson, Petka, Raica, Rauschenberger, Sieben, Syverson, Walsh, Watson, Weaver, Woodyard, and Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman, do you question the presence of any Member voting?

SENATOR BERMAN:

Senator Mahar.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar is on the Floor.

SENATOR BERMAN:

Senator O'Malley.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley on the Floor? Is Senator O'Malley on the Floor? Is Senator O'Malley on the Floor? Right here on the -- in the well. I give Senator O'Malley a little extra time, Senator

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Berman, because of his condition.

SENATOR BERMAN:

We -- we understand that.

PRESIDING OFFICER: (SENATOR WEAVER)

Do you have any further...

SENATOR BERMAN:

Senator Sieben.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Sieben's on the Floor.

SENATOR BERMAN:

There he is. Okay. No other questions, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

On the verified roll call, the -- the Ayes are 30, the Nays are 27. The amendment's adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, after the last amendment, I want to say that this is a very quick, very easy, noncontroversial amendment. It -- it -- the amendment applies only to District U-46, which, all of you should know, is a school district in my legislative district, and it pertains to the Village of Bartlett, which is a community that is in my legislative district. So what it does, it provides that when determining high school attendance boundaries and assigning students to high schools, U-46 shall ensure that the Village of Bartlett is not subdivided by such attendance boundaries and that the high school students in Bartlett are assigned to the same attendance center. Let me just give you a little background on this. U-46 is the second-largest school district in the State of Illinois. It once was a district

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that was centered in -- in Elgin. The population was in Elgin, and all the surrounding land area were farms, and it was rural. Over the years, of course, the last twenty, thirty years, it has developed a great deal and this farmland is no longer farmland. They are suburbs. As it was developing as a school district and the land was being developed, it was always difficult for some of the -- the newer suburbs to get schools in their area, because when a referendum was floated, it would usually be voted down by residents of the other parts of the area, most particularly, the highly populated Elgin area. But over the years, there have been schools built. Bartlett is one community that has had to fight very hard, and by the way, I should say that Bartlett is the fastest-growing suburb in the northwest suburbs. This is not just a little town anymore. And they have always had trouble getting schools built in their community, and their children have been bused hither and thither and yon. Kids on one side of the -- of the street have been bused to one school district; kids on the other side bused to another school district. That type of thing. And over the years they have, in fact, gotten elementary schools built and some middle schools built. But they have never had a high school in their district -- in their area. And their high school students, too, have been bused to all different schools in different parts of the area. Now, finally, after a referendum was passed, after the citizens of Bartlett have raised their taxes so that they are extremely high to vote for building a high school in Bartlett, they are going to do that. They're going to build a high school in Bartlett, and now they are being told that the kids that live in Bartlett are still going to have to go to three different high schools and be bused all over the place, and at the same time, high school kids from other areas of the district will be bused to them, which is just a crazy busing mess and makes no sense. And I, too, do not like to meddle in local -- local school

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districts, but the school board, in this case, I feel has been totally unresponsive to the citizens. Never once have any of the citizens who were -- attended these meetings about the boundaries espoused the plan that has now come forth out of somewhere, nowhere, at the last minute. I urge a strong Aye vote for this, for the kids of Bartlett High School.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR GARCIA:

Mr. President and Members of the Senate, today I have the privilege of introducing to you one of Chicago's premier Catholic Schools, St. Stephens. The eighth-grade class is with us, accompanied by Sister Germaine, Mrs. Herrera and Mrs. Gonzalez, accompanying us, visiting Springfield. Could we please give them a Springfield welcome? Would they please stand and be acknowledged?

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guests please rise? Welcome to Springfield. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in opposition to this amendment. I just want to quote the sponsor of the previous amendment who said that he's a strong believer in local control. This amendment is exactly opposite of local control. Everyone of us, at some time or other, has observed disputes back home regarding the drawing of boundary lines for school attendance. Those issues are hot. Those issues are controversial, but those

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issues should be decided by the locally elected board of education. That's the purpose of local school board elections. This bill flies in the face of local school board elections. This bill says that only for Bartlett, we, the General Assembly, are going to decide where their kids are going to go to school. Well, Ladies and Gentlemen, I don't want to be the locally elected school board. I did not run for that office. I don't know anything about it, and I don't know enough about whether Bartlett kids should go to school -- to high school A or B or C. This is not our role. This is not our purpose. I urge a strong No vote for local control on this issue.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. With Senator Karpiel, I share District U-46, which is the second-largest school district in the State of Illinois. It's roughly a tenth the size of the Chicago district, and substantially larger in number of pupils than the -- the third-largest district in the State. I certainly respect the sponsor's good intentions and her desire to try to relieve a local concern and a local pressure. I also, at times, share the sponsor's frustration with the school board and the administration of that district. It -- it's a very difficult district to manage. It's a fast-growth district. This new high school is -- is critical to the growth of this district. It's -- it's one that we passed a very difficult and frustrating referendum to raise local funds to build, because we're not a high State aid district. And although I applaud the -- my colleague in many respects and -- and generally blindly follow her votes, because of her wisdom, I would have to say that I -- I think that this amendment is ill-advised. If we begin to enter into a process down here of setting boundaries or designating where children should go, which schools

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within a school district they should be assigned to, I think we enter into territory best left undone. And so, rather than requesting a strong No, I would request a very soft No. The -- the intentions are good, but the -- the amendment is best left to other bodies.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she would yield.

SENATOR JACOBS:

Senator, this is in your district. Correct?

PRESIDING OFFICER: (SENATOR WEAVER)

She indicated that, Senator Jacobs. Senator Karpziel.

SENATOR KARPIEL:

Yes, it is.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Then I would just ask, does this track with Amendment No. 1, which was an amendment brought by someone outside the district? So I'm just curious as to whether it tracks with Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Staff tells me yes.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. A question for the sponsor.



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PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she would yield.

SENATOR DEL VALLE:

Senator Karpziel, you mentioned that there was a referendum.  
Was this a binding referendum?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Well, yes. This was a referendum on raising the rate, and it  
passed.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle.

SENATOR DEL VALLE:

...the rates. Now, was this referendum in the -- in the  
Unit's -- District U-46 school district?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Yes, it was.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle.

SENATOR DEL VALLE:

So the referendum was voted on by the entire population within  
the district, not just individuals living in Bartlett. Right?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Yes. But I might also add that they will be building schools  
in other parts of the district, as well.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle.

SENATOR DEL VALLE:

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Okay. To the -- to the amendment: I would like to know, Senator, and I'm not asking for the information right now, but I would like to know what the demographics are of the Elgin School District, particularly what -- what the student ratio makeup is of the three high schools that are currently there. But I agree with Senator Berman. I think that certainly in Chicago, where we have over sixty high schools, you can have a high school on the north side come in and come to us and say, "Well, we don't like our -- our boundaries. Why don't you file a bill to change our boundaries?" This does not make sense, but I'm really, really concerned about the impact it will have on the student population in the other three high schools, and so, therefore, I would urge that we not vote for this and that we look at the matter and see if we can address your problem of busing in another way.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? If not, Senator Karpziel, to close.

SENATOR KARPIEL:

Well, thank you, Mr. President. Let me just say to the last speaker that -- and -- and to some speakers before on the other amendment: I don't know why everything down here has to turn into a racial or minority - whatever - issue. This is not the issue in Bartlett. It is not the issue in U-46. And it has nothing to do with that. What it has to do with, a community of high school -- a community, a small -- you know, a -- a town being broken up into three different high school districts when there is one being built right in the middle of their town, and they are going to be paying -- those taxpayers in Bartlett will be paying, not only the increased taxes for the high school, not only the huge taxes they pay for education in general, but they are going to be paying for almost two million dollars in infrastructure improvements through the village taxes, and what we're talking about is having those kids having to go to three different high schools. And what we're

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talking about is kind of a preordained, or predetermined, boundary map that never was approved by any of the people at any of the meetings that were held on this subject in the district. I think it's time -- and I agree with local control, but I think it's time, perhaps, to send a message to some of these local boards that they do, in fact, represent the entire district. You say it's an elected district, and it's easy to maybe replace the board. But in a district the size of U-46, with the population centers spread out the way they are and -- and a concentration of population in one particular area, that is not always easy to do. And I don't like taking this action, but I feel very strongly that the people of Bartlett are really getting shafted by the school district, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel has moved the adoption of Amendment No. 4 to House Bill 545. All in favor, signify by saying Aye. Opposed, Nay. There's been a request for a roll call. Those in favor of adoption will vote Aye. And opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 26. For what purpose Senator Karpziel arise?

SENATOR KARPIEL:

I'd like to verify the Noes, please.

PRESIDING OFFICER: (SENATOR WEAVER)

Let me announce the roll call first. The Ayes are 26, the Nays are 26, 3 voting Present, 4 not voting. Senator Karpziel wishes to verify the negative vote. Mr. Secretary.

SECRETARY HARRY:

Following voted in the negative: Berman, Bowles, Burzynski, Carroll, Clayborne, Collins, Cullerton, DeLeo, del Valle, Demuzio, Farley, Garcia, Hendon, Jacobs, Jones, Luechtefeld, Molaro, O'Daniel, Palmer, Rea, Shadid, Shaw, Smith, Trotter, Viverito and

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Welch.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel, do you question the presence of any Member voting in the negative?

SENATOR KARPIEL:

Yes. Thank you, Mr. President. Senator DeLeo.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeLeo is -- Senator DeLeo on the Floor? Strike his name. Senator Karpziel.

SENATOR KARPIEL:

Do I -- what is -- do I need a -- just a simple majority on an amendment?

PRESIDING OFFICER: (SENATOR WEAVER)

That is true.

SENATOR KARPIEL:

All right. Please take the roll.

PRESIDING OFFICER: (SENATOR WEAVER)

On the verified roll call, the Ayes are 26, the Nays are 25, 3 voting Present, 5 not voting. The amendment's adopted. Are there further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. For a point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR O'DANIEL:

I've got a very special young lady and her husband here - very special to me and my wife - my granddaughter, Dee Anne, and she

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was -- just last week she graduated from RN school at the top of her class, and for the benefit of the press, there was no legislative scholarships involved. I'd like for you to welcome her to the Chamber.

PRESIDING OFFICER: (SENATOR WEAVER)

Good to have you, Dee Anne. Congratulations to you. Senator Cronin, do you wish to recall 548? Senator Cronin asks leave of the Body to return House Bill 548 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 548. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin, to explain the amendment.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 requires first-time offenders over the age of seventeen in Cook County only to, one, work toward their GED, high school diploma or vocational training and, two, to pay for the cost of this education. This is a effort that is in response to members of the Cook County Board and the Chicago aldermen, and we're seeking to work cooperatively with them. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Cronin has moved the adoption of Floor Amendment No. 2 to House Bill 548. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Dillard.

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 3 incorporates a number of initiatives to permit the Illinois Department of Corrections to maintain more control over gang populations within it. It creates a new category or a special category of electronic contraband; namely, cellular phones, pagers, computers. It's our intent, I believe, to -- to ban video cameras in this particular type of endeavor. It also authorizes the worker to restrict -- or the prisons to restrict visitations to noncontact visits of people that are involved in gang activity. It incorporates a number of other ranges of disciplinary procedures that were in Senator Sieben's chain gang bill, and it also gives the authority of the Attorney General of Illinois to file counterclaims against an inmate on behalf of State employees when an inmate sues a State employee from Corrections. And lastly, it reenacts language passed last fall, which was recently struck down by Judge Aaron Jaffe in Cook County as unconstitutional, relating to the recouping of money from inmates for the cost of their incarceration. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor. Senator...

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR COLLINS:

Did you have this amendment drafted prior to the videotape of the Speck case?

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Dillard.

SENATOR DILLARD:

I pride myself on trying to stay ahead of events, and this amendment was drafted long before Bill Kurtis had his Richard Speck tapes.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Well, Senator, I -- you know, I -- I heard a lot of concern about the -- the fact that -- that they got caught smoking the pipes in the -- sniffing cocaine in the prison system, but this amendment doesn't do anything to stop it. What this amendment does is covers it up. So obviously -- that the process goes on. I've been saying it's been going on. You know it's going on, and all of us know it goes on, and it goes on with the aid of the -- the people that we pay salary to protect and to watch over the -- the institutions. There's -- awful lot of drugs get transferred into the prison system. How does it get in there? And usually it's brought in by the guards. We know that. A lot of gang control there. So I would say, under any other circumstances, maybe it would be a good idea. But if we're not going to do our job -- and I don't hear that side of the aisle putting some oversight committees into place. I don't hear you coming up with nothing to make sure, and to enforce the law, that this contraband is not -- and it's most certainly drugs, are not rampant and gain control in the prison system. So maybe we need video cameras in there. Maybe we need to allow people to come in and tape these kinds of things. And maybe that's the way for us and the citizens to know just what kind of institutions that we are running here. Yes, I think it's a good idea for -- for them to -- to have them, and I'm going to vote No until you do something to clean up that institution. And you haven't done anything, but -- except build

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more prisons, strengthen more laws to lock up more people, and -- and -- and to ensure that they stay in, or come out and come back in. So I say we ought to vote for it until we do something to -- to improve the system.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica.

SENATOR RAICA:

Mr. President, can I hear - in due respect - hear Senator Dillard's answer to her question, because it may be the answer to mine?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Well, two, I guess, responses to Senator Collins' what I appear or think was a question. First of all, my amendment speeds up the disciplinary proceedings against prisoners who would engage in the kind of conduct that, Senator Collins, I think we all agree is reprehensible, and secondly, we, in this amendment, prohibit and restrict visitation to noncontact visits for persons who are known to be involved in gang activity. And if you wonder how in the world drugs and contraband get into a prison, it is primarily through contact with people from the outside, hopefully not employees. But -- but by restricting noncontact visits, the likelihood of drugs or contraband making their way inside of a penitentiary is greatly reduced, and that's what this thing does.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica.

SENATOR RAICA:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR RAICA:



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Senator Dillard, are prison guards part of this amendment? In other words, if a prison guard, correctional worker comes in contact with a prisoner and exchanges either cannabis, narcotics or weapons for a favor, is he included in this amendment?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

I don't believe he is or she is, because it's already a violation of the law of Illinois to allow that contact to happen.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion, Senator Raica?

SENATOR RAICA:

Senator Dillard, I guess it's -- it's still part of the system that these individuals from the outside, if -- if you want to call them that, visitors of prisoners, are to be checked prior to going into a facility and having any contact with the inmate, as far as searches goes, as far as weapons or narcotics, and narcotics are still entering the prison system. My question would be: Why are not prison guards part of this amendment? I -- I kind of lean to what Senator Collins was speaking about, but it is a fact that prison guards currently - not all, but there are a percentage of them - do have relationships, in whatever way you want to take that, with inmates. And my question is: Are they part of this legislation? Because just to say that currently they are covered, we know that the system is failing, and unfortunately part of the problem is the system itself. So why are they not part of this? Basically that's my question. Why aren't prison guards part of this amendment? I think they should be.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Well, Senator Raica, this particular amendment is not supposed

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to be a catchall of every potential problem there is in an Illinois penitentiary, and I know that this General Assembly will be taking a hard look at -- in light of recent revelations, about what's going on inside the walls of the Illinois Department of Corrections. I do want to point out to you that it is a crime for a penitentiary employee to pass contraband to a prisoner. Not only is it a crime, it carries an heightened - a heightened - type of penalty over and above that type of contraband passing, or passing of drugs, narcotics or other things inside those prison walls. It's a much more heightened penalty than if it was to occur outside.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator -- any further discussion? If not, Senator Dillard, to close.

SENATOR DILLARD:

Roll call, please.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard's moved the adoption of Floor Amendment No. 3 to House Bill 548. Those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Cronin, on 995? Do you wish to move it? Out of the record. 999, Senator Cronin? Out of the record. Senator Rauschenberger? Out of the record. Senator Petka, do you wish to return to 2nd Reading 1249? Senator Petka? Senator Petka, do you... Out of the record. Leave to come back to 2206? Leave is granted. Senator Cronin, do you wish to return 2230 to the Order of 2nd Reading for the purpose of a Floor amendment? Mr. Secretary. Senator Cronin seeks leave to return House Bill

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2230 to the Order of 2nd Reading for the purpose of an amendment. Hearing no -- no objection, leave is granted. ...purpose Senator Welch arise?

SENATOR WELCH:

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

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR WELCH:

Mr. President, up in the gallery on the Democratic side, we have another eighth-grade class from Streator Northlawn Junior High School, with their principal, Chuck Irwin. I'd like to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guests please rise and be welcomed by the Senate? Welcome to Springfield. On the Order of 2nd Reading is House Bill 2230. Mr. Secretary, are there Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle, to explain Amendment No. 3.

SENATOR DEL VALLE:

Thank you, Mr. President. Amendment No. 3 is a technical amendment, and I thank Senator Cronin for allowing it to go on.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator del Valle moves the adoption of Floor Amendment No. 3 to House Bill 2230. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it, and the amendment's adopted. Are there further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

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3rd Reading. Senator Walsh, on 2250? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2250.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. House Bill 2250 provides for the creation of a Comptroller's administration fund, the establishment of a two-tier audit process under the three funeral and burial fund Statutes administered by the Comptroller. The first tier is the regular audit currently being performed at a minimal fee. The second tier would be a more in-depth analysis performed only if certain specific indicators of financial instability were present. The licensee would be responsible for reimbursing the Comptroller for the full cost of the second-tier audit, up to the maximum of seventy-five hundred dollars, and the Comptroller would utilize the Comptroller's Administrative Fund to receive these reimbursements. Additionally, it permits the cemetery authority to act as trustee for all amounts up to five hundred thousand for any perpetual care trust fund or pre-need cemetery sales trust funds, but requires that any fund -- any amount that exceeds five hundred thousand dollars must have an independent trustee. It also provides a thirty-six-month time frame for existing cemetery authorities affected by this provision to retain an independent trustee. Additionally, when it appears to the Comptroller that unlawful activities under the three funeral and burial fund Statutes may be occurring or may be imminent, the Comptroller may require a statement or report in writing containing all information considered necessary; examine under oath any person

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connected to the books and records pertaining to the trust fund, insurance policies, or tax-deferred annuities required or allowed to be maintained per the applicable Statutes; and finally, examine any books and -- and records that may be considered necessary to determine compliance with the Statute. One more thing, it requires the -- the production of a copy of any record, book, document, account, or paper that is produced according to the Statute and retained until all proceedings in connection with it are completed. And finally, it provides the reference to the three burial -- and burial fund Statutes in the Consumer Fraud and Deception {sic} Business Practices Act, which permit the Attorney General to bring suit for civil procedures for violation under these Statutes. I don't know of any opposition to this bill, and this was agreed-upon language between the Illinois Cemetery Association, the Illinois Funeral Directors Association and the Funeral Services Directors Association. And I'd just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall House Bill 2250 pass. Those in favor will vote Aye. Opposed, No. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2250 is declared passed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar, do you wish to recall? Senator Mahar moves -- seeks leave of the Body to return House Bill 2294 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2294. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

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Amendment No. 3, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm, on Amendment No. 3.

SENATOR KLEMM:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Amendment No. 3 provides review of the public convenience and necessity Section of the common carriers for pipelines for those who are transporting crude oil as one of the requirements under the ICC, some of the listed items that they should consider if evidence is submitted concerning that particular transporting of crude oil. And it includes all -- practically all the State agencies that are affected by an impact by a pipeline, and it also does ask that the Commission must include any reasons for disputing the presented evidence in its written order if it grants or denies the certificate. And I do ask for your adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Cronin, House Bill 2338? Out of the record. Senator Bomke requests leave of the Body to return House Bill 2524 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2524. Just a second, please. Senator Bomke seeks leave to come back to House Bill 2524. Leave granted? Leave is granted. Senator Hawkinson, on House Bill 2529. Read -- seeks leave of the Body to return House Bill 2529

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to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2529. Madam Secretary, there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senators Karpziel and Peterson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel, on Amendment -- Senator Hawkinson, for what purpose do you seek recognition?

SENATOR HAWKINSON:

Well, I -- it's my bill. I'm familiar with the amendment if Senator Karpziel -- I see she's at her desk.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel, on Amendment No. 2.

SENATOR KARPIEL:

I'm sorry, Madam President. I have visitors here - my grandson and my daughter - and I'm trying to get them all kind of on the Floor and organized here. Amendment -- this Amendment No. 2 to House Bill 2529 is a very simple amendment. It says that for those districts located in counties under four -- four hundred thousand population - this is forest preserve districts - and that, by the way, is Kane County alone, requires a two-thirds vote of the board prior to the sale of any one or more parcels which are less than one acre in size when the sale is advantageous to the district.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Butler, on House Bill 2593? Senator Watson, on House Bill 2596. Senator Watson? Out of the record. Senator Maitland, on House Bill 2616. Out of the record. Senator Karpel, on House Bill 2664. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2664.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Madam President. House Bill 2664 is a bill from the House Education Committee that makes some noncontroversial changes in the School Code that were suggested by some of the mandate waivers requests approved last fall. As amended, the bill contains these provisions: It allows school districts to... Could we come back to this, please?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpel seeks leave to come back to this. Out of the record. Senator Syverson seeks leave of the -- do you seek leave of the Body to return House Bill 2691 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2691. Madam Secretary, there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 4, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson, on Amendment No. 4.

SENATOR SYVERSON:

Thank you, Madam President. The Amendment No. 4 is just a technical amendment offered by the Department of Public Aid, and



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just ask for its approval.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Klemm, on House Bill 2695? Senator Klemm seeks leave of the Body to return House Bill 2695 for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 2695. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR DONAHUE)

Amendment No. 1, Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. Amendment No. 1 to the House Bill 2695, which created the Bond Issue Notification Act, was at the request of the Municipal League and others trying to get some clarification. It specifies the form of the public notice. It allows the local government, by a three-fifths vote, to declare such bonds to be an emergency and exempt from the Act, and it also accommodated the Chicago Board of Education on some of the work they need for health and life safety acts. And I do ask for your adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay The Ayes have it,

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and the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm, on Amendment No. 2.

SENATOR KLEMM:

Thank you, Madam President. Amendment No. 2 is a technical amendment that just adds "Subject to the requirements of the Bond Issue Notification Act," so that the bonds that are issued will meet the bondholder's requirements. And I do ask for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Syverson, on House Bill 2702? Out of the record. Senator Watson, on House Bill 2737? Senator Watson seeks leave of the Body to return House Bill 2737 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 2737. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, on Amendment No. 2.

SENATOR WATSON:

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Yes. Thank you, Madam President. This amendment deals with the cable television network and several municipalities -- well, the Municipal League, Ameritech, GTE, concerning competition in the cable network system. Currently, counties and municipalities are having a problem in negotiating a second franchise, and in many cases, in fact in two cases, there's been suits filed by the -- the cable network in Naperville and Glendale Heights that have stopped practically all other communities from proceeding with any effort to try to -- to develop a second franchise in their local communities. This would allow for the county and the community to -- the flexibility to negotiate with a second franchise agreement. Being that, I'd be glad to answer any questions. Otherwise, I would appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, how does the amendment differ from the -- or, is the amendment the bill? Is this amendment the bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. The amendment becomes the bill. It's -- doesn't have anything to do with stormwater, if that's what you're -- you're looking at. Has nothing to do with stormwater, but there was an amendment that had been adopted earlier by the committee and we -- Amendment No. 1. We agreed to sit down with the cable network people and others -- interested parties to try to negotiate an agreement. Unfortunately, that was not the case, but -- but the

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-- Ameritech, and the municipalities, and GTE made a major good-faith effort to try to soften the blow that was addressed by many of the Members of the committee, and as a result, we come with now Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Then, if -- rather than -- I'm not -- I don't wish to debate the bill. I'm just curious, what is the difference then between 1 and 2, in -- in light of the fact that there's some kind of a blow to be softened? What -- what is the difference between 1 and 2?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

The original Amendment No. 1 protected municipalities and counties from unwarranted litigation if they granted a second franchise, and it also allowed municipalities of {sic} counties to make positive findings that a second franchise is not more favorable or less burdensome than the first franchise and make the municipalities or counties the sole determiner of such comparability. The only thing that's left in there is the language dealing with no less burdensome or -- nor favorable refers to the contract in its entirety, versus a line-by-line comparison.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR GEO-KARIS:

Purpose of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I'm

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delighted that we have in the Democrat side of the gallery - but don't be fooled, they come from Republican area - the eighth-grade students from Millburn School. Forty-five students with Marty Hannah, their -- its instructor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Senate? Welcome to Springfield. Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator del Valle.

SENATOR DEL VALLE:

Senator Watson, I have a couple of questions, because we are moving on an amendment here, so I want to be clear on what this amendment does. Does this amendment -- does it still allow Ameritech not to have to provide access channels and local programming facilities and studios to the community?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Your -- the answer to that's probably yes. They would not necessarily have to negotiate every line-by-line item of the original franchise. They would negotiate in what they would call the contract in its entirety.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Also, it would allow them not to have to provide service in the entire service territory regardless of high-income and low-income areas, or -- is that correct? It would allow them not to have to provide service to the entire area.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Watson.

SENATOR WATSON:

I would assume the answer to that is yes. I mean, it doesn't specify where they would go, or require where they would go. That would be up to the determination of the -- of the agreement with the community. Now that's -- one thing to remember is that these are agreements that will be made by the local unit of government, whether it's the county or the municipality.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Now, with other franchise agreements, there have been requirements regarding the provision of educational- and safety-related cable service to libraries, schools, governmental agencies, and fire and police stations. Would they be free from having to do this also? They being Ameritech.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Senator, if that was a requirement that was made in the original franchise, that would be a decision that would be made by those local officials who are negotiating the second franchise. We don't necessarily require that here from Springfield. That would be a requirement of the contract that was made between the original parties. The second contract or franchise would then be negotiated, as I said, not on a line-by-line basis, but more on its entirety, and therefore your concerns would be decided at the local level.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam Chairman, Ladies and Gentlemen of the Senate.

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I stand in strong support of this amendment. We're talking about a local-control issue here. It's -- really doesn't change the way things operate too much. What it does do, however, is says that you don't have to reinvent the wheel. If you have, as Senator del Valle mentioned, a access channel and you have one access channel that is being not utilized, why would a community want a second one? I think it makes sense for the community to have the availability to negotiate what is in the best interest of their citizens, and I think that's what this amendment does.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR WATSON:

Ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. ...of the Body, we're going to go back to House Bill 2664. Senator Karpziel. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2664.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Before I go to House Bill 2664, may I have a point of personal privilege?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR KARPIEL:

I'd like to introduce my daughter, Laura Olsen; her sister-in-law, Sharon Olsen; and - where'd he go? - this little red headed guy behind me is Danny Olsen, my grandson. So would the Senate please welcome all?

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome. Welcome to Springfield. Senator Karpriel, on House Bill 2664.

SENATOR KARPIEL:

Thank you. This is the bill that came over from the House Education Committee, dealing with the waiver requests that were approved last fall. It now allows school districts to include health education in their physical education classes in grades five through eight. They already have that option in grades nine through ten. It allows school districts to conduct two full-day teacher in-service programs, rather than four half-day programs. It allows districts to set a date prior to October 15th of every year for students to have completed all necessary physical examinations and immunizations. If the district sets a date prior to October 15th, it must give parents at least sixty days' notice in writing. It allows districts to provide RIF notices to teachers and noncertified staff by return mail, followed up with a copy sent by either certified mail or hand delivery with a receipt. And finally, the bill provides that those in Cook County school districts that vote to abolish the township school trustees and the township school treasurer, the school treasurer appointed by each school district to assume the duties of the township school treasurer need not be a resident of that district.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing



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none, the question is, shall House Bill 2664 pass. Those in favor will vote Aye. 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, there are 55 Ayes, no Nays, none voting Present. House Bill 2664, having received the required constitutional majority, is declared passed. Senator Mahar, on House Bill 2747? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2747.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President, Members of the Senate. Current law treats used fluorescent and high intensity discharge lamps as hazardous waste, which must be disposed of at a hazardous waste facility. Used fluorescent and high intensity discharge lamps are common items in the solid waste stream and create a problem because hazardous waste disposal facilities cannot handle the large volume of used lamps. The USEPA adopted universal waste rules in '95 which offered a streamlined regulatory system for collecting certain widely dispersed hazardous wastes which commonly end up in land -- landfills. These -- the standards for disposing of universal wastes are relaxed, provided that these wastes are properly collected and recycled. This bill also prohibits the disposal of these lamps in any municipal waste incinerator beginning July the 1st of '97. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2747 pass. Those in favor

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will vote Aye. 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, there are 57 Ayes, no Nays, none voting Present. House Bill 2747, having received the required constitutional majority, is declared passed. Senator Raica, on House Bill 2916? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2916.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

WBBM-TV seeks leave of the Body to videotape the proceedings. Is leave granted? Leave is granted. On the Order of 3rd Reading is House Bill 2916. Senator Raica.

SENATOR RAICA:

Madam President, can I have leave and wait till WBBM has their camera set up before we do this one? That's all right.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Raica.

SENATOR RAICA:

We'll go with it. 2916 has to do with -- amends the Vehicle Code and is very specific to D.A.R.E., the program entitled Drug Abuse Resistance Education program that's been working very well throughout the State, and basically what this says is that the funds can go to the State D.A.R.E. Program and be filtered down through municipal D.A.R.E. programs, and if there's no municipal D.A.R.E. program, it goes to the county program. This was supported unanimously in -- in committee, and I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2916 pass. Those in favor

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will vote Aye. 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, there are 57 Ayes, no Nays, none voting Present. House Bill 2916, having received the required constitutional majority, is declared passed. Senator Klemm, on House Bill 3041. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3041.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Yes. Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 3041 has been amended, and it amends the Municipal Code to add a new Section. It authorizes corporate authorities of two or more municipalities within Lake or McHenry -- or, within Lake and DuPage Counties to create an advisory joint plan commission. Now, the reason they want to do this is it's a language that Senator Parker instigated in behalf and the request of the municipalities of Highland Park and Lake Forest. And they wish to join together to plan the zone of the territory that was formerly Fort Sheridan. If you recall, last year we passed legislation that would allow three municipalities to join together. Apparently, just the two of them want to do it, because they adjoin that property, and we need to give them that authority. It is limited to just -- or, municipalities that are adjacent to government land that has a population between five hundred thousand and a million, and it is intended to annex -- compromise {sic} over five to six hundred acres. And I do ask for your support on the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3041 pass. Those in favor will vote Aye. 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, there are 56 Ayes, no Nays, none voting Present. House Bill 3041, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading is House Bill 3048, and Senator Dillard seeks leave of the Body to return House Bill 3048 to the Order of 2nd Reading for the purposes of an amendment. Is there any objection? Hearing none, on the Order of 2nd Reading is House Bill 3048. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard, on Amendment No. 3.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This amendment really just restricts what the original bill was, as it was amended coming out of the Judiciary Committee about a week ago. It's a product of a compromise between probation groups and juvenile justice groups, and really tightens up the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

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3rd Reading. Senator Klemm, do you seek leave of the Body to return? Senator Klemm seeks leave of the Body to return House Bill 3057 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3057. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson. Senator Klemm, on Amendment No. 1.

SENATOR KLEMM:

Yes. Thank you, Madam President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 3057 adds an amendment that we had really passed actually last year on a 51 to 2 vote, I think it was, and passed the House unanimously, as I understand it. What it does is add to the location of a municipality of more than forty thousand inhabitants in a county that has more than two hundred and sixty thousand inhabitants that borders the Mississippi River to allow them to sell land to a not-for-profit organization provided that that property is used for public parks or recreation-for-youth programs. We also have a reentry program provision that the park districts can enter the property, and if the not-for-profit organization does not use it for the recreational purposes and the park district purposes, that it would revert back to the park district. This is an opportunity to allow private organizations that are not-for-profit to help with park districts in creating opportunities for recreation, entertainment, and things such as that. And I do ask for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the

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amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Butler, on House Bill 3193. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3193.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

Thank you, Madam President. House Bill 3193 is an Illinois Department of Labor initiative, and it seeks to eliminate a -- a very duplicative and often confusing State definition of toxic substances and replace it with the federal definition. I know of no opposition, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Butler, this disclosure of toxic substances to employees, will they still be informed of what substances are toxic so that they could complain to their employer?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

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Yes, sir.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

How would that be done if there isn't a list? Is there a federal list to replace a State list?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

That's the essence of the bill. The federal list, which is up-to-date, replaces the State list, which was often as much as a year behind.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Butler -- the question is, shall House Bill -- Senator Smith, for what purpose do you seek recognition?

SENATOR SMITH:

Madam Chairman, I would like to stand on a point of personal privilege, if I may just for a moment.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR SMITH:

Just -- we have visiting with us today two distinguished ministers of Church of God in Christ, the Reverend Carl E. King, Sr., and he is from the suburbs of Calumet City -- Streamwood? I have it. Please. Please. He's Pastor of the Christ Community Church. The Reverend Carl E. King, Sr., will you please stand?

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Welcome to Springfield. On the Order of 3rd Reading is House Bill 3193, and the question is, shall House Bill -- Senator Smith.

SENATOR SMITH:

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Thank you. And I have the Reverend Emanuel, who is the Pastor of the Grace Community Church of God in Christ, and he's from Streamwood, Illinois. Will you please give him a hand?

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Senator Smith.

SENATOR SMITH:

I just wanted to extend my thanks to you.

PRESIDING OFFICER: (SENATOR DONAHUE)

All right. Turn your light off, ma'am, please. Thank you. The question is, shall House Bill 3193 pass. Those in favor will vote Aye. 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, there are 56 Ayes, 1 Nay, none voting Present. House Bill 3193, having received the required constitutional majority, is declared passed. Senator O'Malley, on House Bill 3204. Out of the record. Senator Dillard, on House Bill 3309. Read the bill, Madam Secretary. Senator Dillard seeks leave of the Body to return House Bill 3309 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 3309. Madam Secretary, are there any Floor amendments approved for -- for -- approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard, on Amendment No. 3.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This amendment clarifies one which was previously put on this bill by Senator Bob Raica that enumerated a number of violations that cause people to go to trauma centers in the State



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of Illinois, and it basically said you will be given a hundred-dollar -- hundred-dollar additional fine, with the money going to trauma centers. In Senator Raica's amendment, there are a number of provisions dealing with the unlawful use or possession of weapons by felons, aggravated discharge of a firearm, and reckless discharge of a firearm, resulting in this hundred-dollar fine going to fund trauma centers in the State of Illinois. What Amendment No. 3 does here is it -- it clarifies that concealed weapons are not part of that hundred-dollar fine. The difference is, concealed weapon violations have not had a bullet discharge, striking someone, sending one to a trauma center. So this makes a fine distinction in the law, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Is this the amendment that's supported by the National Rifle Association?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

I don't believe they were in committee or put in a witness slip. I've never talked to anybody from either -- any rifle association about this.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

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ACTING SECRETARY HAWKER:

Amendment No. 4, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard, on Amendment No. 4.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This Floor amendment is really Senator Geo-Karis', but I will handle it for her, and she's here, I think, to answer questions if you have it. But this just says that the Illinois Health Facilities Planning Board Statute, which basically gave psychiatric facilities a monopoly, where there has been a surplus declared where no one else can come in and apply for more psychiatric beds, it deletes that portion of the Statute. I want to make it clear that you still have to go before the Illinois Health Facilities Planning Board to be approved for additional beds, either new or in an existing facility, but it takes that and strikes that portion of the Statute, which virtually has monopolized the current providers of these beds.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dillard, on House Bill 3348? Out of the record. Senator Mahar, on House Bill 3548? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3548.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President, Members of the Senate. House Bill 3548 makes it an unlawful practice for any person to offer for sale or sell to a consumer access to any records or copies of records pertaining to the consumer that may be obtained at little or no cost from a governmental agency or from any consumer reporting agency as defined in the federal Fair Credit Reporting Act. Passed the House 111 to nothing. Passed the Senate Commerce Committee on an attendance roll call. It is supported by the Illinois Retail Merchants Association. And I would ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3548 pass. Those in favor will vote Aye. 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, there are 54 Ayes, no Nays, none voting Present. House Bill 3548, having received the required constitutional majority, is declared passed. Senator Sieben, on House Bill 3658? Out of the record. For your information, we are going to page 7 on today's Calendar on Secretary's Desk, Concurrence. Bottom of page 7. Senator Butler, on Senate Bill 21. Out of the record. Top of page 5 -- or, excuse me. Top of page 8. Senator Rauschenberger, on Senate Bill 454? Senator Watson, on Senate Bill 542. ...of the record. Senator DeAngelis, on Senate Bill 1143? Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1143.

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Offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. This bill simply, when it came out of here, indicated that we would have people inspecting the repair of boilers along with the installation. It went over to the House. They rewrote the bill, but in essence, the whole thing stayed the same. There were a few small changes from a technical standpoint. The only major change of any consequence was that they allowed the Board to turn around and set the fees for the inspection. The bill passed out of committee on concurrence unanimously. I know of no opposition. Both labor and management are on the same side, and I move for the -- that the Senate concur in House Amendment No. 1 on Senate Bill 1143.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1143. Those in favor will vote Aye. 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, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1143, and the bill, having received the required constitutional majority, is declared passed. ...leave of the Body, we will have Senator Burzynski handle Senate Bill 1279. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1279.

Offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. As you know, Senator Madigan is ill, or not here today, so I'm handling this in his behalf. This is a clarifying amendment, technical in nature only. And I would move that we do concur.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Could you just indicate whether or not there's any opposition to this bill? I think initially there was some opposition, and I'm just wondering if this -- this amendment in the House in any way clarifies that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Senator Cullerton. Yes. There originally, I believe, was some opposition from the Trial Lawyers Association. My understanding is, this amendment does clarify that, removes their opposition.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hawkinson.

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SENATOR HAWKINSON:

Senator, my recollection of the debate on this in the -- in the Senate is that there was supposed to be some legislative intent read into the record, and that didn't happen, and I believe that had to do with retaining the negligence in contract rights of action that individuals who were aggrieved could still bring. Do you know if that took place in the House, or are you willing to, for purposes of legislative intent, affirm that those negligence in contract rights of action are still preserved?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Senator Hawkinson, I believe that's exactly what this amendment takes care of.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR BURZYNSKI:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

This is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1279. Those in favor, vote Aye. 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, there are 56 Ayes, no Nays, 1 voting Present. House -- the Senate does concur in House Amendment No. 1 to Senate Bill 1279, and the bill, having received the required constitutional majority, is declared passed. Senator Bowles, on Senate Bill 1342? Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1342.

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Offered by Senator Bowles.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR BOWLES:

Thank you, Madam President. Senate Bill 1342 was filed at the request of the State's Attorney of Madison County. It deals with the ingestion and inhaling of jimsonweed, and it was found -- excuse me -- it was found that some of the alkaloids that were listed in the original bill are used for motion sickness and in prescription drugs. So the House amendment, which made this bill agreeable to all concerned, exempts the retail merchants for the sale of a chemical containing the alkaloids atropine, hyoscyamine, or scopolamine. And I would move for the adoption -- concurrence with the House amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1342. Those in favor, vote Aye. 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, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1342, and the bill, having received the required constitutional majority, is declared passed. Senator Sieben, House Bill -- or, Senate Bill 1381. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1381.

Offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. House Amendment No. 1 contains the language needed to implement the consolidation of various State agencies. Pursuant to the Governor's Executive Order No. 1 of 1996, it merges the Office of Commissioner of Banks and Trust Companies and the Office of Commissioner of Savings and Residential Finance to create a new single agency named the Office of Banks and Real Estate. I know of no opposition to the bill, and I'd move for its passage.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1381. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1381, and the bill, having received the required constitutional majority, is declared passed. Senator Geo-Karis, on Senate Bill 1388. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1388.

Offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Madam Secretary. Oh! Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, Amendment -- House Amendment 1 adds language to the Public Aid Code specifying that transfers of funds from quote, "no payment for extra child", end of quote, savings to job training programs is limited to GRF job training appropriations, and this seems to be non-substantive clarifying language. And part -- the second



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part of that is, expands the quote, "Work First", end of quote, program to include all AFDC recipients. Currently only those -- those that are under AFDC-Unemployed. Provides that recipients who have received benefits for one year without finding employment will be required to earn their AFDC grant by working in a subsidized job for a maximum of six months. Does not waive or extend the two-year eligibility period for AFDC, and I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. . A question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Palmer.

SENATOR PALMER:

Senator, according to my analysis, there are several holes in this. I'm certainly not opposed to assisting people find work. I think everyone would prefer that, but the question is, this came, as I understand it, before Judiciary, rather than before Public Health and Welfare, which is where it usually would appear, and it's not clear where these jobs will come from, whether this is temporary or permanent, what happens in emergency situations. There's a whole list of it, and I understand there's very strong opposition from Voices For Illinois Children, and I -- I'd just like your comments on their opposition, and what are the particulars of this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, first of all, the whole bill was heard by the Judiciary Committee, and this amendment, therefore, came before it. This -- this -- this amendment allows the Department to establish a pilot

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program. And we're not out here to hurt Voices of {sic} (for) Illinois Children, far from that, and I say that for a matter of legislative intent, that our intent is not to hurt any of the children involved with Voices of Children {sic}.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. I would urge that we vote No on this bill at this point, because it is a backdoor approach to changing the entire AFDC program without, what I would consider, adequate discussion. It's amazing, again, to me that this would come before Judiciary rather than before Public Health and Welfare, some of the features, for example, which could end up putting people on AFDC completely, taking them completely off of any kind of earnings and, therefore, jeopardizing families. If there is an emergency situation and people have to stay home with children, if they have to take children to doctors for routine care, they can be penalized because this is based entirely upon hours worked, and so forth, and not having a kind of bottom-line contribution. I think that we need to address this issue, but I don't think this is the way to do it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Senator Geo-Karis, it was my understanding that when the welfare reform bill - well, quote, unquote, let me say "reform" - that -- that was passed last year by Senator Watson's bill leading a charge to do that, that this General Assembly would set up some kind of apparatus to come back -- bring back to this Body a well-thought-out comprehensive plan to replace the current system of welfare to something that is going to be more efficient and most certainly more cost-effective to the taxpayers of this State

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and, at the same time, more beneficiary to the children and parent who, for whatever reason, are on public aid. Now, I'm a little surprised, too, to find an amendment to a conference committee report of a bill that -- that went over on child support. And to be talking about welfare reform, it came through a Judiciary Committee that didn't even have the benefit of -- of a discussion in the committee that -- that have dealt with most of the welfare reform bills that -- and laws that's on the books. But I wanted to ask you a question, Senator. You -- given that there wasn't that hearing -- and I don't want you to mumble, I want you to listen and I want your staff to help you if -- if he can to answer the questions that I'm going to ask you. Now, Senator, what age group are you talking about? How -- how old are the children -- parent of children involved in this process?

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

First of all, if I may respond, I'm not going to mumble anything. I -- this bill passed out of committee with a complete hearing, and this amendment was before the committee with a complete hearing yesterday, and I was there. This does not specify any age groups, and I'm certain that the Department will have rules if a mother has to take a child to a doctor - some legitimate cause - to do so. This bill, with the amendment, is a bill destined to put people back to work as soon as possible. And

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what's wrong with the work ethic?

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Senator, you know that I have no problems with that. It was Earlean Collins' original idea to reform the welfare system, by which your welfare bill was modeled after and made punitive -- and, of course, Earlean Collins, the welfare -- the Earnfare Program. So you can't say that I don't care about getting people off aid. Yes, I do. But at the same time, we ought to be reasonable and practical and do it in a humane, responsible way. And this -- this -- from what I see, you didn't have time to have the adequate input into this thing. The Department did. Someone from the Department called me just this morning. I have not had a chance to even talk to them about this bill, but I understand that they're lobbying, saying an awful lot of things that's in this bill that is just not here. And -- and obviously, you don't know what's in it either. So -- this is too important. We need to take our times to come up with a process by which we're going to reform welfare once and for all. And this is just not the way to do it - piecemeal, at the last minute, the wee hours of the Session. This makes absolutely no sense at all. All you're going to do is hurt children.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Shaw.

SENATOR SHAW:

I notice on this -- on my analysis, you have -- you're requiring the clients to seek a twenty-hour job search per month.

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Now, does AFDC provide those people - we're talking about poor people here, I think - does AFDC provide any financial assistance to those people who are searching for a job, who are going out looking for jobs, and if so, how much?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This amendment does not change the program; it simply expands it. The program is already set forth in the original bill, which passed out of this Senate by a vote of -- 54 to 0. All this does is expand it. And I state for legislative intent that the Department of Public Aid is certainly going to take in consideration if any parent has a legitimate reason to take the child to a doctor, to -- or to have to go to school for a child -- or for any reason. So, I think it's a good amendment, and I -- think the bill as amended is very good. And it passed with a big vote in the House of 93 to 15.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

My point, Madam Sponsor, is that in the bill itself, there's no details in the bill how this will be done, and that's what I'm driving at here. If this is all done by rules, what if they don't want to provide these rules? Why couldn't we put this in the bill - what should happen?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, that's the purpose of the Director of Public Aid, in his Department, to provide the necessary rules and regulations to implement what I am saying for legislative intent. And the -- the rule currently states that participants shall be provided all

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needed supportive services as described in 89 Illinois Administrative Code 112.82.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

My -- another question. It seems -- seems as though that we're not going to get that one answered. Another question is, what kind of -- can you describe for us the type of jobs that we are talking about here, and how much these jobs are going to be paying, and how many jobs - if you've done a -- some kind of study - do you anticipate coming on line by 1998?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, the Illinois Department of Public Aid will develop positions with private employers and provide worker's compensation for the participants. We don't even know how many people will be eligible, so we don't have any specific figures. But to deride an amendment that is destined to expand the purposes, I think is unfair.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Just for a point of information here, from the sponsor. Do you know how many people are on -- receiving public aid today, in this State?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Shaw, I will tell you, I do not. But there are plenty on them -- on public aid, but I do not have the figures. And I don't think this has anything -- this has anything to do with this

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amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

To the bill: I think this is a -- I know what the sponsor have in mind. But, certainly, I think, in legislation it could have been more detailed than what we have here. Right now you're going to send people -- you're going to tell people, say "We're going to cut you off." You're going to tell those same people that we -- you have to go out and look for a job. You're talking about people who live in the inner city. Most of the jobs is out in the suburb someplace. How are those people -- in terms of transportation, how are those people going to get there? And, certainly, I agree with some reform in the Illinois Department of Public Aid. I think that people should work. I think it's a good idea. But it's not enough to tell people you -- you have to go to work and you're not going to get any grant and then don't provide them any means of transportation, like car fare and so forth, to get them there. Up in Chicago, many places where the jobs are located, there is no transportation. I think that we need to revisit this issue, look at it again, and come up with a better bill, rather than just leaving it to the Illinois Department of Public Aid. If we -- if we're going to take the responsibility as a legislative Body, why do we want to pass the buck and give it to somebody else, where we can come back here five years down the road and blame them and say, "Well, it's not working"? This is unfair to the -- the very people that we are trying to help. I think you should look at it and possibly come with a -- come up with another amendment were that we can do something meaningful for the people that we are trying to help.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins, for a second time.

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SENATOR COLLINS:

I'm sorry, did the sponsor -- Senator Geo-Karis indicated that this was a pilot program. Senator, if this is a pilot program, and -- and I don't see that in the language, how many people are involved in this pilot, and how long will it -- will it run?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

All this amendment does is give the Department the authority to set it up, so we don't know exactly what's what. However, this is destined to bring in more people into the work parties. And the clients who can't find a job, they'll be assigned to a -- a subsidized position, according to the original bill, not to exceed sixty hours per month. And the client must, in addition to work hours, complete twenty hours of job search per month. What's wrong with that, with someone going out and looking for a job? I've had to do it. I did it many times. And a lot of us here have had to do it. There's nothing wrong with that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Senator Geo-Karis, nobody is debating the -- the validity or the need to -- to -- to assist people in getting jobs. That's not what this is about, the discussion on this side. We're just trying to ask you some questions. Now, my question is -- just say you're not going to answer like Senator Watson did before; that's the best way to do it, for whoever. If you're not going to answer the question, just say, "I'm not going to answer." But I just want to know, you said this was a pilot program. I see the -- the word "pilot" is no place in this amendment that I've seen. Plus, how many people, if it's pilot, and how long?

PRESIDING OFFICER: (SENATOR DONAHUE)



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Senator Geo-Karis.

SENATOR GEO-KARIS:

The Department wanted this amendment, because they do want to establish procedures for doing what I said earlier. And -- and you want to accuse me of not telling you about it. That's not so. I have answered time and again. I've also told you the Department of Public Aid will develop positions with private employers and provide workers' compensations for the participant. And participants -- participation in the workforce does not waive or extend the twenty-four-month eligibility period for AFDC cash assistance. I think it's a good amendment. It's -- the bill is a good bill and I ask that you vote for it, because I -- if -- if you want to expand work, fine. But if you want to vote against it, then you're voting against more jobs.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Geo-Karis, to close.

SENATOR GEO-KARIS:

I think we've had enough debate on it, Madam President, Ladies and Gentlemen of the Senate. What we're trying to do is expand the workforce. We're expanding the idea that people would have more self-dignity for themselves that they are able to work. And this is a step in the right direction, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1388. Those in favor will vote Aye. 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, there are 45 Ayes, 9 Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1388. And the

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bill, having received the required constitutional majority, is declared passed. Senator Sieben, on House Bill 1389? Out of the record. Senator -- with leave of the Body, we're going to have Senator Fitzgerald cosponsor -- he is a cosponsor, so he will be handling Senate Bill 1424. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1424.

Offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman, for what purpose do you seek recognition?

SENATOR BERMAN:

On Senate Bill 1424, Senator Madigan and I had an understanding that he would not call that bill until we addressed some other bills. Now, that was told to me yesterday, by Senator Madigan. So I would ask that this be taken out of the record.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fitzgerald.

SENATOR FITZGERALD:

I'll take the bill out of the record and talk to Senator Madigan, and we'll talk tomorrow.

PRESIDING OFFICER: (SENATOR DONAHUE)

No problem. Senator Fawell, on Senate Bill 1448. Senator Fawell? Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1448.

Offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Thank you. This is really clarifying language on a Secretary

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of State's bill. It merely states that if an out-of-state dealer joins with at least two in-state dealers on a non-site sale for trailers and boats, it will be allowed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1448. Those in favor will vote Aye. 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, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1448. And the bill, having received the required constitutional majority, is declared passed. Senator Philip, on Senate Bill 1470? Senator Philip? Madam Secretary, read the bill -- or, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1470.

Offered by President Philip.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of -- of the Senate. What this simply does is clarify it's somebody other than the State's attorney.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, this is final action. The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1470. Those in favor will vote Aye. 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, there are 57 Ayes, no Nays,

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none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1470. And the bill, having required {sic} the -- constitutional majority, is declared passed. We're going to pause for just a minute. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Referred to the Agriculture and Conservation Committee - Motion to Concur with House Amendment No. 1 and No. 2 to Senate Bill 1473; referred to Commerce and Industry Committee - Motion to Concur with House Amendments 1 and 4 to Senate Bill 1490; referred to the Education Committee - House Joint Resolutions 71 and 75; referred to the Executive Committee - Senate Amendment No. 3 to House Bill 2206, and a Motion to Concur with House Amendment No. 1 to Senate Bill 826; referred to the Financial Institutions Committee - Senate Amendment No. 2 to House Bill 3128; referred to the Insurance, Pensions and Licensed Activities Committee - Conference Committee Report No. 2 to House Bill 32; referred to the Judiciary Committee - Motion to Concur with House Amendment No. 1 to Senate Bill 1527; referred to the Revenue Committee - Senate Amendment No. 6 to House Bill 431; Motion to Concur with House Amendment No. 1 to Senate Bill 1546; referred to State Government Operations Committee - Motion to Concur with House Amendment No. 1 to Senate Bill 1389; and referred to Transportation Committee - Motion to Concur with House Amendment No. 1 to Senate Bill 350, and a Motion to Concur with House Amendment No. -- House Amendments No. 1 and 2 to Senate Bill 1769, and Senate Amendment No. 2 to House Bill 2294; Be Approved for Consideration - Motion to Concur with House Amendment No. 1 to Senate Bill 946, Senate Amendment No. 1 to House Bill 527, Senate Amendment No. 4 to House Bill 548, and Senate Amendments 8 and 9 and 10 to House Bill 1249.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland, on the Order of Senate Secretary's Desk, Concurrence, Senate Bill 1513. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1513.

Offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senate Bill 1513 with House Amendment No. 1 doesn't change the bill dramatically from what it was when it left this Chamber. It does address the concerns that the Medical Society and others had with respect to whether or not townships should provide a service to those acute -- with needs of acute medical care. And it suggested if they do choose not to do that, it must adopt rules to reflect the types of services which will be provided. I believe this makes it a better bill. Madam President, I would move to concur with House Amendment No. 1 to Senate Bill 1513.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Garcia.

SENATOR GARCIA:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Garcia.

SENATOR GARCIA:

Thank you. Senator Maitland, I understand that part of the reason why this bill came to be is that townships have been claiming that property tax caps and recent restrictions on eligibility for State interim assistance have put them in a

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financial bind; that they need the flexibility provided by the bill to relieve the stress. However, at least not to my attention, they've not been able to provide evidence that they are, in fact, incurring financial problems as a result of these developments. As a matter of fact, they've admitted in House testimony that they only have anecdotal accounts of clients actually needing expensive procedures, such as brain tumor surgery. Is there any available data that would -- quantify this alleged dilemma that they find themselves in?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Senator Garcia, I don't know what -- what took place in -- in the House hearing. I -- I was not there. I can tell you that when this bill was brought to me in the beginning, and later I conferred with some of the townships in my area, there was some definite concern. There was a couple of cases where this had created a very serious hardship. And I -- I would suggest to you, sir, that this is a -- a locally controlled program; it's a local issue. And I believe that the support of this legislation in this Body before indicated and addressed that very concern.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Garcia.

SENATOR GARCIA:

Thank you, Madam President. Well, I can appreciate people being concerned, but I want to make sure that there is, in fact, a need for this type of legislation, and I'm referring to House Amendment No. 1, in particular. I think that the bill does not address the problem that it seeks to alleviate, because we're not sure that it exists in the first place. Acute medical procedures generally cost more. If they're complaining about having to cover complicated and expensive medical treatment, but are offering a

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bill that gives them the option of eliminating coverage for more routine, less-expensive procedures, which oftentimes are preventive, many minor medical conditions easily treatable with inexpensive medications can become acute and much more expensive to treat over time. It makes no sense to forgo payment for routine care and get stuck with a huge bill for acute care. That's why I rise in opposition to the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Maitland, to close. This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1513. Those in favor will vote Aye. 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, there are 48 Ayes, 9 Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1513. And the bill, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on Senate Bill 1544? ...Secretary.

ACTING SECRETARY HAWKER:

I move to non-concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1544.  
Offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The intention is to put this bill in a position for conference, if we need it later in the Session.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Garcia.

SENATOR GARCIA:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Indicates he'll yield, Senator Garcia.

SENATOR GARCIA:

Senator Rauschenberger, can you give us any idea of what plans -- what vision you may have for bringing to a conference committee, if and when that develops?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Garcia, I -- I would be happy to share my vision with you, but in the interest of the rest of the Members, I think we ought to do it just together and not make them sit through it. I -- I don't have any idea what the Body may decide to use this bill for.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Rauschenberger moves to non-concur in House Amendment No. 1 to Senate Bill 1544. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Petka, on Senate Bill 1691. Senator Petka? Madam -- Madam Secretary.

ACTING SECRETARY HAWKER:

I move to non-concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1691.

Offered by Senator Petka.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Madam -- thank you, Madam President and Members of the Senate. When this bill was taken over to the House, it was amended, basically without the sponsor -- of the House amendment contacting myself. I have no problem with -- with the underlying amendment; however, I would like to add a few things into this piece of



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legislation. So I am asking that this -- that we non-concur with that amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the Senator yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

I noticed that you indicated in your comments, Senator, and I respect your -- your -- your word, that you indicate you -- you wanted to add some more things to it. If you add something to it, will this language still be in there? I've watched you over the period of years and I've always admired your tough stands on crime, and this is one that, to me, is a true protection of the correctional officers and -- and really, I think, addresses a strong crime issue, and want to know what your intent is on this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Thank you, for that question. During the last ten days or so, sir, there's -- there's been a -- literally a firestorm of controversy which has arisen in my district in connection with an investigation that was conducted by NBC. It is my hope and my expectation to have some language that would be added to this bill that would correct some of the abuses that were detailed. I might add, Senator, that the underlying bill dealt with curtailing prisoners' rights. And that would be my expectation, to add a few more things to it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

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SENATOR JACOBS:

Thank you for that, Senator Petka. The only thing I would add to -- to the comments, I would like to have a roll call on this motion, also, Senator. The problem I have is there are other bills out there that we could add something to. I think this is a good piece of legislation, and I think it's one that we should agree with, rather than to non-concur, and ask for a roll call vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shadid.

SENATOR SHADID:

Yes, would the Senator yield to a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shadid. Just a second. Senator Petka, for -- why do you seek recognition?

SENATOR PETKA:

Madam President, would you please take this bill out of the record?

PRESIDING OFFICER: (SENATOR DONAHUE)

Out of the record. Senator Rauschenberger, on Senate Bill 1696. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to non-concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1696.

Offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. This is another one of my visionary bills, which we'd like to position in case we need it at end of Session for conference committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there any discussion? Any discussion? Seeing none, Senator Rauschenberger moves to non-concur in House Amendment No. 1 to Senate Bill 1696. All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the motion carries, and the Secretary shall so inform the House. Senator Philip, on Senate Bill 1766. Out of the record. ...middle of page 11 is Secretary's Desk, Non-concurrence of House Bills. House Bill 2406. Senator Dillard? Madam Secretary.

ACTING SECRETARY HAWKER:

...move to non-concur {sic} with the House in the adoption of their {sic} Amendment No. 1 to House Bill 2406.  
Offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I would like to refuse to recede from Senate Amendment No. 1 and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Welch.

SENATOR WELCH:

Yes. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Could you explain what that amendment did that you're making the motion on?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Senator Welch, the bill is just a shell bill, and the Senate amendment was a technical amendment, knowing that we'd bounce it

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over to the House to get it into a conference committee posture. And as I explained to this Body, this particular bill, I believe, will contain some technical language dealing with the University of Illinois at Chicago being able to acquire some property.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Dillard moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2406 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries and the Secretary shall so inform the House. Senator Weaver, on House Bill 3157? Madam Secretary. Okay. Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. I would move to refuse to recede from Senate Amendment No. 1 on House Bill 3157.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Weaver moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3157 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries and the Secretary shall so inform the House. Senator Petka, on House Bill 3448. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to refuse to recede from Senate Amendment No. 1 to House Bill 3448 and request that a conference committee be appointed.

Offered by Senator Petka.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President, Members of the Senate. This bill

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was amended by the Senate to -- to remove certain provisions dealing with forfeitures, which I believe were marginally constitutional and possibly unconstitutional. When the bill was sent over to the -- to the House, they refused to -- to concur with our amendment. For that reason, I would ask for the conference committee report.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Petka moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3448. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries and the Secretary shall so inform the House. We're going to go to the middle of page 6, House Bills 2nd Reading. On the Order of 2nd Reading is House Bill -- 322, and we will seek leave of the Body to have Senator Rauschenberger, as a cosponsor, to handle that bill. Senator Rauschenberger? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 322.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger, on Amendment No. 2.

SENATOR RAUSCHENBERGER:

Floor Amendment No. 2 represents an agreement between Chicago labor and the -- their employers. I would seek its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator.

SENATOR CULLERTON:

Senator, I understand that you're not the Chairman of the Insurance and Pension Committee, and I understand that Senator Madigan is not here; he's ill. I'm the Minority Spokesman and we have a very nice working relationship in that committee. We communicate with regard to -- for the most part, with regard to these pension bills. Could you tell me if you know what the plan is for this particular bill, and specifically what this amendment does, again?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes, Senator, and -- and I apologize for mucking in Pensions and Licensed Activities. I probably don't belong there. But the intent would be probably to strip Amendment No. 2 and position this bill for conference.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

So we're adopting Amendment No. 2 so that we can strip it in the future?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I apologize. Let me correct that. We expect that the House will non-concur in the amendment, which will posture it for conference.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Are there any other amendments that you know of that are going to be offered to this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

There are no other amendments currently drafted, but there are some -- there are a good deal of different things being discussed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Well, I understand. Would that be in a conference committee, and therefore we're going to adopt this amendment and send it over to the House and get it in a conference committee, or would that be -- is this -- the plan is to hold this bill in the Senate for further Floor amendments? That's -- that's all I'm asking.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, I can't honestly give you an answer to that question. I don't know yet.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

I believe you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Walsh. Is there any further discussion? Further discussion? Seeing none, Senator Rauschenberger moves the adoption of Amendment No. 2 to House Bill 322. Those in favor, say Aye. Opposed, Nay. The Ayes have it,

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and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Weaver, on House Bill 2751? Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2751.

(Secretary reads title of bill)

3rd Reading -- 2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver. Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Philip, on House Bill 3380? Senator Philip? House Bill 3380. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3380.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. ...Weaver, for what purpose do you seek recognition?

SENATOR WEAVER:

Thank you, Madam President. There will be a Republican Caucus at 2:15 in President Philip's Office.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver.



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SENATOR WEAVER:

I'm sorry. We'll last a half hour. We'll meet now, and it will be about a half hour.

PRESIDING OFFICER: (SENATOR DONAHUE)

Republican Caucus immediately in Senator Pate Philip's Office, until the hour of 2:15. And we will stand at ease until that point. And I will remind the Membership, we will come back and we will be conducting business. Senator Berman, for what purpose do you rise?

SENATOR BERMAN:

Thank you, Madam President. Before we recess for the caucus, earlier today, on House Bill 545, Amendment No. 2, some debate was involved, and Senator Dudycz questioned the -- the use of language that I had used. I have reviewed the transcript of my remarks and I stated that -- on the Floor, that if I used the word "racism" or "racist" that I would stand and apologize. The word "racist" is in my comments, and I stand to apologize. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Republican Caucus. We'll stand at ease until the hour of 2:15.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We ask all the Senators to be back in their seats. We're going to go to the Order of 3rd Reading. We ask all the Senators to come to their seats, please. Come to the Senate. We're going to

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begin with the Order of 3rd Reading of bills. Senator Woodyard, for what purpose do you rise?

SENATOR WOODYARD:

Thank you, Madam President, Members of the Senate. For the purpose of an announcement, I would like the record to show that Senator Madigan is absent today due to illness, and hopefully he'll be here next week.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has 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 98.

Adopted by the House, May 9th, 1996. It's substantive.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Messages from the House {sic}.

SECRETARY HARRY:

Message from the President.

Dear Mr. Secretary - Please be informed that, pursuant to Rule 3-5(c), I have appointed Senator John Maitland to replace Senator Dudycz on the Senate Rules Committee, effective immediately. Filed by Senator Philip, this date, earlier in the day.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Resolutions.

SECRETARY HARRY:

Senate Resolution 214, offered by Senator Parker.

And Senate Resolution 215, offered by Senator Clayborne and all Members.

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They're both death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar. We're ready... The intent of the Chair is to return to the Order of these bills on 3rd Reading for the purpose of taking up bills for recall. House Bill 527. Senator DeAngelis. Purpose of recall. House Bill 527? You ready for that? Mr. Secretary, will you read the bill? Senator -- Senator DeAngelis seeks leave to -- of the Body to return House Bill 527 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 527. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. All it does is changes the effective date.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

I was curious. Is this a vehicle bill now that might come back with an appropriation that would pay for the audit of the DuPage Airport, which is currently in the Statute, and they don't have any money to do that? Would that be one of the purposes of this bill?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

I'm going to try to put -- get that in there, Senator Demuzio.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Cullerton, what purpose do you rise?

SENATOR CULLERTON:

Yes, would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will.

SENATOR CULLERTON:

Senator, could you tell us what the underlying House bill does?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Not very much.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Well, the underlying House bill's a vehicle; the amendment's a -- a technical amendment, so the purpose is to put it into a conference committee. And there are some people here who do not want it to go to a conference committee, and there's even people on your side of the aisle that don't want it to go to a conference committee. So why don't we just have the debate, right now, over what the conference committee is going to be? Since you know what it is - I think we all know what it is - why don't you tell us, so we can debate it, what this conference committee is about? It has something to do with O'Hare Airport and a noise commission. And I think there's a lot -- millions of dollars at stake, so I think we ought to discuss it right now.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Mr. Cullerton -- Senator Cullerton, I'm not so certain you're right on that. I can tell you honestly that I do not know what

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purpose this bill may be used for, but there's a possibility that that might be included. I have seen no language on that whatsoever from our side of the aisle or in this Chamber. There's another bill, 1245, which might be more appropriate for that purpose, but at this particular point, I am just trying to return to the House a bill that they sent here.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? All those in favor, say Aye. You want a roll call on that, Mr. Cullerton? Request for a -- for a -- a roll call. It's Amendment 1. All those in favor will -- will vote Aye. All those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 12 voting Aye, 40 voting Nay, 2 voting Present. The amendment fails. Any further Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 548. Senator Cronin? Senator Cronin? ...Cronin. We'll ask leave to return later. House Bill 1249. Senator Petka? Senator Petka seeks leave of the Body to return House Bill 549 {sic} (1249) to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1249. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 6, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson. Amendment No. 6, offered by Senator Hawkinson. Senator Petka. Senator Petka will -- is going to

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respond. Senator Petka.

SENATOR PETKA:

Thank you, Madam President and Members of the Senate. Senate Amendment No. -- Floor Amendment No. 6 deals with some clarification in connection with hearsay exceptions. It came out without opposition, and I know of no opposition. And I'd move for its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor, say Aye. All opposed. The Ayes have it, in the opinion of the Chair, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 7, offered by Senators Raica and Shadid.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Raica. Amendment No. 7. Senator -- Senator Raica, do you yield to Senator Petka to speak on it? Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President. This amendment deals with hate crimes and a clarification that was necessitated as a result of an Appellate Court decision. I move its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Raica has moved for the adoption of Amendment No 7. Is there any further discussion? Further discussion? Hearing none, all those in favor, say Aye. All opposed, Nay. In the opinion of the Aye -- the Chair, the Ayes have it. The amendment's adopted. Is there any further amendment?

SECRETARY HARRY:

Amendment No. 8, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Amendment No. 8. Senator Cullerton.

SENATOR CULLERTON:

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Thank you, Madam President, Members of the Senate. This amendment was approved in another bill in the Judiciary Committee. Increases the penalty from fifteen to thirty years for a person convicted of solicitation of murder where the person solicited was a person under the age of seventeen. Would require the Department of Corrections to track the gang activity of inmates, to segregate gang leaders, to include gang information in their annual report to the Governor, and to monitor unprivileged communication of inmates. I would ask for its adoption. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments? Any discussion? Any discussion? Hearing none, all those in favor of that amendment, please say Aye. All opposed, say Nay. In the opinion of the Chair, the Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 9, offered by Senators Raica and Shadid.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Amendment No. 9. Senator Raica. Senator Raica yields to Senator Petka. Senator Petka.

SENATOR PETKA:

Thank you, Madam President, Members of the Senate. Amendment No. 9 -- Floor Amendment No. 9 is a technical amendment that deals with gang crimes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor, please say Aye. All opposed, say Nay. In the opinion of the Chair, the Ayes have it. The amendment's adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 10, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Amendment No. 10. Senator Hawkinson yields to Senator Petka for Amendment No. 10. Senator Petka.

SENATOR PETKA:

Amendment No. 10 is further clarification dealing with the hearsay exemption that we discussed earlier. This was requested by one of the bar associations. I know of no opposition to it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor, say Aye. All opposed, say Nay. In the opinion of the Chair, the Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2206. Senator Philip? We seek leave to return to it later. Senator Syverson, for what purpose do you rise, sir?

SENATOR SYVERSON:

Personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your -- your personal privilege, sir.

SENATOR SYVERSON:

Just want to say, the -- the potato chips that were donated today are -- are the sponsors of the Rockford Cubbies, who are also one of the cosponsors of tonight's House softball game. So, the chips are from the -- the Rockford Cubbies, the farm club of the Chicago Cubs. Thanks.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We sought leave earlier to go back to House Bill 548. Senator Cronin. Senator Cronin. House Bill 548. Senator Cronin seeks leave of the Body to return House Bill 548 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection,



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leave is granted. On the Order of 2nd Reading is House Bill 548. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is just a technical amendment to correct a glitch in Floor Amendment No. 3, which we discussed for -- just a couple of hours ago here. I'd move its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor, please signify by saying Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

No -- no further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. ...order of House Bills 3rd Reading. Earlier we sought leave and got leave to return to the Order of -- of 3rd Reading, House Bill 2524. Senator Bomke. Mr. Secretary, will you read the bill?

SECRETARY HARRY:

House Bill 2524.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President and Ladies and Gentlemen of the

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Senate. This is -- will change the current formula for funding pensions from a graduated formula to a flat rate for the State Employee Retirement System, the State University Retirement System, Downstate Teacher Retirement System, and Chicago Teacher Retirement System, from a graduated rate to a flat rate of 1.67 for coordinated employees and 2.2 percent for noncoordinated. Ad hoc increase would provide for a one-time increase in retirement and survivor benefits for annuities for the same retirement systems who began receiving their benefits before January of 1990. Last day pay allows all employees whose benefit is calculated under the alternative retirement formula to have their pension benefits based on their monthly salary as of their last day of service.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Just a moment, Senator Bomke. Senator Jacobs, for what purpose do you rise, sir?

SENATOR JACOBS:

We request a Democratic Caucus in Senator Emil Jones' Office immediately, for about thirty minutes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

That request is in order. The Democrats have requested a caucus in Senator Jones' Office immediately. Senator Dudycz, for what purpose do you rise? Senator Dudycz. Senator -- you were on. ...will be a Democrat Caucus immediately in Senator Emil Jones' rooms. And we will stand at ease until 3:45.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR MAITLAND)

...come to order. On page 4 of the Calendar is House Bill 2524. Senator Bomke.

SENATOR BOMKE:

Senator, thank you. Mr. President, I've already explained the bill. I'll entertain any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there discussion? Is there discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Even though we know the bill well, Senator, I'm not sure if you explained it. But that's okay. But would the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Number one, in many of the media and with some of our constituents, and I'm sure some of yours, there is a -- a lot of concern about the fiscal impact of this bill on the State. And I guess my first question would be, how are we going to pay for this? Is this a drain, as -- as it's called, on the State budget? Are we going to have to be taking away money from our schoolchildren and other people in order to pay for this? What -- what is your opinion -- as the sponsor of the bill, what is your opinion of what the fiscal impact will be?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Senator, thank you for your question. The -- the fiscal impact is -- is fairly significant the first year. However, it will be in the budget. Once this bill is passed, money will be

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appropriated. And no, money will not be taken away from schools.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Well, will this cause us -- inasmuch as we're tight, we're looking about reinitiating the riverboat tax, a number of things, in order to fill the hole in the budget this year, will this constitute a tax increase in the future, in your opinion?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Thank you, Senator. We have to prioritize our needs. Education certainly is a priority, but so are pensions. I think we have to keep in mind that there may be a cost associated with this bill, but keep in mind that it takes a State employee fifty-seven years before they can max out. If an employee goes to work for the State of Illinois at age eighteen, they must be seventy-five before they can max out. This bill simply reduces that number down to forty-five, which is in parity with the surrounding states. It's consistent with surrounding states. The pension system in Illinois ranks forty-ninth of public employees throughout the country. This does not take us to the top. This simply puts us at twenty-six.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

There have been some actuarial copies floating around, which I'm sure you've seen. In fact, some of them show that it won't be a hit to some of the -- the teachers' funds and some of the other funds. Have you seen those, and do you agree with those, or do you feel that they're maybe erroneous?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Bomke.

SENATOR BOMKE:

I -- I have seen those, Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Do you agree with those -- those numbers that you see that are floating around? And I know it's hard to answer the question directly, because you're not sure of what I'm referring to. But as you indicated, you have seen some of those, and some of them actually almost show that to do this is a savings.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Senator, I would not dispute Economic and Fiscal Commission.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

I have not been privy, at this point, to see the Fiscal and Economic projections. What -- we've heard different projections. We've heard thirty-some million the first year, sixty-three million the second year, ninety-two million the fourth year, and then the year 2000, a hundred and twenty-three million dollars added to the already large cost of pensions out there. And I -- I do concur with you that it's part of our obligation to fulfill that need, because -- they are very low at this point and need to have some increase. I guess my -- my concern would just be as to whether or not we can afford to do this. And you seem to indicate that, yes, it's something that we can afford to do, so I will accept that answer. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro.

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SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Is it -- would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Molaro.

SENATOR MOLARO:

Obviously, if this passes, goes to the House and passes and becomes law - because I assume every time we pass something out of here, we hope that it does pass the other Chamber and becomes law - I -- the way the law we passed last year, it would -- there would be an automatic appropriation right off the top, is that not correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

That is correct. There is a continuation appropriation for pension funds, sir.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

It's a continuing appropriation. That must mean that somewhere - it makes common sense; the budget is a certain number - that somehow, there's going to have to be some tax increase, budget increase, or employee contribution - something of that nature. Does -- do you, Senator, as the sponsor, have any idea if there's going to be trailing legislation or if the Governor has signed off on this? Do you have something specific?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Senator, you're -- you're right. And I -- there is a fiscal -- is a fiscal impact. I fully intend -- and let me say this: I

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believe the Governor of the State of Illinois is fiscally prudent individual. I happen to also believe that he's sensitive to the employees' needs. I believe that once it gets to the Governor, the Governor, and rightfully so, will negotiate this and there will be an employee contribution, which will obviously reduce the cost to the State of Illinois. And I do not support a tax increase to cover it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

Well then, let me just make a couple of statements here. First of all, as far as employee contribution, obviously, if you're the sponsor and you consider that's coming on down the line, there's really no way we can come up and flatly say what the employee contribution is going to be. I don't know if it's going to be half a percent, two percent, three percent. The Governor can't just, on his own volition, decide what that contribution is going to be. He's going to have to come back to us, and we're going to have to vote on what the contribution is going to be. Well, if somehow the Governor sends back to us, or if there's an amendment in the House because they want to be more fiscally responsible than we are probably going to be here today, and they're going to tack on some employee contribution, we're going to have to vote on it. And if you think today's a tough vote, wait till you start voting on whether or not you're going to take two percent, or one percent, or three percent from employees' checks either two days from now, three days from now, or seven months from now, whenever we're going to have to come back for the -- for the Veto Session. Let me just say this: One of the best things we passed last year - Senator Philip brought it back, I even think it was his bill - was the Pension Laws Commission. The reason we came back with the Pension Laws Commission is because

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these are very, very, very complex issues. Senator Jacobs talked about a piece of paper, some actuarial report put out by one of the -- one of the -- the unions. I've seen seven different versions, seven different costs, everybody trying to figure out what it's going to cost the State of Illinois. The reason we had a Pension Laws Commission is so we can sit back, and over a period of months, decide and look at, hire our own actuaries, and find out what it's going to cost the taxpayers, what the contributions are going to be, and have an agreed bill and come back with an agreed bill. What we're doing here today is we dangerously are going to increase pensions, possibly. Why don't we start taking bills and say, "Hey, listen, for political reasons, because we think someone's downtrodden, let's go out and start raising." In your opinion, the -- the State's employees are a little low. Of course they are. Maybe we should determine that policemen and firemen should retire at an earlier age, with a higher eighty-five percent. That would be very difficult for us to vote against. That's why we have the Pension Laws Commission, so we don't get stuck with votes. It's going to be very difficult for any Senator to stand here and say, "We do not want to help retired teachers. We do not want to help retired State employees." But to come here and say -- and I don't see anywhere official numbers. We don't know what the Governor's going to do. We don't know what the House is going to do. We don't know what trailer legislation you have. We don't know the cost of it, but yet we're putting a terrible political decision in position to vote Yes or No, and I just think it's wrong. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, before we continue on, I -- I must insist that we hold the conversation down to a dull roar. It's getting so one can hardly hear the debate between the two speakers. So I'm going to insist that we maintain some order here.



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And we have a lot of guests on the Floor today. Would ask that everybody, if you're going to talk, please talk as softly as you can and -- and lend your respect to the speakers. Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. For the benefit of those people who are relatively new to the Senate, especially the sponsor of the bill, let me describe to you the process by which we used to do pension bills. This was when the Democrats were in control of both Chambers, and we had a Republican Governor. Now, you would readily see that it would be politically expedient for a Democratic-sponsored Chamber to pass pension benefits. Let's help the widows: Who's going to vote No on that? And then it will go to the Governor - the Republican Governor - and he'll have to veto it 'cause it's fiscally irresponsible, and we'll make political points. That's what we could have done. But we didn't. The process for pension bills, of which I was involved intimately when I was over in the House, was to only pass shell bills, only put pension bills in a conference committee - no Floor votes on any benefit increases. And Mike Madigan and Phil Rock told the Membership, "This is the deal." And if there was to be a pension benefit, there had to be at the table a representative of each caucus. Can you imagine that? The Democrats controlled both Chambers, and they actually invited the other Party to a meeting to discuss legislation, and they gave them a seat at the table. And they basically said, "If you're not in favor of it, we're not in favor of it." And I remember representatives of the Republican Senate Caucus coming to those meetings. And we invited the employer to be present. So if it was a State pension fund, the Governor was invited to the meeting. Can you imagine that, Senator? We invited the Governor's representative in to discuss the bill, before we passed

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it. If it was the Downstate Teachers -- or -- or the Chicago Firemen, we'd invite the Mayor's office. If it was the Downstate Teachers or Firemen, we invited the Municipal League, and we negotiated the bills. If there was a pension benefit, it had to be signed off by the employer. And we frequently said things like, "You can't get this benefit this year, but we'll wait for two years and then you can come in and ask for it." And it was the responsible thing to do. And now the shoe's on the other foot; you guys control both Chambers. You'd think that you wouldn't want pass bills that the Governor was going to have to veto, 'cause you wouldn't want to embarrass your own Governor, but that appears not to be the case. In this bill, the sponsor has already indicated, "Oh, this is an amendatory veto." Well, why are we doing an amendatory veto? Why don't we sit down with the Governor and find out what he's -- what he's going to go for? Why don't you invite us to sit down with you and find out what we think about it, the way we used to invite you to the meetings? Instead, you're playing political chicken with each other, both these targets over in the House and the targets over in the Senate. And the sad thing is - you know what? - this Governor might be mad at you guys. He -- he might -- say "You guys did that to me on -- on the constitutional amendment for education. I'm mad at you guys. You know what I'm going to do? I'm going to sign this bill. So there." And your grandchildren and great-grandchildren will pay for it. Because once -- this is constitutionally protected. We pass a benefit, it's locked in. And, you know, the targets get wiped out in, you know, twenty point blowouts, and -- they lost, and -- their gone, and it doesn't make any difference. You're still left with the obligation to pay the bill. So I'm critical of the process by which we're here and voting on this bill. I think it's -- as chairman of the -- or, Minority Spokesman on the -- on the Pension

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Committee, this bill didn't even go through our committee. I can understand, you know, political games; we all play them. But on pensions, we never did this before, and it's wrong to do it this way now.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Let me suggest to the Members, now the last three speakers have -- have addressed their concerns about the process and a number of other things and haven't really addressed themselves in total to the bill. I'm going to insist that the -- the next speakers address themselves to the bill, stay on the bill, and we'll proceed forward like that. Further discussion? Senator Lauzen. I'm sorry, Senator Philip, for what purpose do you rise, sir? Senator Philip. Senator Philip. For what purpose... Senator Lauzen. Senator Lauzen. Senator Philip, I'm sorry. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Want to move the previous question.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you, Senator Philip. There are one, two, three, four, five, six, seven, eight, ten additional speakers. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Several questions for the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Lauzen.

SENATOR LAUZEN:

Senator, how much will the -- this legislation cost the next three generations of taxpayers in Illinois?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

First year cost is thirty-six million. The amortized cost over

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fifty years is 2.6 billion.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen.

SENATOR LAUZEN:

I'm sorry, I did not hear the answer.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke, will you repeat the answer, please?

SENATOR BOMKE:

I'd be happy to repeat it. I could tell -- I could yell it at him without the microphone. Thirty-six million annualized first year. 2.6 billion over fifty years -- amortized over fifty years.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen.

SENATOR LAUZEN:

Thank you. The second question would be, can you explain what unfunded liability means?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Well, the unfunded liability is the cost of the increase in the benefit, retroactive.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

I guess -- is that similar to the amount that we've made in promises that we have not deposited?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

It's a continuing appropriation. We'll continue to fund it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Lauzen.

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SENATOR LAUZEN:

How deeply in the hole are the five State pension plans right now?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Twelve or thirteen billion.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen.

SENATOR LAUZEN:

Actually a clarification. Is there -- well, first -- first a clarification on that number. I think that the most recent reports are approximately 19.5 billion. We've gone up four billion dollars in the last two years in what's been promised to people and not deposited in the bank. How much in additional funding - actual cash that goes into the system - will this legislation create?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

As I said earlier, about thirty-six million annualized.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen.

SENATOR LAUZEN:

Okay. Again for clarification, don't you mean that that's the amount that's being promised? Isn't the answer to the question that there's not one additional penny that's going into the pension plans by this legislation?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Absolutely not. It's a continuing appropriation and the

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thirty-six million will be appropriated.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Lauzen.

SENATOR LAUZEN:

The most -- in most pensions, they use the average of the last three to four years, not the last day. Can you describe how this can be abused?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen, are you -- are you, is that a question on this bill? Will you ask a question on the bill? Was that a question on the bill?

SENATOR LAUZEN:

May I clarify?

PRESIDING OFFICER: (SENATOR MAITLAND)

Yes, I wish you would, please.

SENATOR LAUZEN:

I believe that one of the provisions of this bill is that you take the last day of employment and what the wages are at that point, and that that's what you figure the pension benefit, which is in this bill. And I'm wondering - typically pensions are figured off of a three-, four-year average, so that various abuses can't take place. And I'd like to ask the sponsor of this legislation, does he see how this can be abused -- and...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. I -- I suspect that the -- the potential is there for abuse. It applies to correctional officers only. I can't be specific on how it can be abused. I suspect it could, though.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen.

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SENATOR LAUZEN:

To the bill itself: I think that this is a circumstance of spend today, pay tomorrow. I would ask any person in this Chamber: What legitimate right do we have to spend more in our generation than we're willing to sacrifice ourselves? This is how we got into the mess of the 19.5-billion-dollar pension benefit in the first place. We're promising more money than we're willing to deposit in that account, and I don't think that that benefits any person, especially not the people as they grow older and frailer, that this -- this is no help to them, when it becomes much more tenuous whether they're going to get those checks because we have a deep deficit. You take a look at what 19.5 billion dollars in a deficit means. If you were to write out a check right now for a thousand dollars, and do that again twenty -- an hour from now, do that twenty-four hours a day, three hundred sixty-five days a year, it would take you literally two thousand two hundred and twenty-six years to pay back at that rate what we're talking about in -- that's -- we're in the hole today, and this going to make it, by your count, 2.6 billion dollars more. You'd have to go all the way back writing checks every hour to the time Hannibal brought his elephants over the Alps to attack Rome. Two billion dollars farther in the hole. If we had that amount of money put into education - that's what we're going in the hole each year - if you took five thousand dollars per child, it -- that -- this amount of promise and not being deposited would be four hundred thousand children educated for a year in the schools of Illinois. In the year 2045, the cost of this bill in just one year is three billion one hundred and eighty-eight million dollars. This is very seriously wrong. What does fifty years mean, the bill that we passed a couple of years ago to start climbing out of the problem? A twelve-year-old child -- my guess is that we have some -- some Pages here today who are twelve years old. The rest of

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their grade school will be spent, through high school. Some will go into the service, some will go into college, some will even get married, have children. Their children will be twenty to thirty years old. They'll have qualified for Social Security and will still be paying for what we promised and didn't deposit in the bank. There is not one penny of real cash put into this fund because of this bill, and yet there is 2.6 billion dollars of political promises being made. Another way of looking at this is that by one calculation, this benefit increase for State employees alone is six and a half percent. That's about what it would take for the employee contribution to pay back the amount that's being promised. If you add that to approximately a three-percent COLA, we're talking about a ten-percent increase for our State employees. I'd like to ask what citizens in the State of Illinois are looking at that kind of increase? Final thought before closing up on it is that the only thing worse than voting Yes is to speak against this bill and against the fiscal irresponsibility, and then voting for it. There should be no crocodile tears today. Let's walk the talk. If you speak against it, vote against it. The American Indians had a custom that the chiefs would make a decision about what was good for the tribe based on what was going to be good six, seven generations from now. I don't think that this is good for two, three generations from now. Vote for your children and grandchildren. Don't raid their piggy banks. Vote No on this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Welch.

SENATOR WELCH:



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Senator Bomke, each time you've been asked if there would be any taxes or other money raised to pay for this, you refer to the fact that there's a continuing appropriation that is required to fund pensions. The problem is, that money has to be funded somehow. Now, the -- the average annual growth the last couple of years has been between four hundred and fifty million and five hundred and fifty million, in -- in just -- just growth, without raising taxes, and yet here in the fourth year we're up to ninety-two million, in the fifth year, one hundred and twenty-three million. Obviously, we're getting to the point where it's eating up all natural revenue growth. How do you plan to fund it beyond just this reference to a continuing appropriation?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Thank you. Yes, I did say that there would not be a need for taxes. I believe in a thirty-five-billion-dollar budget, we can find thirty-five million dollars to take care of the people who have been serving the State of Illinois and given their lives as public servants. Now, you're talking about ten, fifteen, twenty years from now, forgetting that there's going to be an increase in revenue. I think the revenue was approximately increased -- growth was approximately five hundred million this year. Senator Lauzen referred to a three-billion-dollar cost by year 2045. The budget is expected to be three hundred and twenty-three billion, for crying out loud. You can't compare today with tomorrow.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Welch.

SENATOR WELCH:

Well, I -- I think we have to compare today to tomorrow, because that's what we're here for. This -- this bill won't be paid for in our lifetimes, as -- as Senator Lauzen was referring

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to. But the thing -- you know, you talked about a thirty-five-billion-dollar budget. The problem is, a lot of that is committed. If you chop off fifteen billion from the Road Fund, you're down to a twenty-billion-dollar budget. If you chopped on the nondiscretionary spending on all these other programs, we're down to about 4.5 billion dollars that we can allocate around without cutting back on services for DCFS, Public Aid, Public Health, State Police or Corrections system. There isn't that much discretionary income. Now, you sit on the Appropriations Committee, Senator. Did you offer an appropriation amendment to fund this?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

I haven't, but it will be in the budget.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Senator, you know, you're playing word games here. That's not what I asked. Sure, it has to be in the budget, because we passed this law before you got here. Are you offering any way to fund this?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

I'm just telling you, if this bill is passed, the money will be in the budget. If we can find money for grants for DCFS, if we can find money for sports facilities, we sure as heck can find money to take care of the people who have given their lives to serving the people of Illinois.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

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SENATOR WELCH:

Senator, this was not in the Governor's budget to begin the year. So can you tell me, just for this year, where are you getting the thirty-six million? What program are you going to cut thirty-six million this year? What program are you going to cut sixty-three million dollars next year to fund this?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

The money will be in the budget.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Welch.

SENATOR WELCH:

Yes. You know, these answers are -- are totally unresponsive to the questions, but -- but let me ask this. Now, you said, as I recall, that the bill would be coming back to us after the Governor's amendatory veto. Are you expecting the Governor or have you spoken to the Governor about putting in a contribution clause in this bill?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

I have not.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Well, the current law requires a four-percent contribution from the State employees. That's been waived as part of a negotiated agreement a few years ago so that the State would not have to pay the -- an increase in salary. Don't you think that by passing this, you're guaranteeing that in the next negotiation, that four percent is going to be collected from the State

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employees to pay for this budget -- this budget bill?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

I have no idea what will be bargained. Those responsible parties, such as AFSCME, will negotiate with the Governor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Well, you know, I think that Senator Lauzen had an apt analogy with Hannibal's elephants crossing the Alps and attacking Rome, to take over the Roman government. Here what we have are elephants attacking Springfield, trying to take over a Senate seat, with this bill that's coming by with no funding whatsoever.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Fitzgerald.

END OF TAPE

TAPE 4

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Rauschenberger. Further discussion? Senator Demuzio. I'm sorry, Senator. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, I have just a couple quick questions that I think you can answer fairly easily. As the Appropriation Chairman, I have some concerns about the bill. I appreciate your time. Senator, are pension benefits in Illinois constitutionally guaranteed?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, if this bill passes then, is it fair to say that these -- this -- these promises or this change in the pension becomes a constitutional obligation?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

That's correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, for the record, do you have any current understanding with the Second Floor, the Governor's Office, to change or veto this bill in any way?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

I do not.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, for the record, I am not sponsoring any trailer amendments to this. Do you know of any other trailer bills or amendments, or their sponsors currently?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

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SENATOR BOMKE:

No.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Then, to close: I just want to make it clear that we're voting on this pension bill. There's -- it -- this, we think, could become law. We expect this -- that -- we have no reason not to expect the Governor to sign it, except for, perhaps, its fiscal impact. I just would caution everybody to -- that this bill is "the bill" and urge very careful thought.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Let me also ask a couple of quick questions, if I might.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Demuzio.

SENATOR DEMUZIO:

We've heard some -- some talk about the unfunded liability of the pension system, and I think one of the Members indicated that, as a matter of fact, as of June 30th of 1995, that was about nineteen and a half billion dollars. Isn't that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

According -- according to Senator Lauzen.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't consider Senator Lauzen an expert on unfunded liability of the pension system, as learned as he is. According to the Audit Commission, that's precisely what the unfunded

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liability of the pension systems, the five major pension systems, was in June 30th of 1995. Senator, do you know that currently we are calculating our pension system liability on book value. Is that not correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

That's correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

And are you -- I am sure that you are aware of the fact that before too long that the federal government then will command us to then begin calculating our pension systems on market value. Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Do you know what the unfunded liability would be then? The difference between the book value and market value.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

I do not. Ec and Fisc has not calculated it that way, Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

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It's about 2.5 billion dollars. And I've heard - just a few moments ago - that the unfunded -- and I think you indicated that the unfunded liability for this new pickup would be somewhere in the area of about 2.6 billion dollars over the next fifty years. I think I heard you say that. Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

That is correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

So, in effect, when we -- there is a continuing authorization of the appropriations process for the bill that we passed previous, that amortized this debt over a fifty-year period, and, in fact, we are making those pension contributions. As a matter of fact, in Fiscal Year 1977, that amounts to seven hundred and thirty-four million - a little over, and -- I beg your pardon, in Fiscal Year '97. Fiscal Year '97, it's about seven hundred and thirty-four million, and your first-year costs in your bill, as I understand it, with the increased benefits, is around thirty-six million. Now, the amortization schedule already is scheduled to pick up the number that is certified by the five pension systems to -- for that seven hundred and thirty-four million dollars for this year. The -- the amortization schedule and the continuing appropriation does not have to be amended at all in order to pick up the unfunded liability of the new increase in the pension benefit that you are sponsoring here. Isn't that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

That's correct.



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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

...fact, next year the five pension systems, under the existing legislation, will certify to the Legislature that number that is necessary for us to meet that continuation of the amortization schedule on a fifty-year basis. Taking into consideration that now that we have a two and half million dollars that we're about to pick up because we're now going from a -- a book value to a market value, so the unfunded liability that we have as a result of your -- as a result of your bill, actually over the fifty-year period, equals itself out. So for what we are gaining in going from a book value to market value, 2.5 billion is therefore going to be eliminated by virtue of the fact that this pension benefit would cost somewhere around 2.5 to 2.6 billion. So, in essence, where we're going to end up being, we're going to be currently at a seventeen-billion-dollar unfunded liability for the course of the next fifty years. So I think, as a consequence of that windfall that we're going to have to the State of Illinois for that pension system, that this is probably -- probably the appropriate thing for us to do today, and -- and I would rise in support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At one point I think I was going to just yield my time to Senator Lauzen because of his comments, but there is a question that, so far, at least, has gone unanswered. Senator Bonke, how many systems are now included, by your amendment and by the bill, into pension systems?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Bomke.

SENATOR BOMKE:

Four.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll.

SENATOR CARROLL:

Which ones are they, please?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

The State Employees' Retirement System, the State University Retirement System, the Downstate State Teachers' System, and the Chicago Teachers' Retirement System.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll.

SENATOR CARROLL:

And are you suggesting that all four, then, are funded by the State of Illinois and would be funded under this fifty-year program, and, therefore, included within the State budget?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Three of them would. The Chicago Retirement System would not.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll.

SENATOR CARROLL:

Two questions, then: One, would that be considered an unfunded mandate on the Chicago Board of Education? And two, can you give us the same type of actuarial numbers that it would cost the Chicago taxpayers - property taxpayers - as you are suggesting what the State would be?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Bomke.

SENATOR BOMKE:

The -- yes, to the first question. The -- the -- the accrued liability to the Chicago Teachers' Retirement Fund would be two hundred and seventy-nine million - no additional cost the first two years.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll.

SENATOR CARROLL:

So that two hundred and seventy-nine million is the cost over time that would not be funded by the State. And, therefore, the Chicago Board would have to go where in order to get that funding?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

That's up to them, Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll.

SENATOR CARROLL:

Well, I would think of two ways: If we ever passed unfunded mandates law, well, they could come to the State. But if not, I -- am I correct? - their only other place is the Chicago property taxpayers.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

That's the way it's funded, Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

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Indicates he will yield, Senator Clayborne.

SENATOR CLAYBORNE:

Senator Bomke, you've said several things and -- regarding this being appropriated in the budget. Then Senator Rauschenberger got up and kind of gave me the concern that this may not have been committed to be appropriated in the budget. Have you gotten in -- gotten -- received an -- a commitment that this money will be appropriated in the budget this year and the following years?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Thank you, Senator. As I said earlier to, I believe, Senator Welch, if this bill passes, it will be in the budget. And by law, it will be in continuing years.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

So, I -- I take it the answer to my question is, is that you're basing that this will be appropriated in the budget based upon passage. You have not sat down with the Chairman of your Appropriations Committee, who runs it, or I guess the -- the President of the Senate, to make sure that this money is there and there are no cuts that have to be made. Senator Bomke, have you done that?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

I've talked to the Senate President about it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

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And -- and -- and the Senate President has committed that this money will be there and no other programs or services will be cut?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

I'll repeat my earlier answer that the money will be in the budget, without a cut in services.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

That -- that's not my question. You say you've talked to the President. My question is: And he has assured you that there will be no services cut, based upon the funding of this unfunded liability?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

I don't know how many times I have to answer this question. The money will be in the budget.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Obviously, he won't answer the question. But, Senator Bomke, because I've been here a little over a month and a half -- I mean, a year and a -- a year and a month, and I have not participated, even though I'm on the Appropriations process, in the budgetary process and making sure that needs are addressed that I feel should be addressed. Because your on Appropriations and you have the advantage of meeting with the President and getting commitments, because you probably participate in determining the programs and how they will be funded in the State, how the agencies will be funded, and based upon your comment that you've

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gotten a commitment from people on that side, I would have to rise in support of this bill, because you've indicated that this money will be here, you've indicated that there will be no cut in services and you've indicated that there will be no new taxes. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I've heard a lot of conversation from the other side about how political this is. Have they stopped to think that this bill was passed in the House by a vote of 104 to 1? And 104 -- 104 means it's bipartisan; we don't have a hundred and four Republicans in the House. So they must have seen some merit to the bill. This bill has to go back to the House because there's an amendment on it. And certainly, they can look into it further there. In addition, I consider my Governor a very well qualified gentleman, who will look into it very carefully. And the statement that was made by one of my colleagues, whom I love very dearly over there, that they always invited someone from the other side to look into things, when there were a lot of times they never invited anyone from the other side to look into anything, and there were a lot of bills passed with a lot of money tied to them. So let's go on and get it over with. If you don't want to vote for it, don't. I intent to vote for it. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I'd just like to say, for the record, that I would put my union voting record up against anybody. I would also put my votes for senior citizens and retirees up against anyone's in this Chamber. And having said

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that, I'd like to ask the sponsor would he yield for a couple of questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Hendon.

SENATOR HENDON:

Senator Bomke, has our Governor -- is our Governor in support of this?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

He hasn't indicated either way, Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

Because my screen doesn't show the opponents, can you tell us who the opponents are?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

I think you've heard from some of them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

Well, to the bill: First, I want to say that some -- some of my colleagues on this side of the aisle, and you know I don't get into sides of the aisle too often, but they commend Senator Lauzen today. I commend Senator Lauzen everyday, because I know that he is sincere and he is consistent. I get up on this -- on this floor often and talk about being a Democrat, a fiscally conservative Democrat, and I am. And Senator Lauzen is a fiscal-conservative Republican. When I listen to this debate, this tells -- reminds me of everything that I love and hate about

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politics. If Senator Bomke was not the Senator from Springfield, he would not be sponsoring this bill, nor would he be voting for this bill. I guarantee you Senator Bomke voted for the unfunded mandates; yet, this is an unfunded mandate bill, and he knows it's an unfunded mandate bill. He voted and said unfunded mandates were no good, but yet he has this bill. Senator Bomke earlier voted for an oversight committee for the schools in East St. Louis, and I asked - I stood right here - and I said they have balanced their budget for two years. The State of Illinois has not. And with this bill, it's clear the State of Illinois will not, in the future, have a balanced budget. Further, let me say this, I -- I often watch C-Span and CNN at night, and the speeches I've heard on this Floor really are amazing. Senator Bomke sounds like a Democrat. And some of my Democrat friends sound like a Republican. It makes no sense at all. The Contract with America, Senator Bomke, says that we will not have unfunded mandates. The Contract with America - let me remind you, my friend - says that we will be fiscally responsible, fiscally prudent, and we will not mortgage our children's future for today. I believe Bob Dole and Newt Gingrich would be ashamed of you this morning -- this afternoon for what you're doing, because this is not physically {sic} responsible. We all know it's not fiscally responsible. We all know that this is not a good bill. And I support the unions and I support the retirees. But we should tell the people how we're going to pay for this. We should let the people know right now. If it's going to be a property tax increase on the City of Chicago, you should let the people know this. If it's going to be a tax increase on the State of Illinois, let the people know this. This is wrong. It -- it -- and it, most certainly, is not in the keeping with what the Republican Party is supposed to be all about. And while I am not a Republican - yes, I am a Democrat - I still believe, regardless of parties, we should be fiscally



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responsible. And you know, my friend, and I know that if you were not representing Springfield, where all of the State workers live, you would not be sponsoring this bill, because this is a fiscally irresponsible bill. Every editorial - every editorial - from every newspaper I have read, including the papers here from Springfield and St. Louis, the Tribune, and the Sun-Times say this is the most fiscally irresponsible bill that they have ever seen since the State of Illinois was -- came into existence.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins.

SENATOR COLLINS:

Senator -- a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Collins.

SENATOR COLLINS:

Senator, you -- you do realize that the -- in terms of the City of Chicago, that the State pays about eighteen percent, I think, less contributions -- contributes to the contributions than to the downstate pension system? And in that -- because of that, where will Chicago's Board get the extra money from to pay for this -- the additional costs of the -- of the employees' contribution? And given that this is a mandate -- I'm going to ask you three questions in one. Given that this is a State mandate, will the State then pay the rest of this money, or how will they fund it?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Well, Senator, first, I have not spoken to anyone on the Chicago School Board, so I don't know how or what their intent is. All I can tell you is that the information I have would indicate that there would be a negligible effect for two years. And, no,

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the State does not intend to give Chicago any more money.

PRESIDING OFFICER: (SENATOR MAITLAND)

One more time, Ladies and Gentlemen. We're getting close to the end of the debate. Please give the speakers the courtesy of your attention. Senator Collins.

SENATOR COLLINS:

Senator, you supported the mandate legislation. And if, in fact, we impose this mandate on the City -- the taxpayers of the City of Chicago, it then becomes our responsibility to fund it, unless this bill is passed by thirty-six votes and an -- an extra-majority in -- in the House. So, what are we doing here? You do have to know where the rest of the -- the Chicago Board's contribution is going to come from.

PRESIDING OFFICER: (SENATOR MAITLAND)

Was that a question, Senator Collins?

SENATOR COLLINS:

Yeah.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR COLLINS:

Question. I want...

PRESIDING OFFICER: (SENATOR MAITLAND)

I -- I didn't get the question. I'm sorry. Senator Bomke.

SENATOR BOMKE:

Would -- would you repeat the question, please?

PRESIDING OFFICER: (SENATOR MAITLAND)

Yes. Senator Collins.

SENATOR COLLINS:

Senator Bomke, I'm saying you can't just say you don't know where the -- contributions is going to come from when this becomes a mandate. It's going to come from the State. So, in addition to what you've calculated, you also have to calculate that portion of

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the -- the employees' contribution that was picked up by the Chicago Board that's not contributed to the Chicago system, because we don't get funded at the same level as the rest of the State, from the State. The State picks up the total contribution downstate. It doesn't do that for the City of Chicago. So are we going to raise the -- you know, you got to do it, because it's a mandate. If it pass for less than thirty-six votes, then it doesn't apply to the City of Chicago, because it is a mandate; so then we would be exempt from this bill, right? Chicago would be exempt.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Senator, I can only respond that, yes, it is a mandate, but the State is not paying the additional cost.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins.

SENATOR COLLINS:

I'm sorry. Could you just repeat it, 'cause the staff person was saying something?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

What I said was, yes, it is a mandate, but the State will not pay any additional monies to the City of Chicago.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins.

SENATOR COLLINS:

Senator, I have heard you throughout this debate make up your own rules and just say things that was just totally irresponsible. It really, really shows just what we've reduced this Session to being. I think that if there was ever a time in our history, the

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people of this State and nation as a whole has lost faith in the -- in our system of government. And I've travelled extensively around the world, and America is the greatest country on earth, and we have the best political process on earth, in terms of citizens' participation - government for and by the people - but you've turned this Chambers into a joke. And I've watched this Session worse than any other Session during my tenure here, where just political games are played, and people out there are so uncertain. There are so many schools on the Fiscal Watch List. The property tax caps have -- have -- have caused a real serious financial crisis for many of the schools in the absence of our taking the responsibility to deal with some kind of -- of -- of stabilized funding for the school system and changing in the School Aid Formula. We have not done those kinds of things, which leaves schools and some of the local unit governments in serious financial straits. And yet, we come here because you want to get elected and put forth this kind of legislation and then you just casually willy-nilly answer these crazy -- give response to serious questions, crazy answers or no answers at all. Now, while this may be important to -- to State employees and to teachers' unions, I've always supported employees in this State and I've always believed in unions, because I'm the author of the first - the first - collective bargaining law -- the sponsor of the first collective bargaining law in the history of this State for public employees, and I've been consistent in my support for -- for employees, because I don't think that they have work -- true workplace democracy in this country, and they don't get a benefit of the shares of what is produced in this country, not even from State government. And for that reason, I've always been on their side. But I'm not going to play your game. I'm not going to play your game. And I would hope that everybody else comes to some reasonable sense. You win no matter what. You've put your bill

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out here. You've -- you've made your political point, that you want to trap -- entrap some people over here, so that the unions won't support the Democrats and support you. Well, the unions have to be pretty narrow-minded of the employees of this State to cast all of -- of our history of supporting the -- the little people and -- and the working people and the people on pension -- the pension system on the basis of -- of one vote. You have to think they're pretty narrow-minded to do that. This is a joke to you, but not to me. But let me tell you something, I believe, just as you said, if this bill pass - if this bill pass - that it will be funded. That's the danger here. That's why I can't play the game. Yes, you're probably right, because I think you are just that irresponsible and just that -- you -- you make political decisions and you will do whatever it takes for you to win. And that's why I believe the danger is if this bill passed. Yes, you -- as you said, you'll cut DCFS. What better time to do it when now we've reorganized and -- and created this superagency of Human Services?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins, would you please bring your remarks to a close?

SENATOR COLLINS:

No. I'm not going -- no. No.

PRESIDING OFFICER: (SENATOR MAITLAND)

And stick -- stick to the bill, please.

SENATOR COLLINS:

No. I'm speaking to the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins, please.

SENATOR COLLINS:

Everybody has spoken here and -- and they had as much time.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Collins, you have spoken for a long time. Please -- bring your remarks to a close.

SENATOR COLLINS:

Senator, if this bill pass, you're right, it's going to be funded, and the Governor probably will sign it. And what a tragedy this is going to be to the citizens of this State.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio, for a second time. No? Okay. Further discussion? Senator Bomke, to close.

SENATOR BOMKE:

Thank you, Mr. President. We've talked about the problem with the pension system. The reason we have a problem today is because nothing has been done for twenty-five years. This is not a new bill. This bill has come up for the last ten or eleven years. The reason there is a cost associated with it today is because the General Assembly has abrogated its responsibility or, at best, been dilatory in keeping pace with other public pension plans throughout the country. Senator Cullerton mentioned earlier that when we talked pension plans before, we -- he called in -- or his side called in Republicans, they called in the Republican Governor, and they dealt with it. Well, Senator, I've got to tell you, you didn't deal with this pension plan 'cause nothing's been done for twenty-five years. I don't know what pension plans you were talking about, but it wasn't this pension plan. And I find it interesting, when we talk about taking care of the people who have dedicated their lives to serving the people of the State of Illinois and teaching our children, we talk about building a new road; we don't talk about the maintenance cost over fifty years. So why would we be concerned about the maintenance cost of making sure that the people who have dedicated their lives can retire with dignity, rather than in poverty? I would only ask for a favorable vote. Thank you.

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PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2524 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 34 Ayes, 18 Nays, 5 Members voting Present. House Bill 2524, having received the required constitutional majority, is declared passed. Message from the House, Mr. Secretary.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 18, together with the following amendment, which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1.

We have a like Message on Senate Bill 1494, with House Amendment 1.

Both passed the House, as amended, May 15th, 1996.

Message from the House by Mr. McLennand, Clerk.

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

House Bill 907, with Senate Amendment No. 1.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of Amendment No. 2.

Action taken by the House, May 15th, 1996.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

House Bill 375, with Senate Amendments 1, 2, 3 and 4.

Non-concurred in by the House, May 15th, 1996.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR WATSON:

Yes. For the last time on the ball game. We just -- we've had a pretty stressful day here, I'd have to say, and maybe it would be a good opportunity for us to take our frustrations out on that Chamber across the Rotunda. So 5:30 is game time. We're going to try to get it -- get it going as soon as we can after that. It's at Lincoln Park. What you do is you take 6th Street north and you get it out by the fairgrounds. It's just to the west side of the fairgrounds. And -- as you follow the drive around, it's all the way around to the back side of the park. So, everyone is welcome, and like I said, let's take on the House and -- and knock 'em out.

PRESIDING OFFICER: (SENATOR MAITLAND)

Very good, Senator Watson. Senator Karpiel. Yes, Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I just would like to announce that there is an Executive meeting immediately - immediately - in Room 212. And I would like for you all to be there, so we can all get out to the ball game. There is a roomful of people that have been waiting there for us since 2 o'clock, so I would appreciate everyone being there on time so we can take care of the matters at hand. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)



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

SENATOR BUTLER:

For purposes of announcement. The Commerce and Industry Committee will meet at 8 a.m. - 8 a.m. - tomorrow morning, in Room 400. 8 a.m.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR BARKHAUSEN:

Thank you, Mr. President. The Financial Institutions Committee will meet at 9 a.m., in Room A-1. Should be a very brief meeting.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR WOODYARD:

Thank you, Mr. President. For purpose of an announcement. The Senate Ag/Conservation Committee will meet at 8 a.m. tomorrow morning, in Room 212.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR SIEBEN:

Purpose of announcement. The State Government Operations Committee will meet at 8:30 - 8:30 - in Room 212, tomorrow. State Government Operations Committee at 8:30, 212, tomorrow morning.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there any further business to come before the Senate? If not, Senator Geo-Karis moves the Senate stand adjourned until 9:30 a.m., Thursday, May 16th. Senate stands adjourned.

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