

85TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 28, 1988

PRESIDENT:

The hour of twelve-thirty having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Father Anthony Tzortzis, St. Anthony's Hellenic Orthodox Church, Springfield, Illinois. Father.

FATHER ANTHONY TZORTZIS:

(Prayer given by Reverend Anthony Tzortzis)

PRESIDENT:

Reading of the Journal. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Tuesday, April the 26th and Wednesday, April the 27th, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senate Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports, Madam Secretary.

SECRETARY:

The Rules Committee met at nine o'clock on Thursday, April 28, 1988. The attached list of Senate bills were unanimously recommended for referral to the Committee on Assignment of Bills. Philip J. Rock, chairman.

Senate Bills 1518, 1668, 1669, 1760, 1873, 1889, 1913, 1930, 1947, 1959, 1960, 2008, 2101, 2201, 2241, 2249 and 2268.

Senate...Senator J. J. Joyce, chairman of the Committee on Executive, reports Senate Bill...Senate Bills Noed. 1672, 1673, 1806, 1888, 1938, 1966, 1967, 2001, 2079, 2102 and 2202 Do Pass.

And Senate Bills Noed. 1771, 1793, 2030, 2087 and 2193 Do

Pass as Amended.

Senate Resolution 909 Do...Do Adopt.

Senate Joint Resolution 113 Do Adopt.

House Joint Resolution Constitutional Amendment No. 6 Do Adopt.

Senator Marovitz, chairman of the Committee on Judiciary, reports Senate Bills Noed. 1808...pardon me, 1800, 1923, 2043 and 2264 Do Pass.

And Senate Bill 2154 Do Pass as Amended.

Senator Holmberg, chairman of the Committee on Local Government, reports Senate Bills Noed. 1532, 1609, 1633, 1704, 1762 and 1903...Do Pass.

And Senate Bills Noed. 1761 and 1842 Do Pass as Amended.

And Senate Bill 1547 Do Not Pass as Amended.

Senator Smith, chairman of the Committee on Public Health, Welfare and Corrections, reports Senate Bills Noed. 1647, 1714, 1812 and 2260 and 2263 Do Pass.

Senate Bills Noed. 2009 and 2201 and 2200 Do Pass as Amended.

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

Executive - Senate Bills 1518, 2008 and 2241; Insurance, Pensions and Licensed Activities - Senate Bill 1873; Judiciary - Senate Bills 1668, 1669, 1913 and 2101; Committee on Local Government - Senate Bills 1760, 2249; Public Health, Welfare and Corrections - Senate Bills 1947 and 2268; the Committee on Revenue - Senate Bills 1889, 1959 and 1960; the Committee on Transportation - Senate Bill 1930.

(Machine cutoff)...also have received a report...of the...Compensation Review Board dated April 27, 1988.

PRESIDENT:

All right, with leave of the Body, that report will be filed and I presume journalized, Madam Secretary. Resolu-

tions.

SECRETARY:

Senate Resolution 1013 offered by Senator del Valle.

Senate Resolution 1014 offered by Senators Holmberg, Rigney, Etheredge, Friedland, Geo-Karis, Schaffer and Schuneman.

They're both congratulatory.

PRESIDENT:

All right, with leave of the Body, we'll add those to the Consent Calendar, 1013 and 1014.

SECRETARY:

Senate Resolution 1015 offered by Senator Marovitz, a death resolution.

PRESIDENT:

With leave of the Body, we'll add that to the Consent Calendar.

SECRETARY:

Senate Resolution 1016 offered by Senator Keats and all members.

Senate Resolution 1017 offered by Senator Brookins.

Senate Resolution 1018 offered by President Rock.

Senate Resolution 1019 offered by Senators Savickas and all members.

They're all congratulatory.

PRESIDENT:

All right, with leave of the Body, we'll add those also to the Consent Calendar.

SECRETARY:

Senate Joint Resolution 120 offered by Senators Dunn, Severns, Holmberg, Poshard, Kelly, Netsch and Savickas.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 121 offered by Senators Davidson

and Hawkinson. It's also substantive.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 122 offered by Senators Davidson and all members. It is a congratulatory resolution.

PRESIDENT:

All right, with leave of the Body, we'll add that to the Consent Calendar. Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I'd like to waive the appropriate rule for the immediate adoption of Senate Joint Resolution 122. It's a congratulatory retirement resolution to Superintendent Hovey of the Chatham-Glenwood School after twenty-five years of superintendent and thirty-seven years and we want to present it tomorrow night. Appreciate your support.

PRESIDENT:

All right, Senator Davidson has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 122, a congratulatory resolution. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Davidson now moves the adoption of Senate Joint Resolution 122. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the resolution is adopted. If I can have your attention, with leave of the Body, we'll go to page 5 on the Calendar...page 5, on the Order of Constitutional Amendments 2nd Reading, and at the request of the sponsors, then we will go to Constitutional Amendments 3rd Reading. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have the pleasure of having us visit here today Major Jerry

Lewis from the Scott Air Force Base. She's in the Air Corps...the United States Air Corps and...and I'd like you to welcome her. Major Lewis.

PRESIDENT:

Major, welcome to Springfield. On the Order of Constitutional Amendments 2nd Reading, Madam Secretary, HJRCA 1. Senator Netsch has requested that that be read a second time.

SECRETARY:

House Joint Resolution Constitutional Amendment No. 1.

(Secretary reads HJRCA 1)

2nd reading of the bill...of the amendment.

PRESIDENT:

Have any amendments been filed, Madam Secretary?

SECRETARY:

No amendments have been filed.

PRESIDENT:

Are there any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Constitutional Amendments 2nd Reading is HJRCA 13. Senator Carroll has requested that that be read a second time, Madam Secretary.

SECRETARY:

House Joint Resolution Constitutional Amendment No. 13.

(Secretary reads HJRCA 13)

2nd reading of the amendment.

PRESIDENT:

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

SENATOR HUDSON:

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

PRESIDENT:

State your point.

SENATOR HUDSON:

I would like to introduce in the gallery a group of students from Thompson Junior High from Oswego, Illinois, Kendall County, and their teacher, Mr. Tom Fletcher and Mrs. Murry. This is an annual pilgrimage that they make down here. This is a...a group of eighth grade youngsters...history students...honor history students. So, we take this time to welcome them here.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator Demuzio, do you wish to proceed? I'm sorry, that constitutional amendment having been read in full a second time will now be moved to the Order of 3rd Reading, no amendments having been filed. All right, with leave of the Body, Channel 20 has requested permission to tape. Without objection, leave is granted. On the Order of Constitutional Amendment 3rd Reading is Senate Joint Resolution 21. Read the amendment, Madam Secretary.

SECRETARY:

Senate Joint Resolution 21 Constitutional Amendment.

(Secretary Reads SJR 21 CA)

3rd reading of the amendment.

PRESIDENT:

I beg your pardon. I had sixty kids in my office. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 21 Constitutional...Amendment...Senate Joint Resolution Constitutional Amendment No. 21 amends Article IV, Sections 2 and 3 of our State Constitution with respect to the legislative composition and redistricting, and very simple...simply what it does is would afford us the opportunity now to have one Senate plan for redistricting and one House plan for redis-

tricting. As you know, the...the Constitution has required that the House districts and the Senate districts be within the same boundaries. All this would do would afford us in the Senate the opportunity to draw our own plan and afford the House to have their own plan and not necessarily the lines being contiguous and that is basically and precisely what, in fact, it does. Thank you.

PRESIDENT:

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, I think we're all kind of milling around here. This is something reasonably significant, something that I think could come back to haunt not only us but our constituents. I'm not going to comment on the political motivations and remap, neither party has a monopoly on scheming on its own behalf and I don't think the Republicans are any better or any worse than the Democrats when it comes to that process, that's just part of politics in our country; but taking those questions completely out of the question, what...and not even considering them, what we're discussing here is changing the way that...the legislative members relate to their constituency. Right now when I leave my home to get to my district office four...four miles away, I drive in and out of my office...out of my district four times. I...my own county has two Senators and three state Representatives and nobody all these years later after the remap really understands...you go to a meeting and they'll say, well, where's Representative Klemm? And I say, well, he isn't here, this is Representative Wait's district. You do this, that means that potentially you could have six or seven state Representative districts in your Senate district and a town could be cut into two or three state Representative districts and instead of having one and...or two legislators there when they have a problem with

a sewer line, you're practically going to have to rent a hall just to get all the legislators to show up. But the most damning thing of this proposal, in my opinion, is it will confuse the public. It will lower even lower the percentage of people who honestly know who their legislators are. Frankly, based on some of the stuff we do...do down here, maybe that's not all bad from our perspective, but from the perspective of the voting public and the taxpayers, I think it's important that a high percentage of them know who their legislators are. If this constitutional amendment were to get on the ballot and by some caprice pass, the people of this state would have an even harder time figuring out who represented them. This is not good government. It may be good politics for one side or the other and, frankly, if we were in the majority we might think it's a better idea, but even if we were in the majority, I would hope that we would...meaning the Republican side of the aisle, I would hope we would reject this idea because it is not good public policy.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator Schaffer has said much of what I would have said but having served in the Senate when we had overlapping districts, at one time I represented five counties and I think within the five counties I had eight or nine House members and it is confusing. The people of the districts, even though they are now, we split county lines, township lines, et cetera. I think it would be most confusing for the electorate not to know who their House members were, and to have so many House members in one Senate district, I think it's a step in the wrong direction and I...I intend to vote No.

PRESIDENT:



Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, Mr. President, I rise on a point of personal privilege.

PRESIDENT:

State your point.

SENATOR POSHARD:

Sir, I have in the gallery behind me here some excellent students from the Denning Elementary School in West Frankfurt along with their principal, teachers and chaperons, and I'd like the Senate to recognize them.

PRESIDENT:

Will our guests in the gallery please stand and be recognized. Welcome to Springfield. Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I rise in support of this, and for the reasons that Senator Schaffer gave, the opposite point of view on that is if you have four or five Representatives in your district and you have a problem that you're trying to get support for, when you're down here you just have that much more support in...in dealing with the problem that you're...that you have. So, I...for that reason, I think it's an excellent idea that we do this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Inquiry to the number of votes. I've had several members ask whether this takes a simple constitutional majority or three-fifths. My understanding a constitutional amendment must receive a three-fifths majority or better to be declared passed. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, you're correct, three-fifths is the constitutional majority.

SENATOR DAVIDSON:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

...thank you, Mr. President and members of the Senate. I'd like to ask a question of the sponsor...couple of questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he's ready.

SENATOR KELLY:

Okay. You indicated that there's going to be two plans, one for the House and one for the Senate. Are these plans plans that are going to be passed on to the...to the Governor and we'll actually have two different plans which he would be able to...or the Governor would be able to choose at that time which plan that they want or would you, in fact, have two different legislative and representative districts intermingling within...within the state?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Kelly, there...there would be a Senate map, there would be a House map and the example that you gave in terms of...of whether or not they are within the same boundaries, it's possible; they may be somewhat different but therefore we are not subjected to the same boundaries as currently the fifty-nine legislative or the Senate districts are that they must be composed of a hundred and eighteen House districts. So, it could or could not be but they are separate plans.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Okay, if there's two different maps, does it, in fact, give the sitting Governor an opportunity to choose which map that he wants or are we going to have to have two maps...that will become the representation for the people of Illinois for the General Assembly? Is it...is there...is there going to be a choice by the Governor to select a House map or a Senate map?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, no...the answer is no. Currently, the Constitution says that each legislative district shall be divided into two Representative districts. We are striking that language to afford us the opportunity to simply suggest that we in the Senate will be able to send a proposal to the Governor with our own boundaries and the House would be able to do the same with respect to their boundaries, and that is that there are two separate divisions, one is composed of fifty-nine legislative districts, which is the Senate districts, and the other is composed of one hundred and eighteen House districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, I don't know. I haven't heard about this program before and from what I see...I think we ought to just leave it just the way it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I was around when the last redistricting took place and as I recall that gets to be a pretty self-serving session when we're talking about drawing new lines and...and it occurs to me...and I guess I'm speak-

ing mostly to my colleagues on this side of the aisle, it occurs to me that the last time because the whole thing was forced into the lottery that the...the House pretty much drew the lines the way they wanted them. It also occurs to me that if we pass this and if the public adopts it, that we in effect would be perpetuating the majority that now exists in the House, and I think we ought to think about that and...and particularly on this side of the aisle whether or not we really believe that we want that to happen. I think it's a bad idea. Senator Schaffer made the point earlier that it's terrible public policy and I certainly agree with that. I'd urge a...a vote against this proposal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Further discussion? Senator Demuzio may close.

SENATOR DEMUZIO:

Thank you, very much. With respect to the argument that was just fostered here by Senator Schuneman, that's precisely what we're attempting to avoid and that is, from time to time, we have over the...at least in the last occasion, we have afforded the House the opportunity to draw our map. What we are saying now is that we in the Senate will have the opportunity to draw our own boundaries and the House will draw their own boundaries and that...the first part of your argument is exactly the logic for being in support of Senate Joint Constitutional...Resolution No. 21 and I would urge all the members to...to vote Aye with respect to this proposal, Mr...Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right, the question is, shall Senate Joint Resolution 21 State Constitutional Amendment be adopted and approved. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?

*SJRCA 94  
3rd Reading*

Take the record. On that question, the Ayes are 30, the Nays are 25, none voting Present and Senate Joint Resolution 21 having failed to receive the three-fifths constitutional majority is declared lost. Senator Demuzio. I thought you wanted to speak.

SENATOR DEMUZIO:

Well, I...I guess we're going to let Mr. Madigan and the House do it again I guess. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. On a point of personal privilege, in the President's Gallery are a number of seventh and eighth graders from St. Edmund's School in Oak Park accompanied by some of their teachers. I'd ask if they'd stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Next order of business is Senate Joint Resolution 94, Senator Macdonald. Oh, I'm sorry, Mrs. Secretary, would you please read it.

SECRETARY:

Senate Joint Resolution Constitutional Amendment No. 94.

(Secretary reads SJRCA 94)

3rd reading of the...of the resolution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Joint Resolution Constitutional Amendment 94 addresses a problem that is not new to us here in the General Assembly. Over the years, since the 1970 Constitution was passed, there has been an ongoing difference between the Auditor General and between the Supreme Court over whether or not the Attorneys' Registration

and Disciplinary Commission and the Board of Law Examiner's funds shall be audited. I have been concerned, as I told the Executive Committee, over the years, of course, but I have not really been a part of that particular argument. Last year the Cook County Court, a...in the Cook County Courts a judge ruled that the funds of the Attorneys' Registration and Disciplinary Commission and the Board of Law Examiners were not subject to audit because, one, the funds did not come from taxes and, two, the funds were not held in the State Treasury and, three, the funds were not appropriated by the Legislature. My concern came at that particular point because as a result of that particular court decisions, it means that there is a total in the State of Illinois of 8.6 billion dollars in receipts of like monies which float into the State of Illinois that would fall within the criteria that the judge set forth to describe the funds that are not public funds and are not subject to audit. That amount of money, at least according to my mathematics, represents almost a third of our total budget. This, indeed, then becomes alarming to me as a taxpayer, not only as a legislator, but as...as a taxpayer of this state and, of course, as an elected official in this General Assembly to protect the people. I also served as a Constitutional Convention delegate and our concern has mounted, those of us...or many of us who were in that Constitutional Convention and last September when we reconvened, there was a...a resolution that was passed; the only resolution, as a matter of fact, that passed at the reconvening of that Constitutional Convention that reclarified, it was Senator Netsch's amendment and I will...I'm sure she will speak to it, but it clarifies so that we will have it clearly understood the intent of the Constitutional Convention that all funds should be audited by the Auditor General. So, I've...I...this is not a new issue that has come before you. Last year we passed a bill

out...Senator Kustra's, dealing with this same subject and I now think that it is time for us to assume our legislative responsibility and send out to the people of this state this constitutional amendment which will clarify this dispute which would keep in hiding from us and keep from having 8.6 billion dollars of state funds audited in the State of Illinois. I think that would be irresponsible of us not to take some action and I ask for your support of this amendment.

PRESEDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. In addition to affirming the statements that Senator Macdonald has made, I would like to make a couple of other points. One is that it is kind of unfortunate that we have to add a definition of public funds to the Constitution because I think those of us who were involved in this process did not think it was subject to any dispute at the time it was done; unfortunately, that has turned out not to be the case and while it is true, as Senator Macdonald indicated, that the issue came to the surface as a result of the, again, unfortunate dispute between the Supreme Court and the Auditor General with respect to the lawyers' licensing and disciplining funds, it is also true that the nature of the decision that has so far allowed those funds not to be subject to audit pursuant to the constitutional audit provision opens up a major gap and there are...again, some eight billion dollars of funds that either are not subject to appropriation but are really part of the state's ongoing funding, if you will, or are nontax dollars that are held outside of the State Treasury that it seems to me are subject to exactly the same definition and would, therefore, not be subject to audit by our state legislative auditor. So, I think that is a major, very serious matter and it seems to me we must address it for that reason. I

would...I would like to...to turn to something that I think has been a matter of concern to a number of units of local government and perhaps was the inspiration for Senator Berman's amendment of yesterday, and that is whether we are doing anything dramatic in terms of audit by the Auditor General of the funds of local units of government and the answer is we are not. If any of you look at the constitutional scheme as it is, there already is in the Constitution a sentence that, "The Auditor General shall conduct the audit of public funds of the state." There is no question that large sums of money, if not all, that goes into units of local government, including school districts, are even under today's definition, public funds of the state. It is still true that the Auditor General does not automatically march in and audit every municipality which gets state funds, every school district which gets state funds, every...every other kind of unit which gets states funds. That is done right now only when we ask that it be done either by resolution of the Audit Commission or by a particular statutory provision. There's no question, we have the power to require that. We simply do not do it except in extraordinary circumstances. If you look at the language of the proposed amendment in SJRCA 94, we really are not changing that relationship at all. We are defining public funds in terms of funds administered directly or indirectly by, naming the three units of government, legislative, executive or judicial branch or by any instrumentality of any branch, and all of that is intended to refer to the same package of funding mechanisms as exist right now and specifically to include those funds that we have referred to which are either not appropriated right now by the General Assembly or are nontax dollars held outside of the State Treasury. It is not intended to change the relationship of the Auditor General and municipalities, school districts or any other units of local government. If



any of those funds of...that are held by them are going to be audited by the Auditor General, that will continue to be only pursuant to specific direction by the General Assembly, that is, by resolution or...of the Audit Commission or more likely by a bill passed by us. So, I realize there is some concern on the part of units of local government that somehow this is going to have...subject them to just massive audits by the Auditor General; that is not the case, it is not the intent and it will not happen. It is intended to...to deal only with an issue that is a particular concern to us at the state level, and on that basis, it is an extremely important resolution and I would urge approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong opposition to Senate Joint Resolution 94 Constitutional Amendment 94, and I would ask everyone just for a moment to close your eyes, stop reading the papers and just think, what are public funds? If...if you meet with all these school children that have been around here for the past couple of days and somebody would ask you, what are public funds? Well, public funds are those that are used by the government and our job is to appropriate those funds. And how do we get public funds? Taxes, fees, charges. What this amendment says is, forget common sense, we'll tell you what public funds are. Public funds are private money too. Now any way you cut it, a duck is still a duck even if you call it a cow. So now we are by constitutional amendment suggesting that this duck, public funds, will soon become a cow, and any way you look at it, when you're talking about public funds, public funds, public funds is not private money. Everybody, I think, knows that this started and has been going on since the late 70's, I guess, or early 1980's,

when the Supreme Court of Illinois said to the Auditor General, lookit, the Attorney Registration and Disciplinary Commission is an arm of the Supreme Court and our official responsibility to oversee the licensure and practice of law in this state and it is not funded with public money. Supreme Court does not come here and say to the General Assembly, we have this responsibility, it costs X amount, will you please appropriate general revenue funds for that purpose. Instead it imposes a fee on all of us who are licensees, I think it's a hundred dollars a year for those of us who've been in practice more than ten years, but it's private money and we pay it to the commission so that they can operate and we can self-regulate, and the attorney...or the Auditor General has been fighting with the Supreme Court since about 1981 and they're still in court. This case is still on appeal, by the way, and the Supreme Court feels very strongly that under the separation of powers doctrine which is fundamental to the equal branches of government that the Auditor General does not have the prerogative to audit those funds, even though, I might add, those funds are audited by one of the big eight accounting firms and that audit is a matter of public record, and all the Auditor General really has to do is walk across the street and ask for a copy of it or come to my office and I'll give him a copy of it. We...we are engaged, it seems to be in...in really a fundamental constitutional battle here and I think the Auditor General is wrong, but to try to change by Constitution an elementary, fundamental definition of what we are about around here is...is sheer madness. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I have a question myself 'cause all the lawyers before we can prac-

tice law every year, and I'm one of them, have to pay a fee to the...to the Disciplinary Commission...Supreme Court and that is not public funds, it's our own personal money. I do have some concerns about that although perhaps we should let the people vote on it one way or the other, but I just want to bring the attention to the people that these are not public funds, the fees that we pay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I just want to restate, one of the problems when we argue about whether something is public funds or not, the point that's been made so eloquently by the President and reinforced by Senator Geo-Karis is that the real issue involved here deals with private money. My concern is with public money and those of us who are concerned as to the growth of state government and the intrusion of state government into other areas where there is no problem, you are inviting by the language of this amendment the Auditor General to come in and do an audit, I don't think on every city and village because they are separate municipal corporations, but I've got to tell you that if I was the attorney for the auditor, this is an open invitation...this is an open mandate because the second paragraph of this constitutional provision says the auditor "shall" audit and, therefore, under anybody's interpretation, the monies that we give, which are public monies, to school districts which are...creations of the General Assembly under the School Code certainly would...must be audited by that Auditor General, every dollar that we give to every school district in this state. I don't think that's the power I want to give him. I think it's a waste of our money. I don't think there's a problem. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A couple of points. As a member of the Legislative Audit Commission, I'm...I'm, well, appalled sometimes by the creativity of people that come before us who for a variety of...of reasons which sound very good to them think that the Auditor General doesn't have the authority to...to audit a specific fund that he and the members of the Audit Commission believe should be audited. We can cite a lot of examples, the...the universities have all had a variety of funds which they have collected, not because they're private universities but because they are publicly funded, well-known universities who operate on public funds, but they love to set aside special funds, hold money aside to...for which they're not accountable to anyone. They...they would like to do that. For the most part the Auditor General and the Legislative Audit Commission have been successful in convincing university leaders that they shouldn't do that. They've been completely unsuccessful in convincing the Supreme Court that they should have their funds audited. It occurs to me that, in effect, what we have here is a special class, that of lawyers, whose funds are not to be audited. It also occurs to me that the doctors in...in Illinois have a dedicated fund that's collected in connection with their licensing, admittedly, it's a little different, but the money is held by now the Department of Professional Regulation and those funds are audited, nobody is raising a big fuss about the fact that the Auditor General wants to look at them and perhaps the public can take a look, but in the case of the attorneys, we must not...we must not look, and I think that...that it's hard...I think it's hard to make the connection, Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, excuse me, Mr...Senator Schuneman. Senator

Rock, for what purpose do you arise?

SENATOR ROCK:

Well, a point of order. That is not correct. There is an audit. The question is a constitutional fundamental question, does a creature of the General Assembly, like the Auditor General, have the right to tell the other branch of government what it may or may not do. That's the question.

Don't leave the implication, please, that these funds are somehow out there free floating. There is an audit and it's done by one of the big eight firms who I'm sure the Auditor General himself contractually uses on a regular basis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Schuneman.

SENATOR SCHUNEMAN:

Of course, Mr. President, I agree with you that there is an audit, just as there is an audit conducted by every agency of state government. They...they hire their own auditors, they do their own audit, but what we're really talking about here is whether or not the independent Auditor General will have a chance to look at it. I suggest that this is a good idea, one which probably...we wouldn't have had to do if there had been the least bit of cooperation between the Supreme Court and the Auditor General.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right, further discussion? If not, Senator Macdonald may close.

SENATOR MACDONALD:

Thank you, Mr. President. What I'm asking you to do today is to join me in your legislative responsibility to provide for public accountability for all public funds and to extend that responsibility of allowing the people of this state to once again make a decision through a constitutional amendment to their framework of government which is the Constitution which the members of the Constitutional Convention

felt they were providing with protection of public funds for the taxpayers and the citizens of this state. I would like to say and...expand a little bit on what Senator Schuneman has just said, not only are there doctors, there are realtors, there are sixty-one other professions that are regulated by the state that send in fees that are audited. I have great respect for the judicial branch of state government, just as I do for the executive branch, and, of course, being a member of the legislative branch, I have respect for us and I feel a certain sense of responsibility. I might also add that not all attorneys are in agreement with Senator Rock and Senator Geo-Karis. At the regularly scheduled meeting of the Constitutional Law Committee of the Chicago Bar Association the following resolution was adopted by the members present by a vote of 8 Yes, 1 Nay and 1...abstention. Now I understand that the abstention was by a person who really felt that the resolution didn't go far enough and this is the resolution passed by the Chicago Bar Association Constitutional Law Committee. I believe it has now been sent to the regular membership. The Auditor General has the power and duty to audit the Attorney Registration and Disciplinary Commission and the Board of Examiners, it being clearly understood that the fees received are not to the subject of an appropriation and that there be no interference with the power of the Supreme Court to license lawyers. So, I...I...I just submit to you that I don't think that the Supreme Court...even the Supreme Court or any other branch of government is beyond constitutional law, and I urge your support to join me today in resolving this very serious issue and seeing to it that 8.6 billion dollars do not go unaudited in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Chair would like to remind everyone this is a constitutional amendment thereby requiring a three-

fifths constitutional majority. The question is, shall Senate Joint Resolution 94 Constitutional Amendment be adopted and approved. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Take the record. On that question, the Ayes are 30, the Nays are 25, none voting Present. Senate Joint Resolution 94 having failed to receive a three-fifths constitutional majority is declared lost.

PRESIDENT:

Senator Woodyard, for what purpose do you arise?

SENATOR WOODYARD:

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

PRESIDENT:

State your point, sir.

SENATOR WOODYARD:

Thank you. In the gallery to the rear is a group of students from my home town of Chrisman with their principal, Roger Lawson. Welcome to Springfield.

PRESIDENT:

Will our guests from Chrisman please rise and be recognized. Welcome to Springfield. WAND...with leave of the Body, WAND-TV Channel 17 also requests permission to film. Leave is granted. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Like the record to show that Senator Karpziel is not here today because of a funeral back in her district.

PRESIDENT:

Senator Topinka also? All right, the record will reflect that Senators Karpziel and Topinka are absent due to deaths in the family. Senator Netsch.

SENATOR NETSCH:

If it's appropriate, I would like to announce that the Committee on Revenue will meet immediately after adjournment in Room 212.

PRESIDENT:

Any announcement on the Committee of Revenue is inappropriate at any time. We will now move, with leave of the Body, to the Order of House Bills 3rd Reading. The Secretary informs me that copies of the amendment have been distributed. On the Order of House Bills 3rd Reading, Madam Secretary, is House Bill 1685, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I would ask leave of the Senate that this bill be returned to the Order of 2nd Reading for purposes of an amendment.

PRESIDENT:

All right, Senator Carroll has asked leave of the Body to return House Bill 1685 to the Order of 2nd Reading...to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1685, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I won't take time to read the amendment. The several hundred pages are sitting on each of your desks. Let me identify, however, Senator Hall's committee and mine, all members present, have been struggling with the issue of the supplemental appropriations for the state for the remainder of this fiscal year. We have had requests from most of the departments of state government and others for monies needed either to be transferred for new federal funds that have come



in or in some cases for additional general revenue funding authority. The composite of those hearings following the type of guidelines we have normally applied have, in fact, been placed before you in Amendment No. 2. I don't think it necessary to go through all of them but maybe to highlight just a few; for example, in the Department of Children and Family Services, we not only provided the 17.9 million of general revenue funds that were initially asked for us by the Bureau of the Budget for substitute care but when Director Gordon Johnson indicated another million eight hundred thousand in spending need, we...yesterday morning, we added that as well. We are very concerned that there be adequate funding for appropriate care in all of these agencies, Department of Children and Family Services being one in particular. In certain of the areas we will be discussing I understand by later amendment, some of the interesting issues that came about by the requests for transfer, areas that had indicated to us great need for people to actually work in institutions and a huge fight developed last year as to whether we...or not we were adequately funding them. We now find they are transferring the money out of those Personal Services lines and I think it better we'd defer comment on that till later amendments that will deal with it. In the area of Public Aid, what we have suggested is, there is now a known identified need for the remainder of this fiscal year for authority to pay bills. The amount in question is a hundred and fifty-nine million of which eighty million will be reimbursed to us, one-quarter after the bills are paid by the federal government. So, there will be about an eighty million dollar recoupment either in July or October depending on when, in fact, the bills are paid. Right now we know that the Department of Public Aid no longer has the authority to spend or pay bills, in many cases the due date as they have indicated has already passed, in others it is shortly forthcoming.

What this means as we know is that there are areas of the state where people who provide service will be forced to make some very difficult decisions, decisions we should not cause them to have to make. There will be, for example, some pharmacies around Illinois who, because of the inability of the state to pay its bills, may be forced to close its doors, not only to those who live on prescriptions that come through one of the public aid funded lines, but those who get life sustaining medical needs through private sources but their local pharmacy closed because we did not pay our bills. The same is true as we know for hospitals and other long-term care facilities and many other providers of service, services we have asked for, services we have demanded and services we must give the authority to pay. We recognize that this is not a total solution. We recognize that this is the authority to pay money. We recognize that there is a dispute as to whether there should be cash in the bank or bills to be paid. We recognize that there is a power constitutionally equal to us that's involved in those decisions; however, given all that, we also know that our Economic and Fiscal Commission has indicated there is some additional revenue to be anticipated between now and June 30th. Their figures at this stage show a net increase of about thirty-two million dollars. We know that they are some thirty million below in their revenue projections in the Bureau of the Budget. We also know that there are other funds around that have some surpluses in them that may, may, may at some future date, between now and June 30th, be discussable to borrow from, to be repaid out of the federal check when that check is received. The point is, if we do not give the authority to spend, the bills cannot be processed. The point is that the about seventy-five- to eighty-day delay in payment now will grow and grow and grow to the point that if we do nothing and not give this authority till the next fiscal year, you're talking about people.

who will probably not get paid until September. You have asked them to give service in March and float a loan to the state, if they can, or close their doors if they cannot and not get that money till probably September. In the area, for example, of mental health, we were told today that if those people end up in state institutions the cost to us is twice or two and a half times of what it costs in these community based facilities; instead of eighteen to twenty-two thousand per person, it would cost us forty-five thousand dollars per person, put us out of compliance and get no federal reimbursement for the cost of treating those people that we are now paying for in community base. So, again, we are saying if the money is there, pay the bill. Without this...authority, you cannot do so. This allows the paper flow to continue. This allows the bills to be paid as the money is available. I would commend it to your favorable consideration and be willing to answer any questions.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 1685. Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Senator Carroll, I'm a member of the Appropriations Committee. I've been sitting there like a good little girl all these hours. Where did we get this? I mean, did you dream it up or did your side dream it up? We never voted on it. We never saw it before now. Where did it come from?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

May I first, before I answer, a...correct the record on sponsorship, this should be a joint Carroll-Hall piece of legislation. I'm not sure that the Calendar so indicated. To answer your question, Senator Fawell, as you...

PRESIDENT:

All right, with...with leave of the...leave of the Body, that will show Senators Carroll and Hall, Madam Secretary.

SENATOR CARROLL:

Thank you, Mr. President. Senator Fawell, as you will recall, each of the committees had at least a day of hearing on supplemental appropriations and at that time we asked them what bill had they introduced and the answer was none. We asked them in each committee, I understand the House did likewise, and yet no piece of legislation had been introduced; yet we were told areas like Children and Family Services would run dry in merely a few more days, that if we didn't give them additional appropriations they would, in fact, run out of money for things like substitute care. So, what we did was...you're right, nothing was voted on in committee, there was no bill; there was no bill ever introduced, as is often the case in supplementals, but unlike other occasions where we have done it merely in conference committee, we decided early to start the hearings even without a bill so that both committees had full hearings on each of the sections that are in this and then we have offered this amendment to accommodate the majority of the requests of the Governor and this spending authority for the providers of medical care.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Well, my understanding was, for instance, DCFS did ask for a transfer of funds...but you've added on to it?

SENATOR CARROLL:

No, no, let me explain that. Their transfer is in there. Their additional funds as approved by the Bureau of the Budget is in there and their latest request, as approved, of a million eight that came in yesterday morning is also in there. Their requests have been continuous. After our committee they came in and said we need another million eight. We've accommodated that as well.

PRESIDENT:

All right, further discussion? If not, Senator Carroll and Hall move the adoption of Amendment No. 2 to House Bill 1685. Senator Maitland. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Poshard.

PRESIDENT:

Senator Poshard on Amendment No. 3, Madam Secretary.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 would effectively delete the Department of Corrections from this supplemental bill. They have requested a increase of two million a hundred and seventy-nine thousand dollars...or transfer out of Personnel over into Contractual Agreements. Last year we stood on this Floor and I being one of the members on this side of the aisle who strongly supported the department's contention that we needed more correctional security employees in the maximum security prisons of the state and, in fact, I voted for that, supported it as did other members in this Body, and now we come back and we find that over two million dollars of that request last year intended to support additional correctional security personnel in the prison systems of this state is not

needed and, in fact, is desired to be transferred out of Personnel into other contractual line items. I guess I have a problem with that and this amendment would effectively deal with my concerns. I have since talked to the Department of Corrections earlier in the day and to other members of my leadership and I can understand some of the reasons that they need to transfer this money because of medical care delivery services, electricity and so on. And so, therefore, I am withdrawing...seeking to withdraw this amendment that I have offered but I hope that in the future when the department comes back to us asking for more money for personnel and perhaps we will look a little closer, perhaps we'll look a little more intimately at what they're advising us to do in the future.

PRESIDENT:

All right, with leave of the Body, that amendment is withdrawn. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senators J. J. Joyce, Severns, Kelly and Holmberg.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President and members of the Senate. My amendment is similar to that of Senator Poshard's but this deals with mental health and it deletes the Department of Mental Health and Developmental Disabilities transfer request, and the question I have on that is...is, why are we putting this...taking this money from Personal Services and putting it in Contractual Services. Direct patient care is what we were about last Session when we stayed over a couple of extra days to make sure that that happened. We added a million seven hundred thousand dollars to the budget and then this is taking half of it out and I'm wondering if this is

going to jeopardize any of our...creditations as we were told last fall and...and some members over there were very adamant about the fact that we stay here until we do this; in fact, there was a conference committee with a...that turned into a TV show about that so I'm just curious as to why we're doing this and I would certainly appreciate an answer.

PRESIDENT:

Senator Maitland, are you volunteering? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. We, like you, had no part in the TV extravaganza, that was...that came from some other...some other area. Senator Joyce, just a couple of points. This somewhat parallels the previous amendment and the effect we had upon Corrections. Now keep in mind, a hundred and seventy-one thousand this is just...is going to Elgin and...and to Alton and...and the remainder of that money is...is going to workmen's compensation and it's our understanding that there is a speedup, a relatively rapid speedup in...in the awards for...workmen's compensation and if they're not met on target, there is also a fifty percent penalty for that and that's where the remainder of the money is going.

PRESIDENT:

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr...thank you, Mr. President. I join in my concerns with Senator Joyce offering this amendment because I, too, remember well the arguments placed last July that the reason we needed to stay over, and I think it was Senator Schaffer who expressed those arguments so well, was to meet the needs of mental health challenges in Illinois. It was argued that without the additional 1.7 million dollars that we would have low levels of direct care staff. It was argued

that without that 1.7 million dollars that certification across this state would be...attending a hearing by the Governor on the day of his State of the State and Budget Message just a few weeks ago, he has entered thirty-six million dollars into our FY '89 budget again with the argument that certification is...I'm not certain, Senator Maitland, or whomever else would appropriately respond, that our question or major concern about the certification and staffing levels of these centers have been answered. I would appreciate any additional information you could provide.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Senator. We have the assurance from the department that certification is...is not...threatened and we are maintaining the ratio as we turn the corner.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. To continue what Senator Severns has said, I, too, very clearly remember the amount of money we put into the Mental Health budget and which we all supported primarily to save certification. There were many of us who believed if there were enough money that that should have been split, that community mental healths which must solve the problems that...that continual revolving door of mental patients who go in and out of our mental health centers and needed to be treated on a day-care basis needed some money as well. If there was enough money, and in some respects it looks like there was, it would have seemed the compassionate thing to do to divide that money at the time. Now, we find we didn't need it all and we are going to transfer it and I am duly surprised.

PRESIDENT:



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Further discussion? Senator Joyce.

END OF REEL

REEL #2

PRESIDENT:

Senator Joyce may close.

SENATOR JEROME JOYCE:

Well, it seems to me that the department is at...did not hire three hundred people that were budgeted and that they are at 1.52 while supposedly trying to be at...at 1.6 per patient to be accredited, and I think we're just going in the wrong direction here and...and all of the arguments we made last fall would be to no avail if we were to let this happen. So, I would proceed to call for a roll call on this.

PRESIDENT:

All right, Senator Joyce has moved the adoption of Amendment No. 3 to House Bill 1685. Those in favor of the adoption of the amendment will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 6 Nays, none voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, Amendment No. 4 is for twelve thousand nineteen dollars to the Governor's Council on Health and Physical Fitness. This had been omitted...due to a lack of discussion. I've spoke to the appropriation chairmen and with the people involved in this and the Bureau of the Budget and they agreed that this amount should be restored. This came about because the incumbent

executive director left our employment to head up the national council and we had to buy up his unused time as far as vacation, sick time, et cetera. Since we're bringing a new man on, there was a three weeks overlap of payment. Senator Carroll has given his blessing to this as has the rest of the...Senator Maitland and other people. I'd appreciate a favorable adoption.

PRESIDENT:

Any discussion? Any discussion? If not, Senator Davidson has moved the adoption of Amendment No. 4 to House Bill 1685. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

There has been a request, Senator Carroll, that the bill be held on 2nd reading...(machine cutoff)...request came from the Minority Leader. Apparently more amendments are in the offing and they do not wish to proceed today. So, the bill will...Senator Carroll.

SENATOR CARROLL:

Well, we are not aware of any, Mr. President, and I know the House was anxiously awaiting the bill to pass it. I'm surprised at the lateness of the request. I know the House, again, are aware. I would suggest...I guess...should we move it to 3rd.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, it's a two hundred and thirteen page document. Almost all of my members have not had a chance to look at it in any detail whatsoever. We're told by the

Governor's Office they really don't need it till May 4th. I don't see any reason why we have to proceed today.

PRESIDENT:

(Machine cutoff)...Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Senator Philip, we've...generally extended those kind of courtesies. I don't think it's a fair commentary however. Now we understand, you know, May 4th, there is another Chamber. They want to have a chance to look at it too, they may be ready to pass it now, they've been having hearings. I know they are awaiting its arrival. You're only talking a few days. I would not want to jeopardize things like substitute care in the Department and Children and Family Services which we are told runs out of money May 4th, if we're being told the truth by the administration. Secondly, these are requests that have been before your members for several weeks coming out of the Governor's Office. Now there's nothing in here that wasn't testified to in the committees of either Appropriations I or Appropriations II, including the hundred and fifty-nine million figure. That was testimony that was had by lengthy discussion both with the Bureau of the Budget and with the Department of Public Aid. If there is a reluctance to vote, that's one thing, but I think that to...to say that there's anything in here that wasn't either requested by you, meaning the administration, that is just inaccurate other than the request by us that the authority be there for the hundred and fifty-nine million. I don't see why the need for a delay on that basis and...and, you know, I'd be willing to discuss it with the President or whatever but I think we should move it to third so it's in a position to get to the House. I don't know if there's any other business to do, but I think our members at least would like to vote on it.

PRESIDENT:

Well, the...the Chair will just reflect that the only reason we were expediting was that we thought at the request of the Governor. If the Governor doesn't want it, we'll get to it sometime next week. The bill will be held on 2nd reading. Senator del Valle, on the Order...with leave of the Body, we'll move to the Order of Secretary's Desk Resolutions. Senator del Valle has one that there's a time factor involved and he wishes to proceed. Madam Secretary, it's Senate...under the Order of Secretary's Desk, Senate Resolution 944. The gentleman tells me he does have an amendment.

SECRETARY:

Senate Resolution 944. We do have one...one Floor amendment offered by Senators del Valle and Geo-Karis.

PRESIDENT:

Senator del Valle on Amendment No. 1.

SENATOR del VALLE:

Thank you, Mr. President. This amendment was worked out with the IDPA and the amendment includes a technical change and a change in the reporting date requested by IDPA and agreed to in committee and a clarification of reporting procedures and report content. I move the adoption of the Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Any discussion? If not, Senator del Valle has moved the adoption of Amendment No. 1 to Senate Resolution 944. Those in favor will...will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...del Valle on...on Senate Resolution 944.

SENATOR del VALLE:

Senate Resolution 944 urges the Congress to extend the amnesty period for applying for temporary legal residents to May 4th, 1989, and it encourages Congress to expand the amnesty program to include those individuals who entered the United States before January 1, 1982 to November 6th, 1986. It also resolves that the Illinois state agency...responsible for administering the state legalization impact assistance grants, known as the SLIAG, prepare and forward a report to the Illinois General Assembly by June 1st outlining the planned distribution of these grants to other state and local agencies within the State of Illinois and that the report will include the rationale for the dissemination of grants, the planned administrative costs by both localities and state agencies and the description of direct program services to be provided to legalized...aliens serviced by SLIAG funds. As we know, the program ends according to the law next week, May 4th. I intentionally waited till the end...towards the end of the program to make sure that this did not send the wrong message to those individuals that have been thinking about applying but even the Governor's task force and...and other groups...advocacy groups that have been dealing with the program will say that not enough was done to increase the number of applicants to get to the qualified eligible individuals the information disseminated early on was not targeted towards the individual but rather towards the employer and concentrated primarily on employer sanctions and there have been administrative problems and other kinds of problems and we don't think that it's fair that the individuals...the eligible individuals who because of several reasons were fearful to come forth have not been able to...to deal with a program that was well administered during that one-year period. We think that the extension will allow us to reach a greater number of people and...and that the intent...the original intent of the program will be met with an extension. So, I

ask for a...an Aye vote on Senate Resolution 944.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I urge favorable consideration of the resolution as amended because if you looked at your editorial last night,...paper of the...the Journal-Register, they do support it with very good reasons and one of the best reasons is that there was such a poor dissemination of public information concerning the program and there was inadequate starting phase preparation of the laws...so I urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Resolution 944 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Resolution 944 is adopted. Senate Resolution 945, Senator Geo-Karis. 945, Madam Secretary.

SECRETARY:

Senate Resolution 945 offered by Senator Geo-Karis.

SENATOR GEO-KARIS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...this preamble...resolution asks that the United States of America recognize Estonia, Latvia and Lithuania as independent nations. These countries have continued to be ravaged by invasions by the Russians and the Nazis and the policy of...supported by Gorbachev has supposedly ushered in a new Soviet era moral ethical conduct and I would like them

to display it. So, this resolution requests an accounting of all the people of Baltic States purged by Soviet interest as well as the tens of thousands of people herded into railroad cars and simply shipped to Siberia. I ask for a favorable passage of this resolution. It's a humane resolution and certainly we ought to be conscious of the human rights of others that haven't been heard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, the question is, shall Senate Resolution 945 pass. Those in favor will vote Aye...I'm sorry, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 945 is adopted. Senate Resolution 949, Senator Raica. Page 6, Senate Joint Resolution 101, Senator Etheredge. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Well, if we have a moment of lag time, I would, at this time, move to waive the six-day posting rule so that the bills that were reported out of committee today can be posted and heard in committee next week.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Savickas to...waive the six-day posting period...the appropriate rule is...those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The posting rule is thusly waived. Madam Secretary, on the...resolutions.

SECRETARY:

Senate Resolution 1020 offered by Senator Smith and all members. It is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR BERMAN:

Thank you, Mr. President, for purposes of an announce-



ment. If...you'll turn to page 9 of the Calendar, the Committee on...on Elementary and Secondary Education has...shows two postings, one for 10:00 a.m. with a lot of bills and then one at 5:00 p.m., both for next Tuesday. We have had a supplemental posting and I wanted to alert the members of the committee, the 5:00 p.m. meeting is not going to proceed. The...one of the bills posted for 5:00 p.m., Senate Bill 1839, will also be posted for 10:00 a.m. but there will be no meeting at 5:00 p.m. of the Committee on Elementary and Secondary Education. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAROVITZ:

Thank you, Mr. President. Having checked with the principal sponsor, I'd like leave to be added as a principal hyphenated sponsor to Senate Bill 2045.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Marovitz to be added as a cosponsor of Senate Bill 2045. Is leave granted? Leave is granted. It's so ordered. Resolutions. Wait a minute,...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Before I present the adjournment resolution, which will effectively close down our operation for today, I would ask leave that we go back to the Order of House Bills 2nd so that 1685 can, in fact, be moved to 3rd reading. Senator Carroll has indicated that he expressed a...a willingness to call it back and...if indeed the Governor has an amendment, but I think it...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll...we will go to the Order of...of Senate Bills 2nd Reading. Is leave

granted? Leave is granted. On the Order of Senate Bills 2nd Reading is...is Senate Bill 1685, Madam Secretary...or House Bill 1685. All right, 3rd reading. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Yes, thank you, Mr. President. To be added as a sponsor to Senate Bill 2067 and Senate Bill 2068. I do have permission from the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Zito to be added as a cosponsor of 2067 and 2068. Is leave granted? Leave is granted. It's so ordered. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. Again, a reminder. Revenue Committee will meet immediately in Room 212. We have only one bill but it's a big one. We will be out as fast as possible but we must get started immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Resolutions.

SECRETARY:

Senate Joint Resolution No...123 offered by President Rock.

(Secretary reads SJR 123)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is the adjournment resolution. It calls for us to return to Session on noon, next Tuesday, May 2nd. I would remind you, as Senator Berman has, that Education will meet at ten. We will go into Session at noon or shortly thereafter and I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 123.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock, that's May 3rd, Tuesday, May 3rd. All right. Senator Rock has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 123. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves to...to adopt Senate Resolution 123...Senate Joint Resolution 123. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 123 is adopted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I'd like to extend a happy birthday wish to Harvey Turner who's one of our doormen. He will be having his eighty-first birthday tomorrow and I'd like to ask the members of the Senate to recognize that with a nice round of applause.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Harvey, happy birthday. Madam Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

There have been no objections filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, since the Resolutions Consent Calendar was distributed we have added Senate Resolution 1018, 1019 and 1020. Is leave to add those? Leave is granted. Senator Dunn moves the adoption of the Resolutions Consent Calendar. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till May the 3rd at the hour of noon, next Tuesday.

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE  
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